

**IDAHO PLUMBING BOARD
VIDEOCONFERENCE MEETING**

Thursday – May 22, 2014 – 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 1, Suite 4, Pocatello, Idaho**

*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 Milford Terrell called the meeting to order at 9:32 a.m. (MT).

Board Members Present:

Milford Terrell, Chairman
Dan Long, Vice-Chairman
Gilbert Pond
Matt Gardner
Debbie Oberhofer

DBS Staff Members Present:

C. Kelly Pearce, Administrator
Steve Keys, Deputy Administrator, Operations
Ron Whitney, Deputy Administrator, Administration
Patrick Grace, Deputy Attorney General
John Nielsen, Plumbing Program Manager
Terry Blessing, Regional Manager, Region 1
Chris Jensen, Regional Manager, Region 3
Adam Bowcutt, Regional Supervisor, Region 3
Kathleen Watkins, Financial Manager
Bill Hatch, Public Information Officer
Renee Bryant, Administrative Assistant 2/Board Secretary

◆ **Acknowledgement**

Chairman Terrell, an icon in the plumbing industry, was recognized for his 30 years of service on the Plumbing Board with a commemorative plaque and Industry Builder award.

◆ **Open Forum**

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

◆ **Approval of May 22, 2014 Agenda**

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

◆ **Approval of February 20, 2014 Minutes**

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

◆ **Administrative Appeals Hearing**

Donald R. Beevers – NOV PLB1403-0001 – Donald Beevers represented himself, Plumbing Program Manager John Nielsen represented DBS, and Deputy Attorney General Patrick Grace was the facilitator. All parties provided testimony and argument on NOV PLB1403-0001, violation of IDAPA 07.02.07.011.02 “Certification or Registration”. Mr. Beevers was found guilty of the violation and the penalty fee was increased to \$200; maximum amount for first time offenders.

MOTION: Matt Gardner made a motion to raise Mr. Beevers' fine to \$200. Dan Long seconded. All in favor, motion carried.

ACTION: The Deputy Attorney General will create a Final Order for the Chairman's signature and provide a signed copy to Donald Beevers.

During testimony, Mr. Beevers stated his current employer of the past five years is Integrity Plumbing.

MOTION: Debbie Oberhofer made a motion for Integrity Plumbing to appear before the Board to explain why an individual under its employ has been working without an Idaho license for the past five years. Dan Long seconded. All in favor, motion carried.

ACTION: The topic *Unlicensed Employee* will be placed on the July agenda as an informational item.

ACTION: The Division will invite Integrity Plumbing to speak on the topic *Unlicensed Employee* at the July 23rd meeting.

◆ **Continuing Education and Business Courses**

In 2013, the topic *Business* was included in the list of approved continuing education unit (CEU) courses. Upon further review, it was determined the subject is too broad and isn't industry-related. The Board was asked vote to place the topic *Business* back on the list of non-approved CEU courses.

MOTION: Matt Gardner made a motion to add "Business" to the list of courses not considered for continued education. Gilbert Pond seconded. All in favor, motion carried.

Specialty Licenses and Training

Ken Worst, R C Worst Company, stated to obtain a journeyman appliance plumbing specialty license or journeyman water pump plumbing specialty license, an individual must complete approved training classes. Currently, there are no such courses available in northern Idaho.

This topic was further discussed under the *Plumbing Program Manager Report*.

◆ **American Water Works Association (AWWA) Manual**

The 7th edition of the *Cross Connection Control Manual*, published by AWWA, was updated in April 2012 and is the only available publication. A proposal was presented to update IDAPA 07.02.05.012 *Cross Connection Control Manual* to the current amendment.

At the Chairman's direction, DBS will provide copies of the newly published manual to the Board and Division's Coeur d'Alene and Pocatello offices.

MOTION: Gilbert Pond made a motion to accept the proposal; updating the rule with the Cross Connection Control Manual's 7th edition. Matt Gardner seconded. All in favor, motion carried.

ACTION: DBS will purchase and distribute the latest edition of the Cross Connection Control Manual to the Board and DBS offices upon approval by the 2015 legislature.

◆ **IAPMO**

G. F. (Jed) Scheuermann, Field Manager Region 12 for the International Association of Plumbing and Mechanical Officials (IAPMO), introduced himself. Mr. Scheuermann took over Pete Crow's position upon his retirement in December 2013.

◆ **Adding PP & PE-RT AND Polyethylene for Building Sewer Pipe & Fittings (Public Hearing – First Reading)**

The verbiage "160 psi minimum" was added to the third paragraph of item 12, section 606 *Joints and Connections*.

As part of the negotiated rulemaking process, the topic *PP & PE-RT AND Polyethylene for Building Sewer Pipe & Fittings* will be placed on the July meeting agenda as a second reading/final action.

ACTION: The topic *PP & PE-RT AND Polyethylene for Building Sewer Pipe & Fittings* will be placed on the July agenda as an action item and second public hearing.

◆ **Expired License and Retest (Public Hearing – First Reading)**

The following items have been added to the proposed statute change, Idaho Code § 54-2637: 1) All continuing education requirements shall apply while license is inactive, and 2) Upon the death of a contractor, a temporary contractor license shall be valid for 90 days from date of issue and may be renewed one time upon written request.

As part of the negotiated rulemaking process, the topic *Expired License and Retest* will be placed on the July meeting agenda as a second reading/final action.

ACTION: The topic *Expired License and Retest* will be placed on the July agenda as an action item and second public hearing.

◆ **Mixing Valves (Public Hearing – First Reading)**

Board Member Oberhofer expressed possible conflict of interest and refrained from discussion.

In 2005, per IDAPA rule, section 421.0 "Elimination of Hot Water in Bathtubs and Whirlpool Bathtubs" in the 2003 Uniform Plumbing Code (UPC) was deleted. When the new Idaho State Plumbing Code (ISPC) was created in 2009, the renumbered section, 414.5, was inadvertently left in the code.

The Board was asked to decide whether ISPC section 414.5 should be enforced, deleted or modified; adding the ruling to IDAPA 07.02.06.011.07.

MOTION: Matt Gardner made a motion to add in IDAPA 07.02.06.011.07 the deletion of ISPC section 414.5 "Elimination of Hot Water in Bathtubs and Whirlpool Bathtubs". Gilbert Pond seconded. Three ayes, one nay, and one abstained, motion carried.

As part of the negotiated rulemaking process, the topic *Mixing Valves* will be placed on the July meeting agenda as a second reading/final action.

ACTION: The topic *Mixing Valves* will be placed on the July agenda as an action item and second public hearing.

◆ **Water Heater Strapping (Public Hearing – First Reading)**

Water heater earthquake strapping has always been required in code; however, not enforced. The Board was asked to enforce, delete or modify section 508.2 of the ISPC. Board member Pond recommended a water heater be strapped if installed on a second floor.

MOTION: Gilbert Pond made a motion to leave section 508.2 in code with the exception. Dan Long seconded.

Board Members Pond and Long withdrew their motions respectively.

ALTERNATE MOTION: Matt Gardner made an alternate motion to delete section 508.2 from ISPC. Debbie Oberhofer seconded. Four ayes and one nay, motion carried.

As part of the negotiated rulemaking process, the topic *Water Heater Strapping* will be placed on the July meeting agenda as a second reading/final action.

ACTION: The topic *Water Heater Strapping* will be placed on the July agenda as an action item and second public hearing.

◆ **Sewer and Water Permit Fees (Public Hearing – First Reading)**

Currently, the permit fee for a sewer line and water line is \$38 each. The minimum fee for every other permit is \$65.

Board Member Oberhofer proposed IDAPA 07.02.03.12.b be changed to reflect \$65 for a sewer permit, \$65 for a water permit, and \$65 for both IF paid on the same permit, installed by one contractor, and inspected at the same time.

MOTION: Gilbert Pond made a motion to move forward with the rewording of IDAPA 07.02.03.12.b *Sewer and Water Permit Fees*; bringing the topic back to the July meeting as a first reading. Dan Long seconded. All in favor, motion carried.

ACTION: The topic *Sewer and Water Permit Fees* will be placed on the July agenda as an informational item and first reading.

◆ **Shower Pans (Public Hearing – First Reading)**

Testing of shower receptors has always been required in code; however, not enforced. The big contention is plumbers install the floor drains then tilers complete the job. The Board was asked to enforce or delete ISPC section 411.8.1.

As part of the negotiated rulemaking process, the topic *Shower Pans* will be placed on the July meeting agenda as a second reading/final action.

MOTION: Matt Gardner made a motion to delete section 411.8.1 *Tests for Shower Receptors* from the ISPC. Milford Terrell seconded. All in favor, motion carried.

ACTION: The topic *Shower Pans* will be placed on the July agenda as an action item and second public hearing.

◆ **Reciprocity with Utah**

Utah is under the International Plumbing Code and Idaho is under the UPC. With both states using two different codes, Utah would continue to require Idaho residents to take the journeyman exam; however, would waive the practical exam.

At the May meeting, Board Member Pond offered to contact his brothers who are active plumbers in Utah and ask their viewpoint on this issue. Both brothers have noticed the quality of plumbing installations have gone down over the last ten years due to less stringent restrictions.

As a point of clarification, tab 12 in the board packet under “Background”, Idaho is under the Uniform Plumbing Code, not Universal Plumbing Code.

The Board unanimously agreed no further action was required at this time.

◆ **Contractor Licenses and Bonds**

Historically, DBS would place a contractor’s license on an inactive status when the required insurance or bond certificates were not current. This precluded a contractor from taking out permits, scheduling inspections, etc.

From an administrative level, determined through statute, DBS does not have the authority to immobilize a contractor’s license. The Division curtailed the procedure; consequently ending up with a large number of contractors working with expired insurance and/or bond certificates.

The current TRAK-iT system allows a contractor’s license to be placed on hold. The contractor has the ability to call for inspections on active permits; however, is not able to purchase new permits.

◆ **License Requirements**

In an attempt to clean up the rule on licensure, a handout on the requirements for plumbing journeyman and contractor applicants was distributed. Changes would be made under the following licensure types: 1) Applicants who have worked as apprentices and journeymen in Idaho; 2) Applicants who have performed work out-of-state in a licensed jurisdiction; and, 3) Applicants who have performed work out-of-state in a non-licensed jurisdiction.

At the July meeting, the Plumbing Program Manager will provide, in rule form, the changes addressed at today’s meeting.

ACTION: The topic *License Requirements* will be placed on the July agenda as an action item.

◆ **Permit Screen – Demonstration**

On July 1, 2014, the online permitting and inspection scheduling features of the Division’s website will undergo a dramatic change with an all new customer interface. DBS IT Resource Manager demonstrated the future e-TRAKiT program. Currently, 72% of permits are purchased online.

◆ **Plumbing Program Manager Report**

Technical Committee Meeting – In April, the Plumbing Program Manager attended IAPMO’s 2014 Technical Committee Meeting in Las Vegas, Nevada, to discuss possible changes to the 2015 UPC.

Specialty Appliance Classes – The College of Western Idaho has an online specialty appliance course ready to go live. Anyone with an internet connection will be able to take this course.

The Board agreed for the Plumbing Program Manager to review the online program; reporting his findings at the July meeting.

ACTION: The Plumbing Program Manager will review CWI’s online specialty appliance program and report his findings at the July meeting.

ACTION: The topic *Specialty Appliance Classes* will be placed on the July agenda as an informational item.

Testing – As of today, there have been 36 individuals who have taken the Division’s new plumbing license exams. Testing is available, Monday through Friday, at any of the Division’s three office locations; Coeur d’Alene, Meridian or Pocatello.

Chairman Terrell requested a written report be included in all future board packets, and the topic *Testing* be addressed at all regularly scheduled Plumbing Board meetings.

ACTION: Beginning with the July 2014 meeting, the topic *Testing* will be addressed at all regularly scheduled board meetings under the *Program Manager Report*, and a written report will be included in the board packets.

◆ **Operational Report**

Legislation – The Deputy Administrator of Operations is working with the HVAC Board to draft legislation on the existing HVAC statute, Title 54 Chapter 50. The fundamental changes would be: 1) Change verbiage *heating, ventilation and air conditioning* to *mechanical*, 2) Establish a category for mechanical residential journeyman (2 year license), and 3) Board would have the ability to assess civil penalties.

Farm Buildings and Exemptions – The question was posed why farmers and farm buildings are exempt from all the rules with regard to permits, separation, safety issues, etc.

The Chairman requested DBS research the topic *Farm Buildings and Exemptions*; bringing further information to the July meeting.

ACTION: The topic *Farm Buildings and Exemptions* will be placed on the July agenda as an informational item.

◆ **Administrator Report**

The Chairman requested the topic *Administrator Report* be placed on future agendas as one of the first informational items.

ACTION: Beginning with the July 2014 board meeting, the topic *Administrator Report* will be placed as the first informational item on future agendas.

Financial Report – The Idaho Plumbing Board Fund, FY 2014 financial statement as of April 30, 2014, was reviewed.

Expenses – Due to the rise of personnel costs, the Plumbing Program will pay 18% of the Division’s expenses beginning FY 2015.

Compliance Officer – To hire an individual as a statewide compliance officer, the estimated cost (salary/benefits, vehicle/maintenance, and operating costs) would be approximately \$90,000 a year.

The Division’s eastern Idaho regional manager explained how his region accommodates outreach and compliance. A verification permit has been created for inspectors to use on issues other than inspections and ongoing permits. All DBS inspectors are compliance officers.

Accelerate Idaho – Accelerate Idaho is the Governor’s new strategic plan to grow the state's economy and expand career opportunities for Idaho citizens.

Rapid Response Team – In an effort to expand career opportunities for Idaho citizens, the Governor has named an interagency rapid response team responsible for collaborating quickly and efficiently when businesses are interested in launching, growing or relocating in Idaho. The team is led by the Idaho Department of Commerce.

◆ **New/Old Business**

Election of Officers – The election of officers will be held at the end of the October 9, 2014 Board meeting.

ACTION: For the October 9, 2014 Plumbing Board meeting agenda, the topic *Election of Officers* will be the last topic on the agenda as an action item.

◆ **Adjournment**

Chairman Terrell adjourned the meeting at 2:50 p.m. (MT).

MILFORD TERRELL, CHAIRMAN
IDAHO PLUMBING BOARD

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE
06/23/14rb

DATE