

MINUTES

UTAH ELECTRICIANS LICENSING BOARD MEETING

June 17, 2010

Room 474 09:00 A.M.
Heber Wells Building
160 East 300 South
Salt Lake City, Utah

CONVENED 09:07 A.M.

ADJOURNED 01:03 P.M.

DOPL STAFF
Dennis Meservy, *Bureau Manager*
Yvonne King, *Board Secretary*
Dan S. Jones, *Bureau 4 Manager*
Ray Walker, *Reg/Comp Officer*
Kent Barnes, *Compliance Manager*
Susan Higgs, *Compliance*
Robyn Barkdull, *Continuing Education Coordinator*

BOARD MEMBERS PRESENT
Dirk Burton, *Chair*
Frank Rydalch
Harold Weight
David Kingery
Kevin Clubb

VISITORS
Ken Adams, *IEC Education of Utah*
Clayton Ashdown, *Applicant*
Mark Austin, *Wasatch Electric*
Kim Barraclough, *IBEW*
Brad Baugh, *UEJATC*
Levi Belnap, *Utah Solar Energy Association*
Elias Bishop, *Pioneer Solar & Electric*
Steven Bishop, *Pioneer Solar Electric*
Thaniel Bishop, *Steadfast Solar*
Carl Brailsford, *UEJATC*
Ryan Clark, *Timberline Electric*
Klaas DeBoer, *Intermountain Chapter NECA*
David Dewey, *GSLM*
George Halliday, *IBEW*
Trina Hansen, *Ogden/Weber Applied Tech College*
Randy Kidd, *GSLM* Michael Pennie, *IBEW*
Dwayne Lindsay
Troy Lindsay, *Probationer*
Will Pierce, *Davis Applied Tech College*
Caleb Sharpe, *Probationer*
Terry Smith, *Cache Valley Electric*
Lori Stewart, *Mountainland Applied Tech College*
Evgeni Stoyanov, *Applicant*

DAVID KINGERY

This was David Kingery's last meeting as a member of the board. Kingery was thanked for his dedication and hard work.

MINUTES

Kingery made a motion to approve the May 2010 minutes as written. Harold Weight seconded the motion and all members voted in favor.

COMPLIANCE

Susan Higgs stated there were eleven licensees that were compliant with the terms of their probation and nine that were out of compliance.

SOLAR PHOTOVOLTAIC

The advisory committee met at the Division on June 3, 2010. Weight was chair of the committee and Weight reported to the board that the committee made the following recommendations: (1) Solar photovoltaic be included as an approved subject in the continuing education rule. (2) Continue the solar photovoltaic S202 contractor license for those currently holding the license, but suspend further issuance of the S202 license classification. (3) Include solar photovoltaic in a rule work experience requirement category. (4) Include in the state examinations solar photovoltaic subject matter questions.

Board discussion on the matter included giving the S202 a time period to get into compliance with the qualifications to be an electrical contractor. The discussion also included redefining the S202 license classification to allow the structural portion of the work, but limit the electrical portion. The justification of the discussed changes involved public safety concerns and substantially changes in the solar photovoltaic industry due to new technology.

There was a discussion in regards to rule making authority being exceeded in originally creating the solar photovoltaic S202 contractor license classification. Frank Rydalch made a motion to recommend to the Construction Services Commission to suspend further issuance of the S202 license. But, allow the current S202 license holders to keep their license for a period of four years, at which time the licensee would need to obtain the general electrical contractor S200 contractor license classification, and excluding the S202 license from doing electrical work. Weight seconded the motion and all members voted in favor.

Dan S. Jones said he would do a rule draft on the motion and would have it ready for the board at their next meeting.

CONTINUING EDUCATION

The board due to recent change in state statute is redefining the continuing education rule. The board discussed core education as adopted and proposed National Electric Codes. The board discussed professional education as electric motor controls, electrical motors, electrical tool usage, Mine Safety and Health Administration (MSHA), National Fire Protection Association 70 (NFPA 70), Occupational Safety and Health Administration (OSHA) and supervision skills as related to the electrical trade.

The board questioned whether to provide continuing education credit for the following courses: Lien law, lien recovery fund, and classes related to product presentations. Core education was discussed as being a minimum of twelve hours and professional education being no more than four hours. However, all sixteen hours of the continuing education hours could be in core.

Continuing Education Course Approval

American Contractors

The board in their last meeting received a continuing education course approval request from American Contractors. The course was on the 2008 NEC and Clubb reviewed the material. Clubb made a motion to approve the American Contractors 2008 NEC course for four hours of core (code). Rydalch seconded the motion and all members voted in favor. Due to change in the state statute, this course is only approved until November 30, 2010.

TEST SCORE REVIEW

Reviewed examination test scores from PSI, the state test provider. Also, reviewed were the school competency examination results from Dixie Applied Tech College and IEC Education of Utah.

DISCIPLINARY/APPLICATION REVIEW

Disciplinary. Also, reviewed out of state applications and/or applications with special concerns.

Caleb Sharpe

Caleb Sharpe appeared before the board. He was being drug tested. He, however, was out of compliance with the terms of his memorandum of understanding and order (MOU) for not using the Division's drug test provider. Sharpe said he could not afford the cost and that was the reason he was not using the Division's drug test provider. Kent Barnes stated Compass Vision is the Division's test provider and they are very detailed in their drug screens. The testing is random, but the individual is required to phone in every day. The terms of the drug testing are very clear in the MOU. Sharpe agreed to these terms and signed the MOU.

After the board discussed the matter, Weight made a motion to keep the MOU as written. Sharpe is to come into compliance with the terms of the MOU by using the Division's drug testing provider. Kingery seconded the motion and all members voted in favor.

Troy Lindsay

Troy Lindsay appeared before the board. He was out of compliance with his stipulation and order for not paying his fine. The stipulation took effect on February 24, 2010. Lindsay was to pay a fine of \$3,000 with \$1,500 of the fine suspended. The fine was to be paid within forty-five days of the date the stipulation took effect. However, if the fine was not paid within 45 days, Lindsay would be in violation of the stipulation and subject to paying the full fine. The only money that Lindsay paid toward the fine was \$51.25 and this occurred in May after he was contacted by the Division for being out of compliance with the terms of his stipulation. Lindsay said he didn't have the money to pay the fine and requested a payment plan. It was his position he had forty-five days to pay a fine of \$1,500 or the full five years of his probation to pay a fine of \$3,000.

Weight made a motion to move ahead with an order to show cause. Lindsay was out of compliance with the terms of his stipulation and order. However, if he paid the fine prior to a hearing being set, the order to show cause would be dropped. Rydalch seconded the motion and all members voted in favor.

Clayton Ashdown

Clayton Ashdown came before the board with a request to approve hours he earned working for a mining company. The company was not licensed as an electrical contractor, but was exempt from licensing requirements. Ashdown showed he completed the apprentice school program with Ogden/Weber Applied Tech College and had prior experience working for licensed electrical contractors. The board concluded after reviewing his work experience that Ashdown did meet the work experience requirement for licensure. Rydalch made a motion to approve Ashdown to take the journeyman examinations. Clubb seconded the motion and all members voted in favor.

Evgeni Stoyanov

Evgeni Stoyanov appeared before the board. He wanted to be a journeyman and requested his Bulgarian engineering degree be approved by the board. He, however, had made application to be a residential journeyman. The codes under 58-55-302(3)(f)(i) and R156-55b-302a (7) provides for licensure as a master electrician for an individual that has obtained an electrical engineering degree that is EAC/ABET accredited and has one year of practical experience working as a licensed apprentice electrician.

The board determined that Stoyanov's degree was not from an approved apprenticeship program. The degree also did not have the proper accreditation for Stoyanov to be licensed as a master. Stoyanov "without" a certificate of completion from an approved apprenticeship school needed eight thousand hours of qualifying work experience to be a residential journeyman. It was determined, however, he was short 465.5 hours for this residential license. The board informed Stoyanov he needed to go to his employer that obtained licensure in March of 2007 and have the employer document his hours from then until now on a proper affidavit. He then needed to provide this affidavit to the Division. The board informed Stoyanov from what he told them, this should give him the hours he needed to be a residential journeyman.

All business concluded meeting adjourned.

Note: This report is not intended to be a verbatim transcript, but is intended to record the significant features of what was discussed in the meeting. Discussed items are not necessarily arranged in chronological order.

(ss) Dirk Burton _____ Date: July 15, 2010
Dirk Burton, Chair Signature

(ss) Dennis Meservy _____ Date: July 15, 2010
Dennis Meservy, Bureau Manager Signature