

State of Iowa Electrical Examining Board Meeting Minutes  
December 16, 2021  
Unapproved

Board Members Present

Marg Stoldorf, Chairperson (At 10:30 a.m. continued by phone)  
John Claeys  
Tim Gerald  
Sara Fasching  
Luiza Fritz  
Luke Maloney

Board Members Present by Conference Call

Jonathan Gettler  
Amanda Cooling  
Colby Black (At 10:28 a.m.)

Board Member Not Present

Todd Cash, Vice Chair  
Dan Wood

Staff Members Present

Brian Young, Executive Secretary  
John Lundquist, Assistant Attorney General, Iowa Attorney General's Office  
Cindi Hayes, Secretary 2

Public Present

Jarrod Gray – Kline Electric  
Charlie Miller – 3E  
Brian Drey – 3E  
Jay McMullen - Milbank  
Zeph Gruls – City of Des Moines  
Jeff Kinley - Bray Sales

Public Present by Conference Call

Dan Beeding – Local Union 13

Chair Stoldorf called the meeting to order at 10:00 a.m., and asked for an introduction of Board members attending in person and by conference call. CP Stoldorf asked guests in attendance and by conference call, to introduce themselves.

CP Stoldorf moved to the first item on the agenda, which was the approval of the meeting minutes from October 20, 2021. Maloney made a **motion to accept the minutes as written**. Claeys **seconded** the motion. 8 Aye, 0 Nay. All in favor; motion carried unanimously. CP Stoldorf then asked for a motion for the November 15, 2021 meeting minutes. Gerald made a **motion to accept the minutes as written**. Claeys **seconded** the motion. 8 Aye, 0 Nay. All in favor; motion carried unanimously.

CP Stoldorf then asked to re-arrange the agenda.

The next item was an update on the City of Bettendorf electrical inspections being code compliant. AAG Lundquist stated that ES Young has been communicating with the city for over two years to update their city

adopted electrical code, and found that they had codified, through their city ordinances, that they were enforcing the 2014 National Electrical Code (NEC) and missed the 2017 NEC entirely. ES Young has been trying to work with their inspectors to be compliant with conducting their inspections to the state adopted NEC. AAG Lundquist went on to explain, per Iowa Code 103.29(5), which provides a city to deviate from the standard code that the Electrical Examining Board (EEB) has adopted, as long as their ordinances are not less stringent than the EEB establishes by rule. Further, the political subdivision is required to file their proposed amendments to the EEB prior to enforcement. AAG Lundquist stated that the City of Bettendorf has adopted the 2020 NEC, however, they have done so, and subject to, a number of non-uniform amendments, which became effective in November 2021. In researching these non-uniform amendments, there were some which were more restrictive, but there are several amendments that were not. The City of Bettendorf has either eliminated portions of the current NEC or they adopted a standard that was a prior standard or something different from sources the EEB are still trying to figure out. AAG Lundquist stated that he and ES Young are getting closer to gain full compliance with the City of Bettendorf and will continue to work with the city attorney regarding advance notification and justification of their non-compliant amendments which must be submitted to the EEB prior to inspecting. CP Stoldorf asked AAG Lundquist when he would reach out to the city attorney regarding resolution to this issue, to which he stated "In the next couple of days".

CP Stoldorf then moved to the next item on the re-arranged agenda, which was Temporary Services and Articles 230.62 and 230.71B. CP Stoldorf asked the Code Adoption subcommittee for discussion. Gerald explained that the subcommittee members do not want to allow alterations to existing temporary services and to extend the existing language until 12/31/2022. This is due to manufacturers stating they are not able to produce the equipment on a timely basis based on supply chain challenges. ES Young stated he will work with the subcommittee for some verbiage to convey this change. CP Stoldorf asked for any comments from the public. Zeph Gruls, City of Des Moines, stated he agreed with Gerald's comments to extend until 12/31/2022.

Jay McMullen, Milbank, stated that Milbank has approximately 10% of product for the current orders received. He is projecting August 2022, as to when parts will be available to fulfill orders received. He would like to see orders coming in now so they know what the demand will be so they can predict requirement of parts. Charlie Miller, 3E, stated, that, as a distributor of Milbank products, contractors are waiting to see how this meeting resolves before they order product. He forecasts that contractors will now place orders knowing that the enforcement date is pushed to 1/1/2023. Jeff Kinley, Bray Sales, also agrees with the new enforcement date. CP Stoldorf stated that she would like ES Young and distributors to contact their clients regarding product availability.

CP Stoldorf asked for Board member input. Maloney stated he would like the date of enforcement to be extended past 12/31/2021. Gerald stated he would entertain the 1/1/2023 enforcement date to allow manufacturers and distributors time to re-stock. Jay McMullen, Milbank, stated the product is made in Kansas City, so there is not an oceanic port distribution issue. Gerald stated he wants a hard enforcement date so that manufacturers and distributors are on notice. ES Young and the distributors will work on a joint communication going regarding the enforcement date, so contractors do not order non-compliant equipment. Jarrod Gray, Kline Electric, stated that his company has tried to order the new equipment, but has been told it is not in stock and they do not know when it will be in stock. He, as a contractor, does not want to tie up money thorough orders, when there is no way of knowing when the product will arrive. Since the code change was made prior to the product demand, why is there no product? Mr. McMullen answered that they have received orders and have supplied 10%, but there is just now a larger demand due to the code change. Mr. Gray reiterated that the code change was made in advance to any demand, so why were manufacturers not ramping up production when the code was changed a year prior? Maloney stated there is a code that allows if product is not available, the last code section standard will apply. Mr. Kinley stated orders made by contractors should be 2020 NEC compliant. Mr. McMullen stated that manufacturers were aware of code changes prior to adoption, but there is also lead time needed to engineer, design and build the product, when they did not have orders and did not know how much product would be ordered. Product is available to order now, but there are not any orders pending to fill. Mr. McMullen went on to state that August 2022 is the

estimated date of order fulfillment from manufacturers and distributors. Claeys asked about retro-fit kits. Mr. McMullen answered that Milbank will not manufacture a retro-fit kit. Mr. Kinley also stated they will not produce a retro-fit kit, as well. CP Stoldorf asked for a motion. Claeys made a **motion to extend the sunset date to 12/31/2022 for Articles 230.62 and 230.71B**. Gerald **seconded** the motion. 8 Aye, 0 Nay. All in favor; motion carried unanimously.

CP Stoldorf then turned the meeting over to ES Young. The next item on the agenda was the report of the Executive Secretary. ES Young reviewed the financial report, which was previously provided to the Board for their review, and directed the Board's attention to revenue and expense items.

The next item on the agenda was a waiver request from Zumret Redzic. Mr. Redzic requested the Board grant two additional test attempts for the journeyman exam. Mr. Redzic has completed his 12 hours of continuing education and has waited six months from his last test date. After discussion, Gerald made a **motion to grant the waiver to Mr. Redzic to sit for two more exam attempts**. Black **seconded** the motion. 9 Aye, 0 Nay. All in favor; motion carried unanimously.

The next item on ES Young's report was the civil penalty letters for electricians working without licenses. Those individuals receiving civil penalty letters were: *Trent Tinlin, Zechariah Scott, Evan Chadwick, Lucas Prokup, William Walton, Jesse Davis, John Thornton, Riley Phelps, Sean Boyd, James Lair, Anthony Ortiz, Robert Kuhl, Michael Fuller and Matthew Moore*. Gerald made a **motion to approve the letters**, and Maloney **seconded** the motion. 9 Aye, 0 Nay. All in favor; motion carried unanimously.

ES Young turned the meeting back over to CP Stoldorf.

CP Stoldorf called for public comment. Jarrod Gray, Kline Electric, commented that his company has tried to order the compliant equipment beginning in spring 2021, after the 2020 NEC was adopted. His distributors keep stating the temporary equipment is backordered with no delivery date given. He is unhappy that the manufacturers and distributors put the problem on contractors to order, so they will know what the demand is. Due to past order history, there should be a good estimate for the manufacturers.

The next item on the agenda was Other Board Business. ES Young stated that the Board meetings will be held every other month starting February 17, 2022. ES Young also gave an update on how the new administrative rules are coming along to comply with HF 871, regarding the code adoption. The new Emergency Rule basically reverts back to the removal of GFCI protection for 250-volt equipment that was first adopted by the board. The Emergency Rule has been published and will be effective on 1/1/2022.

CP Stoldorf called for a motion to adjourn the meeting; Gerald made a **motion to adjourn**. Claeys **seconded** the motion. Chair Stoldorf called for the vote. 9 Aye, 0 Nay. All in favor; motion carried unanimously. Meeting adjourned at 10:39 a.m.

Respectfully submitted,

Cindi Hayes, Secretary 2