

**IDAHO PLUMBING BOARD
VIDEOCONFERENCE MEETING**

Thursday – March 21, 2019 – 9:30 a.m. (MDT)

**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 MARCH 21, 2019 MEETING

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

Chairman Matt Gardner called the meeting to order at 9:30 a.m. (MDT)

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
Spencer Holm, Deputy Attorney General
Larry Jeffres, Regional Manager, Region 1
Adam Bowcutt, Regional Manager, Region 3
Chuck Knapp, Regional Supervisor, Region 1
John Nielsen, Plumbing Program Manager
Amy Kohler, Compliance Program Specialist
Laura Shankel, Licensing/Permitting Program Supervisor
Renee Bryant, Administrative Assistant 2

◆ **Recognition**

Chairman Gardner recognized Board Member Debbie Oberhofer for her many years of service on the Idaho Plumbing Board.

◆ **Open Forum**

There were no new issues to address during open forum.

City and County Concerns – There were no new issues to address during open forum.

◆ **Approval of the March 21, 2019 Agenda and January 17, 2019 Minutes**

MOTION: Gilbert Pond made a motion to approve the March 21, 2019 agenda and January 17, 2019 draft minutes as presented. Shaun Urwin seconded. All in favor, motion carried.

◆ **Continuing Education Units (CEU)**

Board Member Gilbert Pond expressed concern that CE Broker does not approve additional credit when a CEU course, with the same course number, is taken multiple times in a licensing period. It is his understanding the intent of the plumbing rule is any CEU course taken, regardless of course number, approved by DBS, is allowable and should be accepted.

Board Member Rick Garrett emphasized CEUs are to broaden a plumber's experience and knowledge; therefore, additional credit should not be given when taking the same course multiple times.

Upon further discussion, the problem seems to be with online versus classroom courses. Online courses do not change from year to year; however, classroom courses, with same course number, are taught every year but with different material.

Board Member Oberhofer addressed the bizarre format the current list of approved plumbing courses in Idaho is when downloading from the Division's website. Licensing and Permitting Supervisor Laura Shankel will investigate this issue.

For the May 2019 Board meeting, the Chairman asked DBS to provide input on what it will take to be able to get credit for classroom versus online courses.

Another issue by Board Member Pond is to get a free ID number with CE Broker, an individual must go down to the bottom of their website to apply, which is very confusing. Mrs. Shankel will research this as well.

ACTION: The Division will provide, at the May 2019 Board meeting, information on credit for classroom versus online courses, printable version of current list of approved plumbing courses in Idaho, and location for free ID number on CE Broker's website.

ACTION: The topic *Continuing Education Units (CEU)* will be placed as an informational item on the May 2019 Plumbing Board Meeting agenda.

◆ **Eliminate Specialty License for “Mobile Home Set-Up or Installers”**

There has been discussion to get rid of the mobile home installers license since there are currently two licenses. The original plan was to go to the 2020 legislature and remove the rule in plumbing, which is in the packet. However, it was determined the statute needs to be amended first. Currently, a mobile home permit is pulled for the installation of manufactured and mobile homes. For less confusion, changes have been made where each industry will need its own permits. A handout of proposed changes to Idaho Code §§ 54-2602 *Exceptions* and 54-2620 *Permits Required-Exceptions* was provided. If the proposed changes are approved at the 2020 legislature, the Division will clean up the rule for presentation at the 2021 legislature.

The Division will notice up the agenda for the May 2019 meeting as negotiated rulemaking and an action item.

Teri Ottens, Idaho Housing Alliance, expressed they are in favor of the change and urge the Board to move forward.

ACTION: As part of the negotiated rulemaking process, the Plumbing Program Manager will provide proposed statute changes at the May 2019 Board meeting.

ACTION: The topic *Eliminate Specialty License for “Mobile Home Set-Up or Installers”* will be placed as an action item on the May 2019 Plumbing Board meeting agenda.

◆ **Practical Exam**

There has been discussion to eliminate the practical portion of the exam. In the packet is a draft rule change to remove practical exams. If approved, it would go to the 2020 legislature. Board Member Pond is not in favor of the state relinquishing the ability to test for the practical course. Board Member Oberhofer reached out to the state of Montana regarding the practical exams in a classroom setting. The Chairman agreed for Board Member Oberhofer to provide Montana’s information to the Administrative Assistant for distribution to the Board and DBS.

ACTION: The Administrative Assistant will provide Montana’s documentation regarding practical exams to the Board and DBS once received by Board Member Oberhofer.

Board Member Pond offered to chair a committee; bringing suggestions back to the May 2019 Board meeting. DBS Regional Manager Adam Bowcutt, and Board Member Oberhofer volunteered. Regional Manager Bowcutt will contact the city of Idaho Falls Inspector Garret Christoffersen to be on the committee as well.

At the request of the Chairman, the topic *Practical Exam* will be placed on the May 2019 board meeting agenda as an action item since it will be the last meeting before the deadline to submit rule changes for the 2020 legislature.

ACTION: The topic *Practical Exam* will be placed as an action item on the agenda for the May 2019 Plumbing Board meeting.

◆ **Contractor Testing**

Beginning April 1, 2019, the Plumbing Contractor Exam will change to 50 code and 50 business questions. The 2017 Idaho State Plumbing Code book and Contractor’s Business and Law Reference manual will be needed to take the exam.

The proposed change in Idaho Code § 54-2611(a) *Classification of Competency* did not pass the 2019 legislature. Chairman Gardner acknowledged many in the industry feel strongly the issue with the language in statute and rule contradict each other.

Teri Ottens, Treasure Valley Master Plumbers Association, stated members on the Commerce and Business Committee do not understand an individual can be a business owner by having a plumbing journeyman and plumbing contractor work for them. Board members and industry were encouraged to attend future legislative hearings. If unable to attend, phone or write their congress person.

DBS was asked to bring proposed language to the May 2019 meeting for the Board to vote whether to send the draft rule to the 2020 legislative session.

ACTION: The Plumbing Program Manager will provide the proposed rule change at the May 2019 Board meeting.

ACTION: The topic *Contractor Testing* will be placed as an action item on the May 2019 Plumbing Board meeting agenda.

◆ **Governor’s Executive Orders (EO)**

In January 2019, Governor Brad Little issued the following executive orders:

Executive Order 2019-01 *Licensing Freedom Act 2019* – Provides additional information on the Licensing Freedom Act, originally introduced in Executive Order (EO) 2017-06. The top two recommendations in the new EO establishes a “sunrise” review process for new proposed licenses and a “sunset” review process on existing licenses.

Executive Order 2019-02 *Red Tape Reduction Act* – Requires agencies to designate an existing employee as its Rules Review Officer; which is Regional Manager Patrick J. Grace for DBS. Prior to proposing a new rule, each agency shall submit to the Division of Financial Management an impact statement; identifying the impact the proposed rule will have on individuals and small businesses. In addition, at least two existing rules will need to be repealed or significantly simplified, or a statement clearly and thoroughly stating why existing rules cannot be simplified or eliminated.

◆ **Program Manager Report**

2019 Legislation – The following proposed rules passed and will become effective sine die of the legislature: 1) ISPC Table 501.1(1) First Hour Rating, and 2) ISPC Section 603.5.12 Beverage Dispensers. The following did not pass: 1) Rule change on cleanouts and 2) Statute change to Idaho Code § 54-2611(a) Classification of Competency. (The statute change was discussed under the topic *Contractor Testing*.)

Official Magazine – A story about Idaho will be in the spring edition of *Official Magazine*, and will feature Dan Ediger, plumbing inspector supervisor for the city of Boise.

◆ **Compliance Program Report**

The Compliance Program Specialist has seen an increase in violations as she continues to receive input from inspectors from other jurisdictions.

◆ **May 16, 2019 Board Meeting** – The Chairman has a conflict with the May 16, 2019 Board meeting and has asked to change it to May 15, 2019. The Administrative Assistant will review the Board Meeting calendar; confirming whether the Division’s Meridian, Coeur d’Alene and Pocatello conference rooms are available.

ACTION: The Administrative Assistant will e-mail the Board and staff the availability of the Division’s three conference rooms for May 15, 2019.

◆ **Administrator Report**

Financial Report – The Board’s finances are in good condition with revenue slightly exceeding one-year in reserve.

Plan Reviews – The Division’s plan reviewers are currently busy with state projects.

Katerra Factory – A factory to be built in Meridian that will produce building components and materials, to include lighting, cabinetry, truss assemblies, wall panels, and more. Most of the products will be built by robots.

◆ **Old/New Business**

There were no old or new issues to address.

◆ **Adjournment**

MOTION: Debbie Oberhofer made a motion to adjourn the meeting. Shaun Urwin seconded. All in favor, motion carried.

The meeting adjourned at 11:33 a.m. (MDT)

MATT GARDNER, CHAIRMAN
IDAHO PLUMBING BOARD

CHRIS L. JENSEN, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

04/30/2019rb

DATE