

Meeting Minutes: Board of Electricity

Date: October 12, 2021
Time: 9:00 a.m.
Location: WebEx Event

Members Present

1. Alfreda Daniels
2. Sarah Gudmunson
3. Duane Hendricks – Chair
4. Steve Haiby
5. Mike Hanson
6. Jeff Heimerl
7. Todd Huttner
8. Peter Lindahl – Vice-Chair
9. Travis Thul
10. Desiree Weigel – Secretary
11. John Williamson – CO’s Designee

Members Absent

Cole Funseth

DLI Staff & Visitors

Jeff Lebowski (Gen. Counsel, DLI)
Brittany Wysokinski (Gen. Counsel, DLI)
Lyndy Logan (DLI)
Charlie Durenberger (DLI)
Steve Dudley (DLI)
Dean Hunter (DLI)
Todd Green (DLI)
Marty Kumm (DLI)
Clara Albert (Electrical Assn.)
William Braun
Michelle Dreier (Electrical Assn.)
Nick Erickson (Housing First)
David Fisch (MNESTA) *via phone*
Jim Freichels (Dell-Comm)
Adam Hanson (MN/NDABC)
Dan Moynihan (City of St. Paul)
John McNamara (DLI)
Mike Miller (MN Electrical Assoc.)
Andy Snope (IBEW 292)

1. Call to Order

- A. **Roll Call:** Chair Hendricks called the meeting to order at 9:06 a.m. Roll call was taken by Secretary Weigel and a quorum was declared with 11 of 11 voting members present via WebEx.
- B. **Announcements/Introductions – Chair Hendricks**
 - New member – Steve Haiby, Electrical Supplier in a Rural Area
 - Remote Meeting Statement: Thank you for joining this remote meeting via WebEx. As the board chair, I have determined today’s meeting is via the WebEx platform due to the COVID-19 pandemic. Per Minnesota Statutes, section 13D.021, of the Open Meeting Law, electronic meetings are acceptable when an in-person meeting is “not practical or prudent because of a health pandemic or an emergency declared under Chapter 12.” It is not practical or prudent to hold an in-person meeting because, consistent with MDH guidance, the usual meeting place is not open to the public due to the COVID-19 pandemic.
 - All handouts discussed and WebEx instructions are posted on the Board’s website at: <https://www.dli.mn.gov/about-department/boards-and-councils/board-electricity>
 - Everyone present on this WebEx can hear all discussions; all votes will be taken by roll call.
- C. WebEx instructions and procedures were read.

2. **Approval of Meeting Agenda**

A motion was made by Lindahl, seconded by Heimerl, to approve the agenda as presented. The roll call vote was unanimous with 11 votes in favor of the motion; the motion carried.

3. **Approval of Previous Meeting Minutes**

A motion was made by Lindahl, seconded by Heimerl, to approve the July 13, 2021, regular meeting minutes as presented. The roll call vote was unanimous with 11 votes in favor of the motion; the motion carried.

4. **Regular Business**

A. **Expense Approval** – Lyndy will review, sign, and send per diems to Financial Services for approval/payment.

B. **Enforcement & licensing update** – Charlie Durenberger provided the following handouts:

- [Enforcement Actions Year to Date](#)
- [Enforcement Statistics 2018-2021](#)

C. **Inspection update** – Williamson provided the following handouts:

- [Issued Electrical Solar Permits Summary](#)
- [Electrical Permits Issued Summary](#)
- [Statewide Activity Report – Jan. 1, 2021 through Dec. 31, 2021](#)
- [Electrical Permit and Inspection History](#)

5. **Special Business**

A. [Repeal of April 13, 2010 Final Interpretation – AG Buildings](#)

Dean Hunter presented “[2010 – Board of Electricity “Final Interpretation” Scope of Article 547](#) regarding the April 2010 Final Interpretation issued by the Board regarding the question “Does National Electrical Code Article 547 apply to premises where buildings, structures and areas are used for agricultural purposes but not animal confinement?”

A motion was made by Thul, seconded by Heimerl, that the board has reviewed and clarified Article 547 of the 2020 NEC as it relates to the April 13, 2010 Final Interpretation and the 2020 NEC covers the concern put in place with the 2010 Final Interpretation; the 2020 code would apply. The roll call vote was unanimous with 11 votes in favor of the motion; the motion carried.

Travis Thul departed the meeting at 10:00 a.m. resulting in 10 Board members.

B. [Request for Interpretation \(21-01\) – William Braun](#) and Dean Hunter’s presentation titled “[Utility Exemption – NEC 90.2 and the Minnesota Electrical Act.](#)”

A motion was made by Haiby, seconded by Lindahl, in support of the Department’s position. A roll call vote was unanimous with 10 votes in favor; the motion carried.

6. Committee Reports

Construction Codes Advisory Council (CCAC)

Daniels said the CCAC met on September 23, 2021 – [View the presentation here.](#)

7. Complaints

No complaints

8. Open Forum

No discussion

9. Board Discussion

Sherco Development Solar project

Heimerl said he contacted Lebowski regarding the process by which projects are determined to be utility related and asked if Lebowski could explain how this process works – how does the Board decide if something is utility or non-utility and whether under the purview of the department?

Lebowski said the department is currently reviewing the Sherco Development Solar project to determine ownership. He will share the determination with the Board when available.

10. Announcements

Next regularly scheduled meeting – 9:00 a.m., WebEx/In-person – TBD

- January 11, 2022

11. Adjournment

A motion was made by Lindahl, seconded by Daniels, to adjourn the meeting at 10:44 a.m. The roll call vote was unanimous with 10 votes in favor of the motion; the motion carried.

Respectfully Submitted,

Desiree Weigel

Desiree Weigel
Secretary

Green meeting practices

The State of Minnesota is committed to minimizing environmental impacts by following green meeting practices. DLI is minimizing the environmental impact of its events by following green meeting practices. DLI encourages you to use electronic copies of handouts or to print them on 100% post-consumer processed chlorine-free paper, double-sided.