

# IDAHO PLUMBING BOARD VIDEOCONFERENCE MEETING

Thursday – February 10, 2011 – 9:30 a.m. (MT)

Division of Building Safety  
1090 East Watertower Street, Meridian, Idaho  
1250 Ironwood Drive, Suite 220, Coeur d'Alene, Idaho  
2055 Garrett Way, Building 2, Suite 7, Pocatello, Idaho

NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but is intended to record the significant features of those discussions.

Chairman Milford Terrell called the meeting to order at 9:02 a.m. (MT).

## **Board Members Present:**

Milford Terrell, Chairman  
Dan Long  
Gordon Smythe  
Matt Gardner

## **DBS Staff Members Present:**

C. Kelly Pearce, Administrator  
Steve Keys, Deputy Administrator, Operations  
Patrick Grace, Deputy Attorney General  
Kirk Weiskircher, Financial Manager  
John Nielsen, Plumbing Program Manager  
Chris Jensen, Regional Manager, Eastern Idaho  
Rod Freligh, Plumbing/HVAC Supervisor, Northern Idaho  
Renee Bryant, Administrative Assistant 2/Board Secretary

## ◆ **Open Forum**

AQUS – A handout on the product *AQUS*, a small scale water reuse system for flushing a toilet, and IAPMO's Certificate of Listing on reclaimed water conservation system for flushing toilets was distributed.

Upon the introduction and explanation of the benefits of *AQUS*, Mark Sanders with Sloan Values Company asked for the Board's support in seeking a variance in the code.

The Open Forum section of the agenda is informational only. Milford Terrell suggested Mr. Sanders have the item placed on the May 2011 Board meeting agenda for further discussion.

**ACTION:** The item "AQUS" to be placed on the May 12, 2011 Board meeting agenda.

Unlicensed Advertising – Kenny Calkins, Cloverdale Plumbing, asked the status of the legislation that clarifies who has the authority to advertise as plumbing contractors. This topic was addressed under the "Operational Report".

Code Adoption – Pete Crow, IAPMO, stated his opinion on the outcome of the February 9, 2011 House Business Committee meeting in which H0075, proposed rule to adopt the new Idaho State Plumbing Code (ISPC), was tabled.

Pre-Apprenticeship Course – Rosie Rosco, CWI, explained in the fall of 2011 CWI will offer a Pre-Apprenticeship course. This will allow individuals unsure of the trade they wish to pursue, electrical, HVAC or plumbing, an opportunity to learn the basics of the construction trade. The course will be held two nights a week for one semester, and will cover the following topics:

construction math, safety, blueprint reading, hand and power tools, communication, and job readiness skills. There will also be an introduction into “green” environment.

At the request of Milford Terrell, Rosie Rosco was asked to bring an outline of the class to the May 12, 2011 meeting for the Board’s review and possible support.

**ACTION:** The item “Pre-Apprenticeship Course” to be placed on the May 12, 2011 agenda as an informational item.

**ACTION:** Rosie Rosco will supply an outline of the proposed Pre-Apprenticeship course to the Board.

Compliance Officers – Howard Lowe, City of Lewiston, inquired into the status of future compliance officers in north Idaho to assist inspectors with enforcing/regulating the non-licensed individuals/companies in that area. This topic was addressed under the “Administrator Report”.

Code Enforcement--2003 or 2009 – In light of H0075 not approved by the House Business Committee on February 9th, Howard Lowe inquired as to which code, 2003 or 2009, the Board would adopt for the state/cities/counties to implement. Milford Terrell stated the topic would be addressed under the “Legislative Report”.

Practical Exam – Peggy Schnell, North Idaho College, stated NIC now offers practical exams at the Workforce Training Center.

◆ **Approval of February 10, 2011 Agenda**

**MOTION:** Dan Long made a motion to approve the February 10, 2011 Agenda as presented. Gordon Smythe seconded. All in favor, motion carried.

◆ **Approval of October 7, 2010 Board Meeting Minutes**

**MOTION:** Gordon Smythe made a motion to approve the October 7, 2010 Board Meeting Minutes as printed. Dan Long seconded. All in favor, motion carried.

◆ **Criteria for Continuing Education Providers**

The Continuing Education Unit (CEU) is currently in rule; however, criteria for CEU providers and courses have not been established. Upon reviewing the Electrical rules, DBS created criteria on course requirements, instructor approval procedures, etc. For quality assurance, fees have been incorporated into the proposal for instructor and course applications.

Milford Terrell expressed concern there should be uniformity among the Boards in regards to fees. The Division was directed to put together a presentation, to include the justification of the costs, and provide two motions for the Board’s review and consideration at the May 2011 Board meeting. The two motions would consist of: 1. All Boards must agree to adopt the fees; however, should one Board decline, the motion would become null and void for all Boards. 2. A Board could choose to accept the fee for their industry only; even should other Boards choose not to adopt the fee.

**ACTION:** For the May 2011 Board meeting, the Division will present to the Board justification of the fees to approve instructor and course applications.

**ACTION:** Two motions will be brought to the May 2011 meeting for the Board to choose from in regards to the fees for the Division to review and approve instructor and course applications.

◆ **Schooling**

Professional-Technical Education (PTE) represents the following six technical colleges: North Idaho College, Lewis Clark State College, Idaho State University College of Technology, College of Southern Idaho, College of Western Idaho, and Eastern Idaho Technical College.

In the summer of 2010, school representatives met to develop a standard curriculum for the Electrical, HVAC, and Plumbing State Licensure Apprenticeship programs.

The term “curriculum” is defined as course outline and competencies. The goal is to achieve the same skill level upon completion of course work by teaching the same competencies.

Online courses are being developed by each technical college. There are no geographic boundaries for the delivery of online courses; therefore, a technical college cannot actively recruit outside its region.

Irene Vogel is in the process of creating a committee, comprised of individuals from the technical college system, proprietary institutions, industry, and division, to review the current curriculum outlines and competencies.

◆ **Appliance Specialty License (Water Softener Installers) Subcommittee Report**

It has been several months since the subcommittee met with DBS to discuss the creation of a specialty license for water softener installers.

Blake Jones, President of the Idaho Water Quality Association, stated in November 2010 the Association met and discussed the possibility of a water softener installer license. The members unanimously voted their desire to work with the subcommittee and the Idaho Plumbing Board to establish an acceptable licensing program that would work for all parties involved. There is an assortment of Association members willing to work with the subcommittee on this topic.

◆ **Exam Development Subcommittee Report**

The subcommittee met in November 2010 and January 2011. The proposed Idaho State Plumbing Code (ISPC) was reviewed and each chapter was assigned a number of questions in accordance to the importance of the chapter. IAPMO provided the subcommittee with the 2009 UPC Study Guide. The subcommittee is in the process of rating, on a scale of one to ten, each question in each chapter. The rating is based on the number of individuals each subcommittee member believes can properly answer the question.

The next scheduled subcommittee meeting will be held via videoconference on Tuesday, March 8th at 1:00 p.m. (MT)/12:00 p.m. (PT).

◆ **Proposed ISPC Rule**

On February 9, 2011, legislation on the proposed ISPC was heard before and tabled at the House Business Committee. Until there is a resolution on H0075, it is not feasible to consider the adoption of the proposed ISPC in rule.

Milford Terrell tabled this topic “Proposed ISPC Rule” for a future special meeting.

**ACTION:** This topic “Proposed ISPC Rule” will be addressed at a future special meeting.

◆ **Waterless Urinals (Revisit Installation Standards)**

As requested at the October 2010 Idaho Plumbing Board meeting, John Nielsen and Milford Terrell met with BSU representatives to inspect approximately 35 waterless urinals installed in one location at Bronco Stadium. There was no smell to the bathroom or sewer line, and upon further inspection of the three-year system, the line and pipes were clean and clear. It is believed attaching one water fixture to the end of the line, the water will wash down and clean the main line.

Milford Terrell requested DBS coordinate with Dan Long to examine the waterless urinals at Bogus Basin this summer.

**ACTION:** This summer, DBS staff will schedule with Dan Long and Bogus Basin representatives a time to examine the waterless urinals at Bogus Basin.

The maintenance procedures on waterless urinals were briefly discussed. Upon receiving a report on the waterless urinals at Bogus Basin, the Board will decide whether a water fixture should be connected to the line waterless urinals are tied into and used as a “wash down”.

◆ **Work Permits**

This has been an ongoing issue where out-of-state plumbers are working in Idaho without the proper licensure. As requested at the October 2010 Board meeting, a revised draft to IDAPA 07.02.05 “Rules Governing Plumbing Safety Licensing” was presented to the Board. Within the proposal an applicant who has been previously licensed as a journeyman or master plumber in another recognized jurisdiction shall not be issued a plumbing apprentice registration. Also, the proposal would allow an individual to work up to 60 days in Idaho while obtaining the proper licensure.

John Nielsen explained the process to acquire a license in the state of Idaho. A lengthy discussion, to include reciprocity agreements and UPC versus IPC states, ensued. Several board members expressed the 60-day timeframe was too lengthy, and licenses should be obtained prior to the work commencing in Idaho.

**ACTION:** The Division will provide a new draft proposal on this topic “Work Permits” at the May 2011 Board meeting.

◆ **Water Softener Loop**

The requirements for water softener loops have been incorporated in the proposed ISPC, which is currently pending legislative review as H0075. As stated by Milford Terrell, a special board meeting will be scheduled to allow all interested parties an opportunity to discuss water treatments and the current code as proposed in H0075.

**ACTION:** This topic, “Water Softener Loop”, to be added to the agenda for a future special board meeting.

◆ **Grease Trap Law**

At the request of Matt Gardner at the October 2010 Board meeting, John Nielsen researched the procedure to properly install grease traps, and who has the authority to dictate rules about the traps. A grease interceptor installation and cleaning instructions guide was distributed to the Board for review.

The State uses the code as a minimum standard for installation; however, local jurisdictions, through ordinances, have the ability to create stricter laws. The health departments in each region dictate what a food prep sink is versus a dishwashing sink.

◆ **Plumbing Program Manager Report**

John Nielsen suggested, and the Board agreed, future Plumbing Program Manager Reports will consist of ideas, suggestions, changes to codes and statutes, etc., that pertain to the plumbing industry. Upon approval of the Board, the items will be placed on the next regularly scheduled board meeting agenda as an informational item.

The following items were presented and approved by the Board to be placed on the May 12, 2011 Idaho Plumbing Board Meeting Agenda as informational items:

- 2010 Green Plumbing and Mechanical Code Supplement – To consider the adoption of the 2010 Green Plumbing and Mechanical Code Supplement.
- Plumbing Contractors Renting Their Licenses – John Nielsen has received numerous calls from contractors wondering what, if any, the Division plans to do about Plumbing contractors renting out their licenses.

**ACTION:** The topics “2010 Green Plumbing and Mechanical Code Supplement” and “Plumbing Contractors Renting Their Licenses” to be placed as informational items on the May 12, 2011 Idaho Plumbing Board Meeting Agenda.

The following item was brought before the Board for future consideration:

- 54-2608 “Revocation of Certificates of Competency—Suspension--Refusal to Renew” – Currently, the Division is unable to enforce penalties on a plumbing contractor unless the holder is shown to be grossly incompetent or has, for a second time, violated any of the rules prescribed by the Board.

The board members were polled, ending in a tie. When there is a tie, the motion/topic fails. Therefore, this topic will not be addressed at the May 2011 Board meeting.

February 18th Special Meeting – To specifically address H0075, a special Idaho Plumbing Board meeting will be held Friday, February 18th, via videoconference at the Division’s three offices. The meeting will commence at 9:30 a.m. (MT)/8:30 a.m. (PT).

At the direction of Chairman Terrell, letters of invitation will be sent to all parties involved, to include the chairman and members of the House Business Committee. Kelly Pearce asked Jimmie Brown, City of Nampa, to provide the Division with a list of individuals that wish to be invited to the meeting. Mr. Brown acknowledged he would forward the request to IDABO and AIC.

Audio-streaming will be provided through the Division's website for anyone unable to physically attend the meeting. Also, all supporting documentation, pros and cons, will be available on the Division's website.

**ACTION:** A special Idaho Plumbing Board meeting, to address H0075, will be held Friday, February 18th from 9:30 a.m. (MT)/8:30 a.m. (PT) to 12:00 p.m. (MT)/11:00 a.m. (PT) via videoconference at the Division's three offices.

◆ **Operational Report**

Advertising Restrictions – In 2019 the Board promulgated a rule that restricts advertising to perform plumbing work to licensed plumbing contractors only. The Division investigates complaints; however, if the only basis for the complaint is a *Craig's List* ad or something similar, the Division has no means to determine who actually placed the ad.

Legislative Update – DBS rules, including the plumbing journeyman practical exam requirements, have cleared the committees. The rules should be effective upon the adjournment of the legislature.

The DBS legislation, except those bills directly affecting local governments, is moving forward.

Revenue – The Division, especially the Plumbing program, continue to deal with declined revenues. For the last two months revenues from the HVAC program have exceeded those from the Plumbing program.

Down-Sizing – The management team is working hard to develop workable proposals for right-sizing staff; especially field staff and the establishment of proper locations for inspectors to perform their tasks.

Legislative Preparedness – Steve Keys suggested anytime DBS has a rule or a piece of legislation that will go before a committee for review, documentation to include background, history, individuals involved in the process, promulgation, etc., should be furnished to each committee member.

◆ **Administrator Report**

Website – A new website developed for the Division was launched in December 2010. It provides clearer links to the services the Division provides online. Janice Foster presented a brief overview of its functions.

CAS – As of December 2010, 55% of permits are purchased online.

Electronic Telephone/Fax System – The Division has upgraded its telephone/fax system to an automated call distribution center. The Division's three offices are connected to this system and staff is able to work amongst themselves.

Customer Resource Team (CRT) – Since 2008, the CRT staff has been reduced by 40%. Much of the reduction has been possible due to changes made by DBS in technology. In addition, the CRT team has taken on two additional programs previously managed in other areas of the Division.

Building Remodel/Rental – The Department of Labor (DOL) will sublease from DBS 43% of the Meridian office space. The initial cost of the reconstruction was paid by DBS. Kirk Weiskircher explained the method in which the DOL will pay back their portion of the remodel. Over the next ten years, the Division anticipates a savings of \$1.5 million in rent.

Milford Terrell asked the Division to provide to the Board at the May 2011 Board meeting a breakdown of the costs to remodel/rent the Meridian office.

**ACTION:** For the May 2011 Board meeting, DBS will provide to the Board an itemization on the costs of the remodel and rent on the DBS Meridian office.

Personnel – In 2007, Kelly Pearce became Administrator of the Division of Building Safety and the Division was authorized 152 full-time employees. As of today, there are 118 full-time positions. Additional layoffs will be required.

Program Manager Positions – With the restructure of the Division, three newly created Program Manager positions replaced the five recently eliminated Bureau Chief positions. Kelly Pearce explained the responsibilities of the program managers.

Videoconference – The Division now has the capability to offer, on a statewide basis, various types of training to DBS inspectors via videoconference.

Budget – The budget the Division operates within was explained by Kelly Pearce. Upon comparison of the FY 2010 appropriation to the estimated expenditure, there is a decrease of 21.7%.

Compliance – There continues to be a growing problem throughout the state of Idaho in which a large number of contractors are working in Idaho without proper licensure. “Handyman” is another type of non-licensed worker that has recently become very visible. These individuals are advertising their electrical, HVAC, and plumbing services through websites, *Thrifty Nickel*, etc.

The Division continues to discuss the implementation of a statewide compliance program; leveraging the experience and training of all personnel.

Financial Report – Kirk Weiskircher reviewed the Idaho Plumbing Board Fund Fiscal Year 2011 Financial Statements as of December 31, 2010.

Contract with Office of Energy Resource – The Division has created a contract for \$350,000 through OER. With the funds, the Division will create a statewide tracking system for energy resource activities.

HVAC Program Manager Jerry Peterson generated three or four grants through OER and other energy resource programs to train DBS inspectors in energy areas, with a heavy emphasis on HVAC.

City of Ketchum Contract – The Division has signed a contract with the city of Ketchum to undertake the building inspection duties. DBS has also regained the HVAC inspection responsibilities, which the city had been doing for the past 18 months.

Contracts with Idaho Tribes – The Division has contracted with the Coeur d’Alene Tribe to perform plan reviews and inspections on the following projects: multi-million dollar casino, Worley; transportation center to house busses, Coeur d’Alene; and medical facility, Coeur d’Alene.

There is discussion with other tribes for the Division to provide the same services currently afforded the Coeur d’Alene Tribe.

AREVA Project – Groundbreaking on the AREVA facility in Idaho Falls will begin in the spring. The Division will provide the plumbing, electrical, and HVAC inspections. Approximately 150 employees will be hired upon completion of the job.

Poultry Plant – The construction of a poultry plant, to be built inside the city limits of Burley, is expected to begin in the spring of 2011.

◆ **New/Old Business**

Chairman Voting – For clarification, the Chairman is a member of the Board and has the *right* to vote like any other member, and is permitted to do so if he/she finds it necessary.

February 18, 2011 Special Idaho Plumbing Board Meeting – For clarification, the meeting will be held specifically to address H0075, adoption of the 2009 Idaho State Plumbing Code (ISPC).

Chairman Terrell requested the Plumbing board members attend the meeting in person at the Division’s Meridian office.

◆ **Executive Session**

No Executive Session was required.

Chairman Terrell adjourned the meeting at 1:40 p.m. (MT)

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MILFORD TERRELL, CHAIRMAN  
IDAHO PLUMBING BOARD

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C. KELLY PEARCE, ADMINISTRATOR  
DIVISION OF BUILDING SAFETY

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