

**IDAHO PLUMBING BOARD  
VIDEOCONFERENCE MEETING**

**Thursday – February 16, 2017 – 9:30 a.m. (MST)**

**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**

**MINUTES OF THE FEBRUARY 16, 2017 MEETING**

**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 Matt Gardner called the meeting to order at 9:31 a.m. (MST)

**Board Members Present:**

Matt Gardner, Chairman  
Gilbert Pond, Vice-Chairman  
Rick Garrett  
Debbie Oberhofer  
Shaun Urwin

**DBS Staff Members Present:**

Chris L. Jensen, Administrator  
Ron Whitney, Deputy Administrator  
Patrick Grace, Deputy Attorney General  
John Nielsen, Plumbing Program Manager  
Jeff Egan, Regional Manager, Region 3  
Chuck Knapp, Regional Supervisor, Region 1  
Adam Bowcutt, Regional Supervisor, Region 3  
Terry Blessing, Compliance Program Supervisor  
Renee Bryant, Administrative Assistant 2

◆ **Introduction**

Shaun Urwin, At-Large Representative, was welcomed to the Board as the newest member.

◆ **Recognition**

The Board recognized Dan Long with a commemorative plaque for his years of service on the Idaho Plumbing Board.

◆ **Open Forum**

Acknowledgement – Kenny Calkins, Treasure Valley Master Plumbers Association Representative, and owner of Cloverdale Plumbing, thanked the Division’s staff for acknowledging a mistake made when quoting a permit fee to a homeowner to install two water heaters in a single residence.

Schooling – Steve Bennett, Plumbing Program Coordinator, College of Western Idaho (CWI), stated there are approximately 250 students currently enrolled in the CWI’s four-year plumbing apprenticeship program. There are 20 on-line students throughout the state, and in the spring, 25 in-class students will graduate.

Verifying Apprentice Work Hours – Mr. Bennett explained a situation where an apprentice will soon graduate from the CWI’s apprenticeship program; however, his only work experience in the trade has been to pump septic tanks for a licensed plumbing contractor. Some states have a system where an apprentice must track hours worked, on certain aspects of the trade, in a logbook and have the work signed off once a week by a journeyman or employer.

Historically, Administrator Chris L. Jensen has spoken to the first year apprenticeship classes in eastern Idaho on the value of the apprenticeship and trade. The Administrator will continue to meet with future classes to help boost the program and trade.

For further discussion, the Chairman asked the topic *Verifying Apprentice Work Hours* be added to the May 2017 Board meeting agenda.

**ACTION:** The topic *Verifying Apprentice Work Hours* will be placed on the May 18, 2017 Board meeting agenda as an informational item.

City and County Concerns – There were no items or concerns to discuss.

◆ **Approval of February 16, 2017 Agenda**

The Chairman called for a motion to approve the agenda.

**MOTION:** Gilbert Pond made a motion to accept the agenda as presented. Rick Garrett seconded. Vote called. All in favor, motion carried.

◆ **Approval of October 6, 2016 Minutes**

The Chairman called for a motion to approve the draft minutes.

**MOTION:** Debbie Oberhofer made a motion to approve the minutes as written. Gilbert Pond seconded.

Board Member Rick Garrett stated the segment on the topic *Financial Report* was non-specific and questioned why the issue of no revenue for June 2016 was not in the minutes. In addition, how could revenue for June 2016 now appear on the February 2017 financial report when there was none on the October 2016 report.

Chairman Gardner asked for a motion to accept the October 6, 2016 Board meeting minutes with the amendment.

**AMENDED MOTION:** Debbie Oberhofer made a motion to approve the minutes from the October 2016 meeting with an addendum referencing the financial issues discussed at the October 6, 2016 Board meeting. Motion died due to a lack of a second.

Board Member Debbie Oberhofer suggested packets and draft minutes be reviewed prior to future Board meetings and to contact the Administrative Assistant 2 with any corrections or inaccuracies.

Upon further discussion, the Board agreed the *Financial Report* segment should be amended and brought to the May 18, 2017 Board meeting for review and final approval.

**ACTION:** The Administrative Assistant 2 will modify the *Financial Report* statement in the October 2016 Plumbing Board meeting minutes; bringing the revised draft minutes to the May 18, 2017 Board meeting for approval.

◆ **Compliance Program Report**

Complaints – Acknowledged were the regional supervisors and inspectors for their assistance with complaints.

Social Media – Compliance Program Supervisor Terry Blessing continues to search social media for non-compliant individuals advertising as licensed plumbers.

Public Works Law – This spring, the Compliance Program Supervisor will travel throughout the state of Idaho; meeting with the Division’s regional managers, regional supervisors and city/county officials to discuss the public works laws.

◆ **(2017) ISPC Section 603.5.6**

Plumbing Program Manager John Nielsen would like to amend IDAPA 07.02.04.012 by removing the American Water Works Association (AWWA) manual as the cross connection control and back flow devices standard; adopting a new standard in the 2015 Idaho State Plumbing Code (ISPC).

Board Member Gilbert Pond distributed copies of pages 164 and 170 (Chapter 5) of the PNWA-AWWA Cross-Connection Manual, Seventh Edition. Upon reading the first sentence on page 164, Board Member Pond stated his interpretation is the AWWA gives the Board the right to determine which devices to use on irrigation systems.

A lengthy discussion ensued on whether irrigation systems are high health hazards, and if/when, double checks should be removed.

**MOTION:** Rick Garrett made a motion the Board accept Plumbing Program Manager Nielsen’s recommendation to remove the AWWA manual from rules and refer to the Idaho State Plumbing Code for regulations on backflow prevention devices. Motion died due to the lack of a second.

The Board agreed to bring the topic *(2017) ISPC Section 603.5.6* to the May meeting for additional discussion.

Stacey Stewart, Cross-Connection Control Specialist for Suez, offered, and the Chairman agreed, to bring information stating backflow devices are high health hazards to the May meeting.

**ACTION:** The topic (2017) ISPC Section 603.5.6 will be placed on the May 18, 2017 Board meeting agenda as an informational item.

◆ **Idaho Code 54-2602 Exceptions**

In Idaho Code 54-2602 *Exceptions*, the majority of changes are in subsections (a) property owners, and (e) construction plumbers. In subsection (a), it was questioned whether the verbiage “extends to” means to physically extend out OR include dwellings. For clarity, Plumbing Program Manager Nielsen offered, and the Board agreed, to change “extends to” to “includes”. Also in section (1), the new language “licensure, and registration” is not necessary and will be deleted.

The Plumbing Program Manager will make the necessary changes and present the revised draft proposal to the May Board meeting.

**ACTION:** For the May 2017 meeting, the Plumbing Program Manager will bring an amended draft proposal.

**ACTION:** The topic *Idaho Code 54-2602 Exceptions* will be placed on the May 18, 2017 Board meeting agenda as an informational item.

◆ **Idaho Code 54-2616 License Fees**

Plumbing Program Manager Nielsen explained his logic behind the one-year renewal fee of \$125 for a plumbing contractor. There was confusion on the calculation of the fee, as well as whether the Division wants contractors to renew once a year or every three years.

The only change the Plumbing Program Manager would like to make is a contractor would not have to maintain his journeyman license since a contractor supersedes a journeyman. As questioned by Board Member Garrett, the fee for an inactive contractor would remain the same.

The Plumbing Program Manager offered to furnish his computations on the suggested renewal fees to the Board.

**ACTION:** The Plumbing Program Manager will provide the Board with copies of his calculations on the new proposed contractor renewal fee.

The Chairman stated the topic *Idaho Code 54-2616 License Fees* will be addressed at the May 2017 Board meeting.

**ACTION:** The topic *Idaho Code 54-2616 License Fees* will be placed on the May 18, 2017 Board meeting agenda as an informational item.

◆ **Idaho Code 54-2606(d)(e) Bond Requirements**

The proposed statute change would remove the \$2,000 compliance bond; however, require plumbing contractors/specialty plumbing contractors to obtain general liability insurance of no less than \$300,000, as well as worker’s compensation insurance.

It was questioned how the Division will ensure the policies stay active during the licensing period of a plumbing contractor. The insurance companies automatically inform all interested parties the status of the policies.

Darcy Neidigh, DeBest Plumbing, stated she believes the state of Idaho no longer requires insurance companies to provide a 30-day notice when cancelling policies. The Chairman suggested, and the Plumbing Program Manager agreed, to research the 30-day cancellation notification and address the issue at the May 2017 Board meeting.

**ACTION:** The Plumbing Program Manager will inquire into the 30-day cancellation policy and bring his findings to the May 2017 Board meeting.

**ACTION:** The topic *Idaho Code 54-2606(d)(e) Bond Requirements* will be placed on the May 18, 2017 Board meeting agenda as an informational item.

◆ **Negotiated Rulemaking**

Discussed at the first meeting of every year is the topic *Negotiated Rulemaking*. Chairman Gardner explained the process for submitting proposed legislation to upcoming legislative sessions.

◆ **Plumbing Program Manager Report**

Legislation – On February 15, 2017, four plumbing rules (permit transfer fee, 16,000 hours work experience for out-of-state journeymen to test, the ISPC updated to 2017, and contractor civil penalties) passed the House and Senate Committees. The statutory proposal, changing the Board’s salary to honorarium, also passed the House Business Committee.

Code Update Classes – The Board received a handout by the Plumbing Program Manager on a four-hour code update class he will present throughout the state of Idaho in March and April. On April 4th, the class will be held at the DBS Meridian office via videoconference with the Division’s two regional offices.

CTE – To establish standards for the plumbing trade-schooling program, the Plumbing Program Manager suggested, and the Board agreed, to look at using Career-Technical Education (CTE), previously known as Professional-Technical Education. If approved by the Board, this would require a statute change.

**ACTION:** The topic *CTE* will be placed on the May 18, 2017 Board meeting agenda as an informational item.

Yard Hydrant Exemption – Currently, the code requires potable water outlets with hose attachments to have a vacuum to the breaker, with the exception of boiler drains, water heater drains and clothes washer connections. The Division has not had any issues with yard hydrants causing cross-contamination. With the new code, the Division allows stop and waste valves in sprinkler systems instead of shut-off and drain-down valves. The Plumbing

Program Manager proposed a rule change to exempt freeze resistant sanitary yard hydrants from requiring vacuum breakers.

Tracer Wires – The Plumbing Program Manager proposed an amendment that a tracer wire would not be required if an electrical wire for a pump is installed in the same trench as a water line and run directly to the house.

Solar Code – At the February 8, 2017 HVAC Board meeting, the Board agreed to adopt the 2015 International Mechanical Code (IMC). In Chapter 15 *Referenced Standards* of the IMC is a small paragraph referring to the solar and hydronics code. It was suggested the Board consider adopting sections of IAPMO's Solar Energy and Hydronics Code as they pertain to plumbing.

Board Member Pond proposed the Board begin to work on a solar code for plumbing. One example for a new code is a company has moved into Idaho and is installing potable water solar; replacing copper lines with PEX pipe. Several of Mr. Pond's concerns are: 1) Is the device approved for potable water, 2) Has it been tested for potable water, 3) Does it have the ACC or AE approvals, and 4) Are they being checked by inspectors. In the past, most solar systems used transfer medium; however, it is becoming more popular to use potable water.

Plumbing Journeyman First Exam Attempts Report – Board Member Oberhofer noted the Plumbing Journeyman First Exam Report was not included in the packet nor provided as a handout. The Administrative Assistant offered to e-mail the report to the Board.

**ACTION:** The Administrative Assistant will send the Plumbing Journeyman First Exam Attempts Report to the Board via e-mail.

Currently, the only information provided to the DBS on the journeyman plumber application is the college where the apprentice graduated. The Division was asked to include additional information on the application; i.e., how long an apprentice has been out of school, is the applicant from out-of-state, etc. This would help schools determine whether their curriculums need to be updated.

The Plumbing Program Manager offered to look into this issue to determine if the Division can legally request additional information on the application.

**ACTION:** The Plumbing Program Manager will research to see what additional information, if any, can be included to the journeyman plumber application.

Solar Code (Cont'd) – The Chairman asked the Plumbing Program Manager to continue to look into this topic and address his findings at the May 2017 Board meeting.

Statutorily, the Board has the authority to install plumbing through the ISPC. Amendments can be made to the ISPC, as well as the Board can use other codes; however, statutory authority is required.

**ACTION:** The Plumbing Program Manager will further research the topic *Solar Code* and bring his findings to the May 2017 Board meeting.

**ACTION:** The topic *Solar Code* will be placed on the May 18, 2017 Board meeting agenda as an informational item.

Civil Penalties – Board Member Garrett questioned, and Plumbing Program Manager Nielsen explained, the Division’s process to fine individuals in violation of the laws, as well as the internal process to generate/receive civil penalties/fees.

◆ **Administrator Report**

Financial Report – As discussed under the topic *Approval of October 6, 2016 Minutes*, Administrator Jensen provided additional information on the error made with regard to the year-end fiscal report. The Division of Financial Management (DFM) acknowledged it was a timing issue and there would be no negative effect on the Plumbing Board Fund.

The Idaho Plumbing Board Fund’s FY 2017 financial statement, as of December 31, 2016, was addressed. The Board’s revenue is comprised of 95% permits and five percent contractor licensing.

Reorganization – There has been, and continues to be, reorganization within the DBS.

Plan Reviews – Construction slowed down during the winter months; however, plan reviews were steady. If this is any indication, construction will be booming in Idaho come spring.

Nuclear Fuel Facility – Construction of a new \$1.6 billion facility, to process and store spent nuclear fuel from the nation’s nuclear-powered submarines and aircraft carriers, will begin in 2019. The structure will be located on the northeast side of the existing Naval Reactors Facility property east of Idaho Falls, Idaho.

School Bonds – In March, a number of school bonds, across the state, will be up for election. The Boise School District has a \$172.5 million dollar bond that would facilitate improvements for all 48 schools, plus major building projects for 22 schools.

Solar Projects – While some solar farms have just finished construction, others are beginning. With the adverse winter, there have been issues with electrical equipment under water.

Legislation – This is the first year the Division’s Program Managers have presented their respective draft proposals to the legislative committees.

Financial Report (Cont’d)

Darcy Neidigh, DeBest Plumbing, questioned the year-end report. Specifically, how revenue could go from approximately \$410,000 on the financial report from the October 2016 Board meeting, to \$200,000 on the report at the February 2017 meeting.

With several inquiries into the discrepancy of revenue, Chairman Gardner asked Administrator Jensen to look further into this issue; providing the Board with a response at the May 18, 2017 Board meeting.

**ACTION:** The Administrator will research the financial report issue; clarifying the discrepancy at the May 2017 meeting.

**Reorganization (Cont'd)** – The Chairman asked if the recently vacated deputy administrator position would or has been filled. The Division is still in the reorganizational stage. The following employees have received additional responsibilities: Larry Jeffres, Regional Manager, Region 1, will oversee the Logging Safety Program; program managers will be responsible for their own legislation, Notice of Violations, and represent the Division on appeals; and Gary Barnes is now the Program Manager for the Industry Safety and Elevator Programs.

The Chairman asked, and the Administrator offered, to provide any additional changes within the DBS at the May meeting.

**ACTION:** At the May meeting, the Administrator will address any new staffing changes within the Division.

◆ **Adjournment**

The Chairman adjourned the meeting at 11:20 a.m. (MST).

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MATT GARDNER, CHAIRMAN  
IDAHO PLUMBING BOARD

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CHRIS L. JENSEN, ADMINISTRATOR  
DIVISION OF BUILDING SAFETY

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