

**IDAHO PLUMBING BOARD
VIDEOCONFERENCE MEETING**

Thursday – October 9, 2014 – 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 Milford Terrell called the meeting to order at 9:32 a.m. (MDT).

Board Members Present:

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

DBS Staff Members Present:

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

◆ **Open Forum**

Remembrance – Building Safety Inspector/Advisor Will Hoygaard was remembered.

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

◆ **Approval of October 9, 2014 Agenda**

The following changes were made to the agenda: 1) Remove item nine *Superior Water and Air*, and 2) Switch item 15 *Operational Report* and item 16 *Election of Officers*.

MOTION: Gilbert Pond made a motion to accept the agenda as amended. Debbie Oberhofer seconded. All in favor, motion carried.

◆ **Approval of July 23, 2014 Minutes**

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

◆ **Journeyman License**

In 2013, Michael Connors, an out-of-state plumber registered as an apprentice with DBS, applied to take the written journeyman exam. Unable to provide schooling documentation, as required by rule, Mr. Connors' application was denied.

Mr. Connors came before the Board to see if there was any possible way to challenge the written journeyman exam; taking the practical exam only.

Upon hearing both sides, the Board was in agreement with the Division, and Mr. Connors was informed he would need to go through the apprenticeship program.

◆ **Specialty Contractor License**

During the grandfathering period, May 1 through June 30, 2014, the 72-hour class and test for the Plumbing Specialty Appliance contractor and journeyman licenses were waived to all qualified HVAC contractors and journeymen.

Gary Youngberg applied for, and was denied, the specialty contractor license based on his limited years as an HVAC contractor, and Duane Youngberg, Gary's father, did not submit an application.

The Board was asked to allow the following: 1) Waive any incomplete time requirements and agree for Gary Youngberg to take the Specialty Plumbing Appliance contractor exam, and 2) Grandfather Duane Youngberg in as a specialty contractor.

Counsel clarified the grandfather provision does not say you have to have been a licensed HVAC contractor for five years, rather you have to have had experience owning/operating a business where the specialty applies.

MOTION: Gilbert Pond made a motion that based on Counsel's clarification of the rule; the Board authorizes the Division to grandfather Gary Youngberg in as a plumbing specialty appliance contractor. Debbie Oberhofer seconded. All in favor, motion carried.

ACTION: Based on the information provided at the meeting, the Division will process Gary Youngberg's application for the Plumbing Specialty Appliance contractor license.

◆ **Specialty Journeyman License**

The Division denied Scott McFarland's application to take the journeyman exam based on his employment with Ada County.

Mr. McFarland requested, through the Plumbing Program Manager, to address his issue before the Board. Not at the meeting, the Chairman agreed with the Division's decision and so ordered Mr. McFarland's application denied.

◆ **Sewer and Water Permit Fees**

In a handout, the Plumbing Program Manager addressed minor changes to the proposed rule.

MOTION: Debbie Oberhofer made a motion to accept the second reading as printed and for the Division to go forth with the proposal language on sewer and water permit fees to the 2016 legislature. Gilbert Pond seconded. All in favor, motion carried.

As requested, Counsel will convert the proposal into rule format; bringing it to the February 2015 meeting for the Board's review.

ACTION: For the February 2015 Board meeting, the proposed language will be provided to the Board in rule format.

◆ **Schedule 2015 Board Meeting Dates**

The 2015 Idaho Plumbing Board meeting dates are as follows: February 19th, May 21st, July 22nd, and October 15th. The Board was satisfied with the dates.

ACTION: The 2015 board meeting dates will be placed on the Division's website.

◆ **Administrator Report**

Financial Report – The Idaho Plumbing Board Fund, FY 2015 financial statement as of August 31, 2014, was reviewed.

MOTION: Matt Gardner made a motion to accept the financial statement as presented. Dan Long seconded. All in favor, motion carried.

Budget – The Division's submission of the budget to the Division of Financial Management calls for a 2.8% increase over the previous year.

Construction – Following are new or existing construction projects throughout the state of Idaho: 1) 14-story condominium complex, Coeur d'Alene; 2) LDS Temple, Meridian; 3) Magnida Fertilizer Plant, American Falls; and 4) Melaleuca headquarters, Idaho Falls.

◆ **Idaho Statute 54-2608 Revocation of Certificate of Competency -- Suspension -- Refusal to Renew**

After the initial discussion at the July 2014 Board meeting, there was concern as to how much work would be involved on the part of the Board. Rather than bring back further defined statutory language, DBS provided a list of code enforcement cases in the board packet.

From the Board's standpoint, it would review the various violations in the civil penalties; developing default penalties. The Division has already developed the framework to operate within. The only difference would be companies and individuals would have to come before the Board to plead their cases rather than to DBS.

The Chairman so ordered the Division to provide a proposed statute change to Idaho Code 54-2608 *Revocation of Certificate of Competency -- Suspension -- Refusal to Renew* at the February 2015 Board meeting.

ACTION: For the February 2015 Plumbing Board meeting, the Deputy Administrator-Operations will provide draft language to Idaho Code 54-2608 *Revocation of Certificate of Competency -- Suspension -- Refusal to Renew*.

◆ **Renting of Contractor License**

This has been an ongoing issue for many years. There is nothing in the current law that prevents an individual from associating his license with a company that he doesn't necessarily have much involvement in.

MOTION: Dan Long made a motion to table this topic until further notice. Gilbert Pond seconded. All in favor, motion carried.

◆ **Appliance Plumbing Specialty License--Grandfather Clause**

The Plumbing Program Manager brought forth this topic; asking the Board if it would like to leave, rewrite or remove the specialty plumbing appliance and specialty water pump grandfathering provisions in IDAPA 07.02.05 *Rules Governing Plumbing Safety Licensing*.

The following was suggested: 1) Provide education requirements for journeymen, and 2) Contractor exam should be based on standard business practices, and journeyman exam on code/field-related matters.

MOTION: Gilbert Pond made a motion for the whole rule to be reviewed; specifically for verbiage to be added requiring journeymen to have training in order to install water heaters. Matt Gardner seconded. All in favor, motion carried.

◆ **Farm Buildings and Exemptions**

A draft proposal to redefine Idaho Code § 54-2602 *Exemptions* on farm buildings with regard to water and sewer systems was reviewed.

The Chairman so ordered the Division to move forward with the proposed statute change.

ACTION: DBS will proceed with the proposed statute change as it applies to farm buildings and exemptions.

◆ **Plumbing Program Manager Report**

2015 Legislation – The following proposed rule/statute changes will be presented at the 2015 legislative session: 1) Add Polypropylene, Polyethylene of Raised Temperature, and Polyethylene for building sewer pipes/fittings and water distribution pipes/fittings to the Idaho State Plumbing Code (ISPC), 2) Delete ISPC Section 414.5 *Elimination of Hot Water in Bathtubs and Whirlpool Bathtubs*, 3) Delete ISPC Section 508.2 as it pertains to seismic strapping on water heaters, 4) Delete Section 411.8.1 *Tests for Shower Receptors*, 5) Change in IDAPA 07.02.05 *Rules Governing Plumbing Safety Licensing* in-state/out-state journeyman/contractor requirements, and 6) Add to Idaho Code § 54-2637 continuing education license for inactive contractors, and temporary contractor license for journeymen helping family/company whose license holder is deceased/incapacitated.

IAPMO Conference – In September, the Plumbing Program Manager attended IAPMO's 2014 Annual Education and Business Conference in Minneapolis, Minnesota.

AquaTherm – Region 2 inspectors attended a four-hour AquaTherm class and are now certified installers. AquaTherm will send to DBS paperwork to become a CEU provider.

Bonds – The bond issue with regard to bonded individuals will be addressed at the February 2015 Board meeting.

ACTION: The Deputy Administrator-Administration will address the topic *Bonds* at the February 2015 Board meeting as it pertains to licensed individuals not bonded.

Reports – The Exam Survey Report, as of September 18, 2014, and Journeyman First Exam Attempts Report, January through August 2014, were reviewed.

◆ **Operational Report**

Schooling and Out-of-State Plumbers – The Division has met with the Professional- Technical Education (PTE) and other program managers to address the education/schooling issue with individuals coming in from out-of-state, military, and other aspects, to verify they have the competency from the schooling side they need to satisfy the state of Idaho’s requirement.

Task Force – DBS is also participating in a task force with PTE schools and the Department of Labor; addressing concerns on a broader standpoint relative to assessing competency perhaps beyond just the educational/schooling side.

Water Treatment Licensure – The water treatment industry approached DBS as to whether there might be an opportunity to work out the long standing differences between the plumbing and water quality trades. There was talk of the Division potentially facilitating licensure of those individuals.

◆ **Election of Officers**

As a board member, and with over 30 years of service in government on boards, Milford Terrell has chosen to retire.

Chairman – Debbie Oberhofer nominated Matt Gardner for Chairman.

MOTION: Gilbert Pond made a motion to close the nominations and elect Matt Gardner for Chairman. Debbie Oberhofer seconded. All in favor, motion carried.

Vice-Chairman – Gilbert Pond nominated Dan Long for Vice-Chairman. Mr. Long pulled his name and nominated Gilbert Pond.

MOTION: Debbie Oberhofer made a motion for nominations to cease and to elect Gilbert Pond for Vice-Chairman. Matt Gardner seconded. All in favor, motion carried.

◆ **Adjournment**

Chairman Terrell adjourned the meeting at 12:05 p.m. (MDT).

MATT GARDNER, CHAIRMAN
IDAHO PLUMBING BOARD

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

12/19/2014rb