

**IDAHO PLUMBING BOARD  
VIDEOCONFERENCE MEETING**

**Thursday – February 19, 2015 – 9:30 a.m. (MT)**

**Division of Building Safety  
1090 East Watertower Street, Suite 150, Meridian  
1250 Ironwood Drive, Suite 220, Coeur d'Alene  
2055 Garrett Way, Building 1, Suite 4, Pocatello  
650 Addison Avenue West, Suite 110, Twin Falls (DEQ)  
900 North Skyline, Suite B, Idaho Falls (DEQ)  
1118 F Street, Lewiston (DEQ) – Teleconference Only**

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

Chairman Matt Gardner called the meeting to order at 9:37 a.m. (MT).

**Board Members Present:**

Matt Gardner, Chairman  
Gilbert Pond, Vice-Chairman  
Debbie Oberhofer  
Dan Long  
Rick Garrett

**DBS Staff Members Present:**

C. Kelly Pearce, Administrator  
Steve Keys, Deputy Administrator, Operations  
Ron Whitney, Deputy Administrator, Administration  
Patrick Grace, Deputy Attorney General  
Fred Sisneros, Financial Manager  
John Nielsen, Plumbing Program Manager  
Terry Blessing, Regional Manager, Region 1  
Gary Sonnen, Regional Supervisor, Region 1  
Adam Bowcutt, Regional Supervisor, Region 3  
Bill Hatch, Public Information Officer  
Jason Black, IT Resource Manager  
Rick Young, Building Safety Inspector/Advisor  
Travis Wright, Building Safety Inspector/Advisor  
Renee Bryant, Administrative Assistant 2/Board Secretary

**DBS Staff Members Absent:**

Chris Jensen, Regional Manager, Region 3  
Kevin Gellings, Regional Supervisor, Region 2

◆ **Open Forum**

Introduction – Fred Sisneros was introduced as the Division’s newly appointed Fiscal Manager.

Rick Garrett, Gas Piping Contractor Representative, was welcomed to the Board as the newest member.

Code Books, Schooling, Continuing Education, and Online Permitting – Paul Lawson, Executive Services, voiced his opinion on code books, schooling, continuing education, and online permitting.

Water Pump Plumbing Specialty License – Lagrand Baker, representative for Pump Service and the Idaho Ground Water Association Board, stated the 12-hours of Idaho Plumbing Board-

approved, related training class, as required in IDAPA 07.02.05.019.03d, is inadequate and does not pertain to the requirements to become a specialty licensee.

Mr. Baker reviewed the prerequisites for the plumbing and electrical journeyman; stating they were sufficient. It was suggested the following changes be made to the specialty journeyman requirements: 1) Remove the 12-hour course, 2) Extend the apprentice on-the-job experience from 18 to 24 months, and/or 3) Create a new training course.

Online Permit Presentation – The Deputy Administrator-Administration, with assistance from the IT Resource Manager, demonstrated the Division’s online permit process through its e-TRAKiT system.

Previously, individuals would purchase multiple permits; using DBS as a search engine to find out if they were in the right jurisdiction. In a recent audit, DBS was criticized for paying out so many refunds; therefore, a “No Refund” policy was created with limitations. To purchase a permit through the Division’s e-TRAKiT system, an individual must now agree or disagree to the following conditions: 1) “By proceeding you acknowledge that you are the homeowner performing work on your own property, residence only, or you are a licensed contractor in the state of Idaho.”, 2) “You acknowledge that permit fees are non-refundable and non-transferable and the Division of Building Safety will not refund permits purchased incorrectly.”

Chairman Gardner suggested when a residential job is started by one person but finished by another, rather than the job being permitted twice, DBS consider a transfer fee; placing the person liable for the work back on the record.

For clarity, Board Member Pond requested, and the Division agreed, to add additional language; i.e., “job may not be in our jurisdiction” or “call office to verify jurisdiction” when the warning message is displayed.

**ACTION:** DBS will modify the language when “Warning” appears on the screen; clarifying the job may not be in the Division’s jurisdiction.

Water Softener Discharge – Building Safety Inspector/Advisor Rick Young addressed a concern with regard to water softener discharge and basements. The code states the water softener must discharge on the same floor or floor below; however, the only point of discharge in a basement is into the sewage ejector or sump. The pumps are not designed to handle the salt brine waste. Mr. Young asked the code be corrected to allow the discharge to flow to the floor above, all done on water pressure, and not into the sewage ejector.

The Chairman requested the Plumbing Program Manager review the code; bringing his findings to the May 2015 Board meeting.

**ACTION:** The Plumbing Program Manager will research this topic; addressing his findings at the May 2015 meeting.

**ACTION:** The topic *Water Softener Discharge* will be placed on the May 21, 2015 board meeting agenda as an informational item.

Temper Valves on Bathtubs – Building Safety Inspector/Advisor Rick Young brought forth the question of why temper valves need to be installed on bathtubs.

This topic was addressed at several meetings in 2014. A proposed rule change to delete ISPC Section 414.5 “Elimination of Hot Water in Bathtubs and Whirlpool Bathtubs” from IDAPA 07.02.06.011 *Adoption and Incorporation by Reference of the Idaho State Plumbing Code* has been submitted to the 2015 legislature.

City and County Concerns – No items or concerns were brought forth.

◆ **Approval of February 19, 2015 Agenda**

**MOTION:** Gilbert Pond made a motion to accept the agenda as amended and presented. Dan Long seconded. All in favor, motion carried.

◆ **Approval of October 9, 2014 Minutes**

**MOTION:** Gilbert Pond made a motion to approve the minutes as written. Dan Long seconded. All in favor, motion carried.

◆ **Administrative Appeals Hearing**

Garry Larson – NOV PLB14-0021 – Neither Garry Larson nor a representative for Mr. Larson was present at the hearing. The Board voted to take default in the matter of NOV PLB14-0021.

**MOTION:** Gilbert Pond made a motion to take default on Garry Larson’s appeal, NOV PLB14-0021. Debbie Oberhofer seconded. All in favor, motion carried.

**ACTION:** The Deputy Attorney General will create a Notice of Intent to Take Default for Chairman Gardner’s signature; providing a signed copy to Garry Larson.

◆ **Notice to Revoke/Suspend License**

Idaho Code § 54-2608, *Revocation of certificates of competency -- Suspension -- Refusal to renew* states: “The administrator of the division of building safety shall have on the recommendation of the board the power to revoke, suspend or refuse to issue a renewal of any certificate of competency if the same was obtained through error or fraud, or if the holder thereof is shown to be grossly incompetent or has a second time violated any of the rules prescribed by the board, or as prescribed by this act.”

Prior to the meeting, DBS provided supporting documentation to the Board on the intent to revoke/suspend an individual’s apprentice registration. The Board was in agreement with the Administrator’s decision.

**MOTION:** Dan Long made a motion that the Board is in support of the efforts of DBS with regard to revoking/suspending the individual’s apprentice registration. Rick Garrett seconded. All in favor, motion carried.

◆ **Negotiated Rulemaking**

The notice of intent to promulgate a rule is intended to facilitate negotiated rulemaking, a process in which all interested persons and the agency seek consensus on the content of a rule.

◆ **Sewer and Water Permit Fees**

As requested at the October 2014 Board meeting, proposed verbiage to increase the sewer and water permit fees from \$38 to \$65 was presented to the Board.

**MOTION:** Rick Garrett made a motion to proceed with the sewer and water permit fees as outlined. Debbie Oberhofer seconded. All in favor, motion carried.

◆ **Idaho Statute 54-2608 Revocation of Certificate of Competency--Suspension--Refusal to Renew**

As requested at the October 2014 Board meeting, a proposed statute change was presented to the Board. The primary change would transfer the responsibility for levying civil penalties and disciplinary matters from the Administrator to the Board.

**MOTION:** Gilbert Pond made a motion to move forward; sending the proposal to print. Dan Long seconded. All in favor, motion carried.

◆ **Appliance Plumbing Specialty License--Grandfather Clause**

The Board was asked whether to leave the grandfathering provision, as it pertains to the appliance plumbing specialty journeyman and contractor, as is, rewrite or remove it from the current rule.

Board Member Pond suggested DBS discuss this topic with the pump and water softener industry. In return, DBS suggested this topic be part of the negotiated rulemaking process and be discussed at the May and July meetings.

**MOTION:** Gilbert Pond made a motion to enter into negotiated rulemaking with the affected parties as it pertains to this specialty license, come to a consensus, and then move forward with the language. Dan Long seconded. All in favor, motion carried.

◆ **Bonds, CEU Hours and Renewals/Website**

The Deputy Administrator-Administration addressed proposed changes to the Division's software program, e-TRAKiT, as it pertains to CEU hours and online renewals. A demonstration of the changes to the program was provided by the IT Resource Manager.

◆ **Plumbing Program Manager Report**

Water Conditioning/Treatment Specialty License – The Division has been in discussions with members of the water softener community on a possible water conditioning/treatment specialty license.

A draft proposal was included in the board packet. The scope of work would be: Disconnect, cap, remove, and reinstall water conditioning equipment which would include but not be limited to water softeners, conditioners, whole house filtration systems, iron filters, chlorine filters, fluoride filters, sediment filters (self-cleaning and canister type), reverse osmosis filtration and other under counter water filtration systems to include the ability to install water lines for the isolation of fixtures and water conditioning equipment installation only.

The Water Quality Association, a nationally recognized group, would be used as the base standard for the licensure criteria. All individuals would have to be certified through the Association.

Training – The Plumbing Program Manager will travel throughout the state of Idaho this spring; providing a 4-hour industry-related continuing education training course.

Testing – The Exam Survey and Journeyman First Exam Attempts Report were briefly discussed.

◆ **Operational Report**

Legislative Update – The rules for mixing valves, testing of shower pans, water heater strapping, and new PE-RT pipe for potable water/PE pipe for sewers have passed both Senate and House committees. The statute for a temporary license and extension of expired licenses has gone through the House Business Committee.

◆ **Administrator Report**

Financial Manager – Fred Sisneros, the Division’s newly hired Fiscal Manager, provided a summary of his career.

Financial Report – The Idaho Plumbing Board Fund, FY 2015 financial statement as of December 31, 2014, was reviewed.

Personnel – The Division has asked for an additional five positions in its budget. Currently, DBS is authorized 121 employees; however, as of today, there are only 112.

Statewide Compliance Program – Effective March 15, 2015, DBS will focus on a statewide compliance program. The vision is for compliance to be the responsibility of one compliance manager, not the program managers.

◆ **Adjournment**

**MOTION:** Dan Long made a motion to adjourn the meeting. Gilbert Pond seconded. All in favor, motion carried.

The meeting adjourned at 1:55 p.m. (MT).

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MATT GARDNER, CHAIRMAN  
IDAHO PLUMBING BOARD

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C. KELLY PEARCE, ADMINISTRATOR  
DIVISION OF BUILDING SAFETY

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