

NORTH DAKOTA STATE ELECTRICAL BOARD SPECIAL MEETING MINUTES

Wednesday, December 14, 2016

The North Dakota State Electrical Board meeting was called to order at 9:00 a.m. by President Rodney Mayer at the office of the North Dakota State Electrical Board, 1929 N. Washington Street, Suite A-1, Bismarck, N.D. Members present: Kyle Miller, Tom Paulson and Brad Sylliaasen. Also present: James Schmidt, Executive Director; Doug Grinde, Director of Inspections; Scott Halle, Training and Compliance Administrator; Ashley Windhorst, Administrative Assistant; Paula Glass, Office Manager; and Scott Porsborg, Special Assistant Attorney General. Others present: Curt Casper, NECA; and Don Iverson, NEMA.

The Board called Board Member, Ben Koppelman, to discuss written comments on proposal #2: Entire 24-02: Adopts the NFPA 70 2017 edition National Electrical Code and NFPA 101 2015 edition Life Safety Code. – Oral & written comments. Written comments:

- a. NEC 210.11(C)(4) requirements shall not include buildings 250 sq. feet or smaller.
 - Discussion was had and it was decided to accept the proposal and add something about the authority having jurisdiction.
- b. NEC 422.16 should include the use of flexible appliance cords to be permitted on permanently installed, 120 volt, 20 amp or less, gas fired furnaces installed in residential dwellings. The receptacle for this appliance shall be GFCI, or a single receptacle, with a lockable INUSE cover, and the cord shall meet all requirements of 422.16. AFCI protection shall not be required.
 - Discussion was had and it was decided to accept the proposal with amendments.
- c. With the acceptance of the 2017 NEC, this will reintroduce the AFCI requirements in NEC 210.12(A). The requirements for GFCI and/or AFCI protection for 120volt receptacles should be exempt when installed for the sole purpose of refrigeration appliances in dwelling unit kitchens, pantries, wet bars, basements and garages. When GFCI or AFCI protection is not provided, a single receptacle shall be installed.
 - Much discussion was had on life safety concerns and the improvements to AFCI's over the years. The Board decided to reject the proposal as written and accepts the proposal with amendments.
 - NFPA 101 2015 edition Life Safety Code moved to appendix under Means of Egress Condensed Guide and incorporates NFPA 101 current edition Life Safety Code. – no comments.

The phone conversation with Ben Koppelman ended.

The following administrative rule proposals were reviewed and either accepted or rejected:

1. Entire Title 24: Repeals the existing provisions and creates a new title 24.1 – oral comment & no written comments. **Accept 3-0**
3. 24-02-01-02(2): Added language to warrant individuals are properly licensed or registered while performing electrical work for a contractor. – no comments. **Accept 3-0**
4. 24-02-01-16.1: Added a paragraph for heat alarms in order to incorporate detection of a fire in a garage attached to a residence. – oral comment & no written comments. **Accept 3-0**
5. 24-02-01-19(1): Revised text with the intent to eliminate and/or lessen paper wiring certificates and clarify establishment of e-cert procedures. – no comments. **Accept 3-0**
6. 24-02-01-19(3): Revised text with the intent to eliminate and/or lessen paper wiring certificates and clarify establishment of e-cert procedures. – no comments. **Accept 3-0**
7. 24-02-01-19(4): Removed text as it is redundant to 24-02-01-19(2) (b). – no comments. **Accept 3-0**
8. 24-02-01-22(1): Revised text so approval of all continuing education classes will now be required for the provider to submit its course application to the North Dakota state electrical board. – no comments. **Accept 3-0**
9. 24-02-01-22(1)(a): Removed text to eliminate confusion on who can submit a course application to be considered. – no comments. **Accept 3-0**
10. 24-02-01-22(1)(b): Revised text to renumber and allow North Dakota state electrical board time to review and process applications. – no comments. **Accept 3-0**
11. 24-02-01-22(1)(c): Renumbered – no comments. **Accept 3-0**
12. 24-02-01-22(1)(d): Removed text as approval of all continuing education classes will now be required for the provider to submit its course application to the North Dakota state electrical board. – oral comment. **Accept 3-0** as amended.

○ New text will read:

- Continuing education programs held in other states may be considered for credit if the program meets the requirements of the board.

13. 24-02-01-22(1)(e): Renumbered – no comments. **Accept 3-0**

14. 24-02-01-22(1)(f): Renumbered – no comments. **Accept 3-0**

15. 24-02-01-22(1)(g): Renumbered and revised text as date is not applicable due to different renewal dates – oral comment. **Accept 3-0**

16. 24-02-01-22(1)(h): Renumbered and added language to clarify validity of credits. – no comments. **Accept 3-0**

17. 24-02-01-05(1): Revised text to keep current on latest version of the API manual. – no comments. **Accept 3-0**

18. 24-02-01-07(8) and Exception: Removed text to conform to the National Electrical Code. – no oral comment & one written comment: **Accept 3-0**

1) Written comment to leave branch feeder device as an exception - The NEC already allows this (allows branch feeder AFCI) so you don't need to comment on this in 210.12 (A). **Reject 3-1**

19. 24-02-01-08(5)(a): Revised text for correctness and to provide consistency with the text in paragraphs b. and c. – no comments. **Accept 3-0**

20. 24-02-01-08: Added language to conform with 24-02-01-03(6), a fire wall is needed to separate buildings for services. – no comments. **Accept 3-0**

21. 24-02-01-16.1(1)(a): Removed text to eliminate confusion of commercial source definition and it being supplied by other than a commercial source. – no comments. **Accept 3-0**

22. 24-02-01-16.1(3): Added language to create a safer environment by eliminating a plug-in carbon monoxide alarm that can be unplugged. – no comments. **Reject 3-0**

At 10:15 a.m., Mark Moderow, State Inspector; Mitch Flannigan, City of Minot; and Darrell Zaback, City of Minot, entered the meeting.

Discussion was had on state inspectors assisting in the city of Minot with electrical inspections. Mr. Mayer questioned if they still need assistance getting inspections completed and caught up or if they felt more mentoring and/or training was needed. Mitch

Flannigan said he didn't feel like they needed more mentoring/training at this time. He thinks the city of Minot's electrical inspectors are doing a good job and besides contacting the state office or a state inspector for code questions, they should be good. Darrell Zaback added that he would have to agree with Mr. Flannigan, and they'll encourage the inspectors to continue to communicate and ask questions when needed; otherwise, they should be good as far as training goes. Mark Moderow added that the communication with the city of Minot electrical inspectors has improved. Mark has also shown them how to use the NDSEB reporting system for filters and printouts.

Mr. Schmidt asked if the staff and inspectors at the city of Minot know how to use the NDSEB reporting system. Mr. Flannigan said John French and Todd Michelson were instructed to contact the NDSEB office to train them more on the reporting system. Mr. Flannigan added that it takes years to train someone to be a seasoned electrical inspector. He added that what they do is a service for contractors and they focus on working together and partnering with contractors.

James Schmidt told them to contact Doug Grinde and Paula Glass to schedule something to train them more on the reporting system. Mr. Schmidt also stressed the importance of catching up on old certificates. Mr. Flannigan said the city is trying to keep caught up and not let stuff get more than one year old. Mr. Schmidt also added that perhaps they should consider sending both inspectors to the inspectors' meetings vs. only one. The more the inspectors are on the same page the better. Mr. Flannigan added that he agrees 100%.

At 10:50 a.m. Mark Moderow; Mitch Flannigan; and Darrell Zaback left the meeting. The Board recessed for a short break.

At 11:25 p.m., the Board reconvened and called Ben Koppelman to discuss the amended proposals.

Discussion was had about removing AFCI from the 210.12(A) proposal and not GFCI. Mr. Koppelman would prefer to see GFCI left in the proposal. More discussion was had on the GFCI being for life safety and it needing to stay as is.

1. The Board decided to accept proposal 2(a), leaving out the authority having jurisdiction which was previously discussed. The new rule will read as follows:
 - Exception: 2017 Edition, National Electrical Code, Article 210.11(C)(4): Requirements shall not include buildings 250 square feet or smaller.
2. The Board decided to accept proposal 2(b) as amended. The new rule will read as follows:
 - Exception: 2017 Edition, National Electrical Code, Article 422.16: The use of not more than 6 feet of flexible appliance cord shall be permitted on permanently installed 120 volt 20 amp or less fuel fired

furnaces in residential dwellings. The receptacle for this appliance shall be GFCI protected, or a single receptacle, with a lockable in-use cover, and the cord shall meet all requirements of NEC 422.16

3. The Board decided to accept proposal 2(c) as amended. The new rule will read as follows:
- Exception: 2017 Edition, National Electrical Code, Article 210.12(A): AFCI protection is not required for refrigeration appliances if a single receptacle on a dedicated circuit is installed.

Motioned by Tom Paulson and seconded by Brad Sylliaasen to accept the reviewed proposals per Board consensus which includes proposals: 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 19, 20, and 21. Motion carried.

Motioned by Tom Paulson and seconded by Brad Sylliaasen to accept proposal two (2) along with the following amendments to 2a, 2b, and 2c as amended. Motion carried.

Motioned by Tom Paulson and seconded by Brad Sylliaasen to accept proposal twelve (12) as amended. Motion carried.

Motioned by Brad Sylliaasen and seconded by Tom Paulson to accept proposal eighteen (18) and disregard the written comment to eighteen (18). Motion carried.

Motioned by Brad Sylliaasen and seconded by Kyle Miller to reject proposal twenty-two (22). Motion carried.

Motioned by Tom Paulson and seconded by Brad Sylliaasen to adopt the 2017 National Electrical Code (NEC) on December 14, 2016 as amended this day. Motion carried.

Motioned by Tom Paulson and seconded by Brad Sylliaasen to have the 2017 National Electrical Code (NEC) effective July 1, 2017 or as soon as practicable per Legislative Counsel. Motion carried.

The next Board meeting will resume on January 18, 2017.

There being no further business, it was motioned by Tom Paulson and seconded by Brad Sylliaasen to adjourn the meeting. The meeting was adjourned at 12:10 p.m.

Date

Date

Rodney Mayer, PRESIDENT

Tom Paulson, SECRETARY