

RECORD OF PROCEEDINGS

MINUTES OF THE COLORADO STATE ELECTRICAL BOARD MEETING VIA TELE-CONFERENCE HELD AT 1560 BROADWAY, SUITE 1500, DENVER, COLORADO ON MONDAY, August 25, 2008

The meeting of the Board was publicly noticed according to the Division of Registrations' Policy 80-17.

I MEETING - CALL TO ORDER:

Board Chair Loren Priest called the meeting to order at 9:30 AM.

II RECOGNITION OF MEMBERS PRESENT:

Loren Priest	Public Member, Board Chair
George Nightingale	Electrical Contractor, Board Vice-Chair
Jose Amaya	General Contractor
Scott Berg	Building Official
Rory Berumen	Journeyman Electrician
Melissa Browning-Sletten	Electrical Utility
Jerry Coffee	Electrical Contractor
Robin Kittel	Electrical Utility
Terry Schneider	Master Electrician

MEMBERS ABSENT:

None

OTHERS PRESENT:

Charles H. Adams	Program Director
Stephen Conrad	Chief Inspector
Kennetha Julien	Office of Expedited Settlement
Betty Wytias	Assistant Attorney General
Lamidia Hayes	Complaint Analyst
Donna Norman	Complaints, Applications and Felony Analyst
Marian Zabel	Administrative Assistant

III APPROVAL OF PREVIOUS MEETING MINUTES:

A motion was made to approve the minutes of the July 23, 2008, meeting as amended. The motion was seconded and unanimously carried.

IV STAFF COMMENTS

Program Director Charles H. Adams welcomed the new board members appointed by Governor Owens to their first official meeting. New members include: Jose A. Amaya, appointed to fill the general contractor position; Scott W. Berg, appointed to fill the building official position; Rory Berumen, appointed to fill the journeyman electrician position; and Robin L. Kittel, appointed to fill the Electrical Utility position.

A Board Orientation for new members has been scheduled for Monday, September 8, 2008 beginning with a luncheon at 12:00 PM. In addition to new members, Board Chair, Loren Priest will attend.

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IV STAFF COMMENTS (continued)

Mr. Adams stated that the posting for the new program director position for the Electrical and Plumbing Boards closes today. Interviews will be scheduled in the near future.

Chief Inspector Steve Conrad updated the Board:

- The inspector vacancy position will be offered to an applicant today. In the interim, Mr. Conrad has been covering the Bailey area.
- The Plumbing Board is also short one inspector. Interviews are in progress to fill that position.

Assistant Attorney General, Betty Wytias stated that she will be reassigned to act as the attorney for the Department of Human Services after Labor Day. A new attorney will be introduced to the Electrical and Plumbing Boards at an upcoming meeting.

V GENERAL SESSION

Business: Collins Control & Electrical Inc., Ault High School – Permit 626831– variance
Summary: The Board considered a variance request submitted by Collins Control & Electrical Inc. dated July 23, 2008. This request is to allow power to be supplied to emergency egress lighting from adjacent space branch circuits at the old Ault High School with the purpose of maintaining the historic qualities of the building by providing power through a concealed raceway means.

Action: A motion was made to grant a permanent variance, requested by Collins Control & Electric, Inc., to the Colorado State Electrical Code, to allow power to be supplied to emergency egress lighting from adjacent space branch circuits at the old Ault High School located at 210 W 1st Street in Ault, Colorado pursuant to § 12-23-104 (2)(g), C.R.S. which states that the Board is authorized to review and approve requests for exceptions to the code in unique construction situations where a strict interpretation of the code would result in unreasonable operational conditions or unreasonable economic burdens as long as public safety is not compromised with the following findings of fact.

Findings of Fact:

1. There appears to be little difference in the operation of the unit equipment as connected. A loss of power in the corridor would still be met with some illumination from the classroom doors. A power failure in the classrooms would energize the egress lighting. For all that the configuration required by 700.12F is optimal, it was impractical in this existing facility.
2. Preserving the historic nature of the structure, together with the other factors outlined seems to justify the installation. Public safety is not compromised by this installation but rather has been improved by the addition of egress lighting.

VI EXECUTIVE SESSION

A motion was made for the Board to go into executive session pursuant to § 24-6-402 (3) (a) (II) and (III), CRS, for the sole purpose of considering disciplinary matters which are subject to attorney-client privilege, other matters which are subject to attorney-client privilege, and matters which are required to be kept confidential. The motion was seconded and unanimously carried.

Attorney-client items were considered in executive session from 9:48 AM to 10:24 AM. By unanimous agreement, the Board went out of executive session.

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VII OTHER BUSINESS

Business: The Office of the Attorney General (OAG) – case review
Case: 2006-003819 Ronald Barbour – unlicensed
Summary: In executive session, Assistant Attorney General Betty Wytias updated the Board on case 2006-003819 against Ronald Barbour. Mr. Barbour was referred to the OAG for disciplinary action. Mr. Barbour is unlicensed.
Action: In open session, a motion was made, seconded, and unanimously carried to rescind the Board's referral of this case to the OAG and dismiss for lack of Board jurisdiction over an unlicensed individual.

Business: The Office of the Attorney General (OAG) – case review
Case: 2008-003469 Gerald Jackson – APE 920178
Summary: In executive session, Assistant Attorney General Betty Wytias updated the Board on case 2008-003469 against registered apprentice Gerald Jackson. Mr. Jackson was referred to the OAG for disciplinary action. Mr. Jackson finished his court issued probation.
Action: In open session, a motion was made, seconded, and unanimously carried to rescind the Board's referral of this case to the OAG and dismiss this matter.

Business: The Office of the Attorney General (OAG) – case review
Case: 2007-000459 John Manzanares – APE 873127
Summary: In executive session, Assistant Attorney General Betty Wytias updated the Board on case 2007-000459 against registered apprentice John Manzanares. Mr. Manzanares was referred to the OAG for disciplinary action. A Cease and Desist Order is in effect for Mr. Manzanares.
Action: In open session, a motion was made, seconded, and unanimously carried to rescind the Board's referral of this case to the OAG and dismiss. No further action required.

VIII ADJOURNMENT

With all business completed, the meeting was adjourned at 10:38 AM. The next meeting is scheduled for Monday, September 22, 2008 at 9:30 AM.

Approved by: Loren R. Priest, Chair

Date: September 22, 2008

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EXECUTIVE SESSION ATTESTATION

August 25, 2008

Pursuant to § 24-6-402 (2)(d.5)(I)(B), C.R.S., I attest that the portion of the executive session that was not recorded was confined to a discussion of the topics identified in the motion authorizing the Colorado State Electrical Board to convene in executive session.

Approved by: Loren R. Priest, Chair

Date: September 22, 2008

Pursuant to § 24-6-402 (2)(d.5)(I)(B), C.R.S., a portion of this executive session was not recorded because the discussion constituted a privileged attorney-client or work product communication.

Approved by: Betty J. Wytias, Assistant Attorney General

Date: September 22, 2008