

**IDAHO PLUMBING BOARD  
VIDEOCONFERENCE MEETING**

**Thursday – February 20, 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 9:34 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  
Adam Bowcutt, Regional Supervisor, Region 3  
Kathleen Watkins, Financial Manager  
Bill Hatch, Public Information Officer  
Renee Bryant, Administrative Assistant 2/Board Secretary

Chairman Terrell stated he had to leave prior to the adjournment of the meeting; however, Vice-Chairman Long would preside in his absence.

◆ **Open Forum**

Contractor Licenses and Bonds – A concern was brought forth where a contractor was asked to provide a new bond to renew his license even though his current bond had not expired. The issue was resolved; however, upon further inquiry it was discovered there were over 140 active plumbing contractor licenses with expired bonds not in compliance with statute.

The chairman directed the administrator to research, provide a report of his findings to the Board, and correct inconsistencies not in compliance with the law.

**ACTION:** The administrator will research the issue of licensed contractors with expired bonds, provide his findings to the Board, and make the necessary corrections to comply with statute.

◆ **City and County Concerns**

No items or concerns were brought forth.

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

The topic *CEU Business Classes for Contractors* was added to the agenda after the publication of the packet.

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

◆ **Approval of October 24, 2013 Minutes**

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

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

There have been no changes to the proposed legislation since the first reading at the October 2013 meeting.

The Division will begin the negotiated rulemaking process with the first public hearing at the May 22, 2014 Board meeting.

**ACTION:** The first public hearing of the negotiated rulemaking process on the topic *PP & PE-RT AND Polyethylene for Building Sewer Pipe & Fittings* will be held at the May 2014 Plumbing Board meeting.

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

The December 1995, 6th edition of the AWWA manual is no longer in print. The draft proposal updates the rule to the current publication, April 2012, 7<sup>th</sup> edition.

**MOTION:** Dan Long made a motion to continue with the negotiated rulemaking process. Debbie Oberhofer seconded. All in favor, motion carried.

**ACTION:** The first public hearing of the negotiated rulemaking process on the topic *American Water Works Association (AWWA) Manual* will be held at the May 2014 Plumbing Board meeting.

◆ **Expired License and Retest (First Reading)**

Following are proposed changes to Idaho Code § 54-2637: 1) Extend the length of time to renew a certificate of competency to two years of the expiration date, 2) Allow a plumbing contractor to place his certificate in an inactive status, and 3) Issue a 90-day temporary contractor license to an active journeyman to represent the firm, company, etc., of a deceased or incapacitated plumbing contractor.

It was questioned whether 90 days is enough time to complete current jobs. Suggested lengths of time were 120, 160, and 180 days. Additional suggestions were: 1) Keep the 90 days but require a written request for an extension, and 2) Clarify the temporary license is for the completion of existing jobs only.

The plumbing program manager will re-evaluate and revise the verbiage; bringing an updated proposal to the May 2014 Plumbing Board meeting.

**ACTION:** The plumbing program manager will bring to the May 22, 2014 Plumbing Board meeting a revised proposal based on suggestions presented at the February 2014 meeting.

◆ **CEU Business Classes for Contractors**

The Board received an appeal by the Treasure Valley Master Plumbers Association (TVMPA). The appeal was based on the plumbing program manager’s decision to decline the proposed continuing education course *Drugs, Sex and Attitude – Tools to Manage Today’s Workforce*.

The TVMPA was represented by Kenny Calkins and Plumbing Program Manager John Nielsen represented DBS. All parties provided testimony on the issue.

**MOTION:** Debbie Oberhofer made a motion to uphold the denial of the course *Drugs, Sex and Attitude – Tools to Manage Today’s Workforce*. Matt Gardner seconded. A vote was called. Matt Gardner – aye, Debbie Oberhofer – aye, Dan Long – aye, Gilbert Pond – aye, and Milford Terrell – aye. All in favor, motion carried.

**ACTION:** The deputy attorney general will create a Final Written Order for Chairman Terrell’s signature and provide a signed copy to the Treasure Valley Master Plumbers Association.

◆ **Reciprocity with Montana and Continuing Education**

Scott Lemert, Montana Plumbing Board Member, proposed a reciprocity agreement between Montana and Idaho for continuing education. Also suggested was the formation of an alliance; assisting each other with similar issues.

Mr. Lemert offered to present to the Montana Plumbing Board the idea that if there was a reciprocal agreement between both states an Idaho plumbing contractor could place his Montana plumbing contractor license in an inactive status.

Board members were polled and unanimously agreed the plumbing program manager will need to further discuss a coalition with Mr. Lemert and research the idea with surrounding states.

**ACTION:** The plumbing program manager will pursue the coalition with Montana, as well as explore the topic with other states surrounding Idaho.

◆ **License Requirements**

To clarify Idaho’s license requirements for plumbers holding either an out-of-state journeyman or contractor license, the plumbing program manager brought forth several proposed options to IDAPA 07.02.05.012 and .013 “Rules Governing Plumbing Safety Licensing – Journeyman and Contractor”. Also included was the following verbiage to a proposed rule change: “Any person holding a current contractor certificate of competency shall not be required to hold a journeyman license.”

The Board was agreeable with the proposed options; however, unclear on the proposed rule change. Suggested changes to the proposed rule were: 1) Obtain an Idaho journeyman license before applying for an Idaho contractor license, and 2) An active contractor license would be the only license required to plumb in Idaho; however, the contractor would need to be tagged to the business by either his master plumber or journeyman license.

**ACTION:** Based on the following suggestions, the plumbing program manager will redefine the proposed language to the rule: 1) An individual must hold an Idaho journeyman license prior to obtaining an Idaho contractor license, and 2) A plumbing contractor license would be the only license required to plumb in Idaho; however, the contractor's master plumber or journeyman license would need to be tied to the business.

◆ **Tempering Valves**

Section 421.0, *Limitation of Hot Water in Bathtubs*, of the 2003 UPC was deleted in its entirety. With the creation of the 2009 Idaho State Plumbing Code, the topic *Limitation of Hot Water in Bathtubs and Whirlpool Bathtubs* was inadvertently added back in as section 414.5.

At the request of the chairman the topic *Tempering Valves* will be placed on the May 22, 2014 agenda as an informational item. The Division was also directed to schedule a special meeting on this topic prior to the May meeting.

**ACTION:** A special meeting on the topic *Tempering Valves* will be scheduled by DBS prior to the May 22, 2014 Board Meeting.

**ACTION:** The topic *Tempering Valves* will be placed as an informational item on the May 22, 2014 Plumbing Board meeting agenda.

◆ **Specialty Appliance Plumbing License Update/Water Heater Installations**

Currently, the HVAC and Plumbing industries have been installing water heaters in domestic systems. The Plumbing Board has chosen to bring that responsibility back under its authority. Therefore, to comply with the law, HVAC contractors and journeymen who currently provide this service will need to obtain a specialty appliance plumbing license.

The 72-hour class and test for the license will be waived for all qualified HVAC contractors and journeymen during a 60-day grandfather period, May 1 through June 30, 2014.

HVAC contractors and journeymen will still be able to apply for the license after the grandfathering period; however, will be required to take the class and test.

◆ **Permit Screen**

At a previous meeting, Board Member Pond addressed the issue of not being able to view all his permits on the Division's TRAK-iT system.

The next version of the program will be available within the next 30 days. One change will be the format of the screen. It was suggested the topic *Permit Screen* be deferred to the May meeting, at which time there would be a demonstration.

**ACTION:** The topic *Permit Screen* will be addressed at the May 22, 2014 Plumbing Board meeting with a demonstration.

◆ **Plumbing Program Manager Report**

Filer School – An update was provided on the Filer Intermediate School Wastewater Collection System Installations project. The project is under the jurisdiction of the Department of Environmental Quality.

Reciprocity with Utah – States surrounding Idaho were contacted with regard to reciprocity. Utah would like the Idaho Plumbing Board to consider the issue. Board members were apprehensive since both states plumb under different codes; Utah under the International Plumbing Code and Idaho under the Universal Plumbing Code.

Board Member Pond offered to contact family in the trade who reside in Utah to get their viewpoint on the issue. In addition, Board Member Pond was asked to work with the plumbing program manager and bring the topic *Reciprocity with Utah* back to the May 2014 meeting.

**ACTION:** Board Member Pond will work with the plumbing program manager on the subject *Reciprocity with Utah*, as well as contact family members who plumb in Utah to get their opinions on the topic.

**ACTION:** The topic *Reciprocity with Utah* will be addressed at the May 22, 2014 Board meeting.

CEU Classes – In February and March 2014, the International Association of Plumbing and Mechanical Officials (IAPMO) has scheduled continuing education classes in Boise, Pocatello, and Coeur d’Alene. The Boise classes have been cancelled due to lack of participation.

A board member was offended by advertisement on a flyer by a Washington-based CEU provider. The administrator offered to send a letter to the provider.

**ACTION:** The administrator will send a letter to the CEU provider in Washington with regard to the advertisement on the flyer distributed to active Idaho plumbing contractors.

Plumbing Rules/Statutes – 2014 updates to the Idaho Plumbing Code are available online and in hard copy at the division’s three office locations.

◆ **Operational Report**

Legislative Update – All proposed rules have been reviewed and approved. None were for plumbing.

Apprenticeship and Accredited Hours – ATCO Structures and Logistics has been hiring individuals to work in their Pocatello modular manufacturer plant. Units are built for out-of-state and exempt from the Division’s regulations. Several apprentices have registered with DBS; however, since the work is outside the Division’s jurisdiction they did not receive the proper credit/hours toward their licenses. Information on the U.S. Department of Labor Apprenticeship and Training was provided to ATCO.

Idaho Underground Utilities Legislation – Proposed legislation was brought forward by the Idaho Underground Utilities Coalition. The proposal basically states if a dig line is not called in before the excavation is complete and a damage claim occurs the individual’s license, whether held through DBS or the Bureau of Occupational License, would be at risk. The individual would also be subject to fines and potentially the Board would be involved as an avenue of appeal. The Division has worked with and informed the Coalition this is not a workable solution.

◆ **Administrator Report**

Financial Report – The Idaho Plumbing Board Fund, FY 2013 financial statement as of January 31, 2014, was reviewed.

Salaries and Wages – The Joint Finance Appropriations Committee has approved a 1% raise and 1% bonus for all eligible state employees effective July 1st.

Per Capita Production – Information from July 2010 to January 2014, based on quarterly per capita production for each full-time DBS employee, was provided.

Meetings – The next regularly scheduled Plumbing Board meeting is May 22, 2014.

As explained, the proposed code changes already have established public meetings through the negotiated rulemaking process. Vice-Chairman Long cancelled the special meeting on the topic *Tempering Valves*; opting to further discuss it at the May meeting.

◆ **Adjournment**

Vice-Chairman Long adjourned the meeting at 12:43 p.m. (MT).

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DAN LONG, VICE-CHAIRMAN  
IDAHO PLUMBING BOARD

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C. KELLY PEARCE, ADMINISTRATOR  
DIVISION OF BUILDING SAFETY

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