

**IDAHO PLUMBING BOARD
VIDEOCONFERENCE MEETING**

Thursday – February 23, 2012 – 9:30 a.m. (MT)

**Division of Building Safety
1090 East Watertower Street, Suite 150, 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.*

Acting Chairman Dan Long called the meeting to order at 9:30 a.m. (MT).

Board Members Present:

Dan Long, Vice Chairman
Gilbert Pond
Matt Gardner
Gordon Smythe

Board Members Absent:

Milford Terrell, Chairman

DBS Staff Members Present:

C. Kelly Pearce, Administrator
Steve Keys, Deputy Administrator, Operations
Janice Foster, Deputy Administrator, Administration
Patrick Grace, Deputy Attorney General
John Nielsen, Plumbing Program Manager
Rod Freligh, Regional Manager, Region 1
Chris Jensen, Regional Manager, Region 3
Dave Decker, Financial Specialist
Renee Bryant, Administrative Assistant 2/Board Secretary

In the absence of Chairman Milford Terrell, Vice-Chairman Dan Long served as Acting Chairman at this meeting.

◆ **Open Forum**

Definition of Plumbing System -- Liquid and Fuel Gas Piping – Russ Goyen, representative for the Idaho Association of Building Officials (IDABO), stated the association does not oppose the proposal to incorporate fuel gas piping as part of the definition of plumbing systems in Idaho Code § 54-26. It does; however, want to make clear the codes regulating the fuel gas provisions will continue to be the International Fuel Gas Code (IFGC) for commercial and the International Residential Code (IRC) for residential installations.

Mr. Goyen recommended the proposed language include a segment that states fuel gas piping will be installed, tested, and inspected in accordance to the provisions of the IFGC and IRC.

Water/Sewer Pipe Testing and Inspections – With the reduction of state inspectors and lengthened inspection times, Michael Spears, The Plumber Inc., expressed concern whether air tests on water/sewer pipes will hold until the inspection(s) is/are performed. One suggestion is to allow the general contractor or supervisor of the job to verify the lines have been properly tested; placing the liability back on the individual/company providing the services.

City and Local Concerns – At the October 2011 Board meeting, an order passed to dedicate time at each Idaho Plumbing Board meeting for city and county officials to address concerns or issues.

The Association of Idaho Cities and city of Twin Falls representatives had no concerns or comments. City of Ammon and IDABO Representative Charlie Allen supported Mr. Goyen's comment/recommendation with regard to the topic "Definition of Plumbing System -- Liquid and Fuel Gas Piping". Dave Bott, Water Master LLC, was in agreement with the comment/recommendation made on the "Water/Sewer Pipe Testing and Inspections" topic.

◆ **Approval of February 23, 2012 Agenda and October 13, 2011 Minutes**

Acting Chairman Long requested the meeting stop at 10:00 a.m. for a minute of silence to reflect the life of Micron CEO Steve Appleton who recently passed away as a result of an airplane accident.

MOTION: Gilbert Pond made a motion to approve the February 23, 2012 agenda with the addition and the October 13, 2011 minutes as presented. Gordon Smythe seconded. All in favor, motion carried.

◆ **SureSeal®™ Inline Floor Drain Trap Sealer**

At this time, mechanical trap sealers can only be used for testing purposes as an alternative to protect, not replace, existing trap systems which have failed, or in remodeled construction. The devices are not to be used in new construction as a substitute for traditional plumbing trap/trap primer systems. Testing of the devices will be limited to applications on actual job sites within the jurisdiction of DBS for a period of one year. Upon completion, the Division will compile findings related to safety, effectiveness, efficiency, etc., of the devices and report back to the Board for future consideration.

MOTION: Gilbert Pond made a motion that in conformity with the background as described above, to approve the proposal before the Board for use of mechanical trap devices, including the SureSeal®™ Inline Drain Trap Sealer on a test basis at job sites and in applications as determined to be appropriate by the Division of Building Safety and/or the Plumbing Program Manager. Matt Gardner seconded. All in favor, motion carried.

ACTION: At the February 2013 meeting, DBS will provide a report to the Board on the findings of the mechanical trap sealers.

◆ **Steve Appleton -- Recognition**

As a tribute to Steve Appleton, a minute of silence was observed at 10:00 a.m.

◆ **Commercial Plumbing -- Idaho Code § 54-2602**

John Nielsen provided several options to the code that would allow maintenance personnel to provide plumbing alterations, repairs or replacements to commercial properties. The majority of individuals were in support of the following option: "~~Alterations, Repairs, or replacements Work on to plumbing systems on premises owned or operated by an employer who regularly employs maintenance or construction~~ a licensed journeyman plumbers, provided that such alterations, extensions and new construction repairs or replacements, shall comply with the minimum standards and rules applicable to plumbing practices provided by this chapter."

The topic "Commercial Plumbing -- Idaho Code § 54-2602" will be brought back to the May 2012 meeting as an informational item and the July 2012 meeting as an action item.

Gilbert Pond offered to meet with the Treasure Valley Master Plumbers Association (TVMPA) to discuss the options addressed in the board packet.

ACTION: Gilbert Pond will meet with representatives of the TVMPA to discuss several code options that would possibly allow maintenance personnel to provide plumbing repairs or replacements on commercial properties; presenting the association's comments/ recommendations to the May 2012 Board meeting.

ACTION: The topic "Commercial Plumbing -- Idaho Code § 54-2602" will be brought back to the May 2012 meeting as an informational item and the July 2012 meeting as an action item.

◆ **Color Definition of Inspection Tags**

At the October 2011 Board meeting, a motion passed to remove IDAPA 07.02.03.06c, "Each trip necessary to remove a red tag from the jobsite"; as well as to remove "Not acceptable", add "Correction Notice", and eliminate the sentence "Also, a reinspection and reinspection fee shall be required" from IDAPA 07.02.04.011.04. After the meeting, industry representatives met with John Nielsen and suggested rather than remove the sentence from IDAPA 07.02.04.011.04, change the language from "shall" to "may".

DBS staff met with Chairman Milford Terrell prior to the February Board meeting. The chairman preferred the first option, as addressed in the motion, and requested DBS provide a definition of "reinspection".

Several board members expressed inspectors should have the latitude with regard to reinspections; preferring the second option to change the verbiage from "shall" to "may".

The Division and legal staff will review the rules for clarity and come back to the May 2012 meeting with recommendations.

ACTION: DBS staff will bring suggestions to the May 2012 Board meeting; clarifying the language in IDAPA 07.02.04.011.04 with regard to plumbing inspection tags and correction notices.

◆ **Definition of Plumbing System -- Liquid and Fuel Gas Piping**

Fuel gas piping has been a basic component of the plumbing trade for decades. The definition of fuel gas piping is currently in the mechanical/residential codes only. For the plumbing industry to continue to perform services to piping systems, it was suggested the definition of plumbing systems be expanded to include boilers, liquid and fuel gas piping, etc., and include the definition in Idaho statute. Another suggestion was to enlarge the current language in the Idaho codes to define the responsibilities of plumbing and HVAC contractors; creating one governing code.

It was determined a subcommittee, to consist of representatives from the Plumbing and HVAC Boards, be created to discuss this issue. Gilbert Pond and Matt Gardner offered to represent the Plumbing Board.

MOTION: Gilbert Pond made a motion to establish a subcommittee, comprised of two members each from the Plumbing and HVAC Boards, which would formulate a policy to expand the current language of "piping systems" in the Idaho codes. Gordon Smythe seconded. All in favor, motion carried.

ACTION: Upon the establishment of a subcommittee, the Division will e-mail notification of the subcommittee meeting(s) to the Association of Idaho Cities and IDABO representatives and post the notices on the Division's website.

◆ **Renting of Contractor Licenses**

The issue of retired plumbing contractors renting/leasing their licenses to apprentices or journeymen has been an ongoing concern for years.

A subcommittee, comprised of Dan Long, Kenny Calkins, Dennis Butterfield, and John Nielsen, brought before the Board proposed language that would require a plumbing contractor to hire a master plumber or signing journeyman to physically work within the business rather than someone outside who may be using their license and have no control over what goes on in the business.

Kenny Calkins offered to present the proposed language to the TVMPA and other interested parties around the state; reporting any new suggestions at the May 2012 meeting. Mr. Calkins can be reached by e-mail at kenny@cloverdaleplumbing.com.

John Nielsen will revise the proposed language with regard to a new master plumber and/or signing journeyman license; providing a complete package to the subcommittee for review prior to the May 2012 meeting.

ACTION: Kenny Calkins will meet with TVMPA and interested parties to discuss the renting of contractor licenses; providing any new ideas to the Board at the May 2012 Board meeting.

ACTION: Prior to the May 2012 meeting, John Nielsen will amend the proposed language with regard to a new master plumber and/or signing journeyman license for the subcommittee's review.

◆ **Proposed Mechanical Licenses**

At the October 2011 meeting, John Nielsen discussed the concept of a new mechanical license. In addition to the required plumbing and HVAC licenses, the new license would be an endorsement of specialized skills.

No additional information was presented. John Nielsen suggested when the subcommittee addresses the topic "Definition of Plumbing System -- Liquid and Fuel Gas Piping" it also discuss the topic "Proposed Mechanical Licenses" since both tie into each other.

ACTION: The subcommittee created to address the topic "Definition of Plumbing System -- Liquid and Fuel Gas Piping" will also review the topic "Proposed Mechanical Licenses".

◆ **CEU Training for Plumbing Contractors**

Currently in statute, the Board has the ability to set requirements for licensure renewals; eight hours of continuing education for journeyman renewal and 16 hours for contractor renewal. A proposed rule, to allow DBS to review continuing education applications and instructors, was presented but did not pass the 2012 legislature. With no rule in place, the Division requested guidance from the Board on the types of continuing education courses or instructors that would be acceptable.

For the Board's review at the May 2012 meeting, the Division, with assistance from Patrick Grace, Gilbert Pond, and Kenny Calkins, will create a proposed temporary rule to fulfill the continuing education requirement and minimal criteria.

ACTION: At the May Board meeting, DBS will present a proposed temporary rule. Patrick Grace, Gilbert Pond, and Kenny Calkins will assist DBS with the language; fulfilling the continuing education requirement and minimal criteria.

In the interim, to renew a journeyman and/or contractor license, journeymen will have to demonstrate eight hours, at least four hours of code update, and contractors 16 hours of continuing education to the Division in the form of a certificate(s).

◆ **Issuance of Permits/Payment Timelines**

DBS was given a charge by Chairman Terrell to research the concept of a one-stop shop. It was suggested a general contractor be allowed to secure a single permit for all trade services at one location and the contractor for each trade be responsible for the quality of work performed by them and their employees.

Statutorily, there is nothing that allows the Division to open a one-stop shop; thus legislation would need to be created.

◆ **Plumbing Program Manager Report**

International Association of Plumbing and Mechanical Officials (IAPMO) 82nd Annual Education and Business Conference – IAPMO's annual conference was held in San Antonio, Texas, September 25-29, 2011. A report by John Nielsen was included in the Board packet.

2009 Idaho State Plumbing Code (ISPC) – House Bill 466 passed the House Business Committee and will go to the Senate Commerce and Human Resources Committee for review.

Department of Environmental Quality (DEQ) – DBS staff have met with DEQ to address the Memorandum of Understanding between the two agencies, gray water setbacks, and interceptors on garage floor drains. The next meeting is scheduled for April 2, 2012.

2012 Uniform Plumbing Code (UPC) – IAPMO will send a copy of the 2012 UPC to John Nielsen. Any major changes or recommendations will be addressed at future board meetings.

Traps and Interceptors Class – Rand Ackroyd, Plumbing and Drainage Institute, presented a four-hour seminar on interceptors. The class was held via videoconference at the Division's Meridian, Coeur d'Alene, and Pocatello offices. There were approximately 55 in attendance.

◆ **Operational Report**

House Bill 466 – As addressed by John Nielsen, the ISPC passed the House 61-0 with nine excused absences. It now awaits a hearing by the Senate. As explained by Patrick Grace, if the ISPC passes the Senate side, there will be a new requirement to adopt any amendments to the code through a negotiated rulemaking process.

ACTION: The Division will place the topic "Negotiated Rulemaking Process" on the May 2012 agenda as an informational item should the 2009 ISPC become law.

Adoption of 2011 National Electrical Code (NEC) – The rule to adopt the 2011 NEC was rejected by the House Business Subcommittee.

Rules Affecting Plumbing Board – The rules to 1) eliminate apprentice registration for previously licensed journeymen and master plumbers, 2) allow for graduates of apprenticeship schooling to take their journeyman exam after completion of school, and 3) civil penalty for failure to disclose a previous license have moved forward and should take effect at the close of the 2012 legislature.

Revenue – The Plumbing program continues to struggle relative to revenues versus expenses.

Inspections – DBS has received a small number of complaints with regard to the extended response time for inspections. However, the majority of contractors understand the Division’s dilemma.

◆ **Administrator Report**

Administrative Staff – As of January 23, 2012, DBS Financial Manager Kirk Weiskircher has accepted a position with the Idaho Department of Administration as Chief Financial Officer.

Financial Report – Dave Decker reviewed the Idaho Plumbing Board fund FY 2012 financial statements as of December 31, 2011.

Budget – In the Governor’s budget approval for the Division, ten full-time positions have been cut.

Plumbing/HVAC Inspectors – All of the Division’s plumbing inspectors are now certified as HVAC inspectors. In January 2012, three inspectors, solely HVAC, were laid off. Their responsibilities will be absorbed by certified plumbing/HVAC inspectors.

New Projects – The Division received confirmation of the plans for the first phase of the expansion of BSU’s football stadium in Boise and the plans for the new housing project at the College of Southern Idaho in Twin Falls.

◆ **Old/New Business**

There was no old/new business to discuss

◆ **Executive Session**

An executive session was not required.

Acting Chairman Dan Long adjourned the meeting at 1:00 p.m. (MT)

DAN LONG, ACTING CHAIRMAN
IDAHO PLUMBING BOARD

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

03/27/2012rb