

**IDAHO PLUMBING BOARD
VIDEOCONFERENCE MEETING/PUBLIC HEARING**

Tuesday - July 19, 2016 - 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**

*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 Matt Gardner called the meeting to order at 9:29 a.m. (MDT)

Board Members Present:

Matt Gardner, Chairman
Gilbert Pond, Vice-Chairman
Rick Garrett
Debbie Oberhofer
Dan Long

DBS Staff Members Present:

C. Kelly Pearce, Administrator
Steve Keys, Deputy Administrator, Operations
Ron Whitney, Deputy Administrator, Administration
Patrick Grace, Deputy Attorney General
Fred Sisneros, Financial Manager
John Nielsen, Plumbing Program Manager
Bill Hatch, Public Information Officer
Chris Jensen, Regional Manager, Region 3
Terry Blessing, Compliance Program Supervisor
Chuck Knapp, Regional Supervisor, Region 1
Gary Sonnen, Regional Supervisor, Region 1
Renee Bryant, Administrative Assistant 2/Board Support

DBS Staff Members Absent:

Larry Jeffres, Regional Manager, Region 1
Adam Bowcutt, Regional Supervisor, Region 3

◆ **Open Forum**

No items or concerns were brought forth.

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

◆ **Approval of July 19, 2016 Agenda**

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

◆ **Approval of May 19, 2016 Minutes**

MOTION: Rick Garrett made a motion to accept the minutes as written. Debbie Oberhofer seconded. All in favor, motion carried.

◆ **Negotiated Rulemaking**

2015 Uniform Plumbing Code (UPC) - A public hearing is required to allow individuals the opportunity to speak to any recommended amendments on the adoption of the 2015 UPC to be incorporated into the Idaho State Plumbing Code (ISPC).

The Division did not receive any public comments prior to the meeting. Vice-Chairman Pond presented several questions on the proposed verbiage in IDAPA 07.02.06 *Rules Concerning Idaho State Plumbing Code*.

In the 2016 session, the legislature passed a new statutory provision on rulemaking. Agencies that incorporate nationally recognized codes or standards into their rules must now include a brief written synopsis; detailing the differences between the previously incorporated material and latest revised edition of the incorporated material.

Idaho Code -- Title 54 - An 18-page draft on statute changes was reviewed section by section. The Board was asked to endorse, in principal, the proposed changes; allowing the Division to meet the August deadline for submittals. The Division will bring the final language to the October 2016 Board meeting for the Board's review.

Vice-Chairman Pond requested the Board receive the modified changes seven to eight days prior to the October meeting.

ACTION: Prior to the October 2016 Board meeting, the revised proposed statute changes will be provided to the Board and placed on the Division's website.

Following are additional changes to be incorporated into the draft proposal: 1) 2606(3)(d) - Names match definitions; 2) 2608 - Include references to licenses and registrations; 3) 2615 - Add photo; 4) 2616 - Add five-year \$50.00 excavation contractor registration fee; 5) 2616 - Change the "Examination fee for DBS administered exams" to \$75.00; 6) 2617(5) - Add "extend one-time" after the 90-day period a contractor or specialty contractor's license can remain active; and 7) 2620(2) - Add the word "excavator" to the second paragraph.

There was a lengthy discussion; clarifying the following licensees/representatives and their roles in the trade: 1) Master Plumber, 2) Plumbing Contractor, 3) Plumbing Contractor Designated Representative and 4) Journeyman.

◆ **Idaho Code -- Title 54**

Typically, statutory amendment proposals are required to be in the Governor's office by the first week of August. As discussed under *Negotiated Rulemaking*, any significant changes might require a special meeting for a vote of approval by the Board.

MOTION: Gilbert Pond made a motion to approve the concept and for the DBS to make the necessary modifications to Title 54. Dan Long seconded. All in favor, motion carried.

◆ **Refund/Transfer of Plumbing Permit/Fees**

As addressed at the May 2016 meeting, the proposal specifies the requirements to transfer a permit or refund permit fees.

MOTION: Rick Garrett made a motion that the proposed language, originally presented for placement in IDAPA 07.02.03.011 *Fee Schedule*, be incorporated into 07.02.02.011 *Permits* instead. Gilbert Pond seconded. All in favor, motion carried.

◆ **Adoption of the 2015 UPC**

Under *Negotiated Rulemaking*, there was discussion to remove section 603.5.17 *Potable Water Outlets and Valves* from the draft proposal.

MOTION: Rick Garrett made a motion to adopt the 2015 UPC with the exception of deleting section 603.5.17 as it pertains to stop-and-waste valves/cocks being installed underground. Debbie Oberhofer seconded. All in favor, motion carried.

◆ **AWWA Rule**

The standard for backflow prevention on plumbing systems is already in the ISPC. The proposal deletes IDAPA 07.02.04.012.01 *Cross Connection Control Manual*; eliminating the use of two books for the same standards.

Tyler Parrish, City of Meridian Cross-Connection Inspector, brought forth a concern on the removal of double checks for lawn sprinklers in the 2015 UPC; specifically, the cost for homeowners to upgrade the backflow prevention assemblies. The Plumbing Program Manager read a list of reduced pressure zone devices to be used in place of double checks.

It was suggested double checks be added as a sixth method for backflow prevention. New proposals must go through the negotiated rulemaking process. The Board has held the required meetings for 2016; therefore, the suggestion could not be considered until after the adjournment of the 2017 legislature.

MOTION: Rick Garrett made a motion to not make any changes to the current IDAPA rule as it pertains to the AWWA manual; leaving it in play for now. No second was made. Board Member Garrett withdrew his motion.

Upon further discussion and clarification, this topic was tabled and the draft proposed rule change will not be presented to the 2017 legislature.

◆ **Contractors and Civil Penalties**

Currently, plumbing contractors are exempt from receiving civil penalties for failing to pay applicable fees, properly post a plumbing permit, request an inspection or fail to make corrections. A proposed rule change removes any references that a plumbing contractor is exempt from civil penalties.

MOTION: Debbie Oberhofer made a motion to remove the contractor's exemption from IDAPA 07.02.07.011.05 and .06. Dan Long seconded. All in favor, motion carried.

◆ **Solar Energy & Hydronics Code**

As suggested at the May 2016 Board meeting, a joint panel comprised of two members from the Plumbing, Electrical and HVAC Boards met to discuss the solar energy and hydronics code. It was determined there is enough code information on this subject; therefore, no action is needed. The Chairman tabled the topic until further notice.

◆ **Plumbing Program Manager Report**

Conference - The Plumbing Program Manager will attend IAPMO's 87th Annual Education and Business Conference, September 25-30, 2016, in Albuquerque, New Mexico.

◆ **Compliance Program Report**

Program - The Compliance Program Supervisor continues to work closely with inspectors throughout the state of Idaho.

Classes - The second half of the public works contractor license (PWCL) classes will be held in September and October. Board members are encouraged to attend and will receive a copy of the class schedules.

ACTION: The Compliance Program Supervisor will provide the upcoming PWCL class schedules to the Plumbing Board.

◆ **Operational Report**

In the interest of time, the Deputy Administrator-Operations refrained from making any comments.

◆ **Administrator Report**

Financial Report - The Idaho Plumbing Board Fund, FY 2016 financial statement as of May 31, 2016, was reviewed.

Automated CEU System - The Division is in the process of automating CEU credits. An outside carrier will keep track of CEU's for DBS licensees. A simple presentation of this new system will be provided at the October 2016 Board meeting.

ACTION: The topic *Automated CEU System* will be placed on the October 2016 Board meeting agenda as an informational item.

ACTION: A brief presentation of the Division's new automated CEU system will be held at the October 2016 Board meeting.

School Safety and Security Advisory Board - Effective July 1, 2016, the DBS has a new 13-member board known as the *School Safety and Security Advisory Board*. The Board, along with a new workforce of five DBS staff members, will provide Idaho educators with on-site security assessments and training, identify areas of vulnerability, and provide technical assistance for improvement of safety and security at schools statewide. The Board's first annual meeting will be held in early August 2016.

Damage Prevention Board - The 2016 legislature approved a new 11-member board under the DBS titled *Damage Prevention Board*. The Board became effective July 1, 2016, and will hold its first meeting in early August 2016.

Merging of Boards - The Manufactured Housing and Modular Building Advisory Boards were combined into a single eight-member Board identified as the *Factory Built Structures Advisory Board*.

City of Meridian - Meridian is the ninth fastest growing city in the nation.

Construction Projects - New and/or existing projects are being built in the following cities: Fort Hall, Ketchum, Bellevue, Buhl and Blackfoot.

◆ **Adjournment**

MOTION: Dan Long made a motion to adjourn the meeting. Gilbert Pond seconded.

The meeting adjourned at 12:46 p.m. (MDT).

MATT GARDNER, CHAIRMAN
IDAHO PLUMBING BOARD

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE
08/17/2016rb

DATE