

**IDAHO PLUMBING BOARD
VIDEOCONFERENCE MEETING**

Thursday – September 19, 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 SEPTEMBER 19, 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 9:32 a.m. (MDT)

Board Members Present:

Matt Gardner, Chairman
Gilbert Pond, Vice-Chairman
Rick Garrett
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
Patrick J. Grace, Regional Manager, Region 2
John Nielsen, Plumbing Program Manager
Renee Bryant, Administrative Assistant 2

◆ **Open Forum**

Industry Concerns – Wayne Frisbie, Sawyer Plumbing, brought forth the following issues:

- Standardization of Code – Recently, there have been problems with local jurisdictions in north Idaho choosing other requirements contrary to the ISPC on backwater valves and the insulation of backwater valves. The Board was asked if it would consider standardizing areas of the ISPC that are vague; specifically, 710.6 *Backwater Valves*. This has been an ongoing issue throughout the state of Idaho and is hard to make a jurisdiction or entity do it the way it is written in code. The Plumbing Program Manager is working to find a solution.
- Inspectors Working in Trade – Another concern is inspectors working in the plumbing trade. It was expressed this is an ethical issue, and at times jobs are being done without permits. The Board was asked to examine Idaho Code sections 54-2626 *Notification for Inspection—Fee for Reinspection* and 27 *Appointment of Inspectors – Qualifications – Unlawful Practices* with the possibility of adding municipal inspectors as they fall under the same rules as DBS inspectors in all other areas. The Administrator stated DBS only has control over its own people; however, will research to perhaps change the law.

ACTION: The Division will explore the possibility of changing the law; bringing the topic *Inspectors Working in the Trade* to the January 2020 Board meeting.

- Schools and Curriculum – It was questioned whether there had been any steps taken to standardize the curriculum. If not, Mr. Frisbie asked to either have the curriculum standardized, raise the bar for the instructors, and/or allow contractors to train their own apprentices in-house.

The Idaho Division of Career-Technical Education, with the assistance of educators and industry, have established a new state standardized test for secondary institutions in Idaho. Apprentices will have the opportunity to test up in years one, two and three in the spring of 2020.

Expansion Flanges – Kenny Calkins, Cloverdale Plumbing and Treasure Valley Master Plumbers Association (TVMPA) Representative, asked for clarification on whether the plumbing industry can use expansion flanges if they do not have a Uniform Plumbing Code (UPC) shield. The Plumbing Program Manager's answer was no based-on the restrictions only.

Master Plumber License – Every spring legislators are invited to a TVMPA luncheon. Mr. Calkins spoke to a senator that did not understand there is a large percentage of contractors that are single operators and if they do not have a master plumbers license or a plumbing contractors license then how can they properly work in the plumbing trade. Mr. Calkins suggested going back to legislators and educate them on the plumbing industry.

As explained, there is no master plumbers license. In 2018, there was legislation to have the rule match the statute; however, it did not pass as a senator thought it would eliminate who can work in the trade in the state of Idaho.

Philmac – An Australian company named Philmac develops and manufactures compression plastic pipe fittings, which is used on the inlet side of an atmospheric vacuum breaker. Upon researching, the Chairman concluded the product is not legal.

Testing and Standardization – Steve Bennett, College of Western Idaho, explained the apprenticeship standard tests are for years one through three, with the journeyman exam the standard for year four. Statistics are available on the first time pass rates for those who have taken the journeyman exam.

Open Meeting Law/Open Forum – To comply with the open meeting law, open forum allows the public and industry to comment and/or address concerns without the Board deciding on an outcome. Any topic the Board would like to discuss needs to be on the current and/or future agenda(s).

City and County Concerns – No new issues were addressed under open forum.

- ◆ **Approval of the September 19, 2019 Agenda, May 16, 2019 Meeting Minutes and May 2, 2019 Special Meeting Minutes**

MOTION: Gilbert Pond made a motion to approve the September 19, 2019 agenda, May 16, 2019 meeting minutes and May 2, 2019 special meeting minutes as presented. Shaun Urwin seconded. All in favor, motion carried.

◆ **Schedule 2020 Meetings**

The proposed meeting dates are: January 16, March 19, May 21, and September 17.

MOTION: Rick Garrett made a motion to accept the board meetings as outlined for 2020. Shaun Urwin seconded. All in favor, motion carried.

◆ **Proposed Rule Changes – IDAPA 07.02.05 Mobile Home Installer Licensing**

Changes are made in statute before being made in rule. For the 2021 legislative session, the Board approved for DBS to begin the process of exempting mobile home installers from requiring licensure and to allow them to pull permits. The Chairman agreed to further discuss this topic at the January 2020 Board meeting.

ACTION: The topic *IDAPA 07.02.05 Mobile Home Installer Licensing* will be placed on the January 2020 agenda as an informational item.

◆ **Practical Exam**

The Plumbing Program Manager had nothing to present; however, in the packet was the current rule with portions pertaining to the practical exam underlined. Prior to the meeting, a subcommittee was to discuss this topic; however, never met. Board Member Gilbert Pond has requested pictures of Utah's practical exam; offering to make a presentation at a future meeting on why there needs to be a practical exam. For consistency throughout the state, following were suggestions: 1) Bring back the plan of a four-story building as part of the practical, 2) Take the written and practical exams on the same day, at/near the same location, and 3) Bring the exams, paper or computer based, inhouse at DBS.

Board Member Pond suggested, and the Plumbing Program Manager agreed, to chair a subcommittee, which will include individuals from the unions, industry, schools and DBS. The Chairman asked to proceed with this topic at the January 2020 Board meeting.

ACTION: The topic *Practical Exam* will be placed on the January 2020 agenda as an informational item.

◆ **Program Manager Report**

Licensing Freedom Act – Based on the Licensing Freedom Act, issued by the Governor a couple of years ago, DBS presented a list of recommendations to the Board to eliminate/reduce barriers to licensing, overregulation, and outdated or unnecessary items that have prevented individuals from practicing professionally in Idaho. Recently, the Division of Financial Management contacted DBS; asking for a definitive answer from the Board on whether to pursue action on the following suggestions.

- Eliminate the Prohibition of Issuing Apprentice Registration – By eliminating the prohibition, a journeyman plumber licensed in another recognized jurisdiction would be able to register as an apprentice in the state of Idaho. Currently, individuals can test for an Idaho plumbing journeyman license if they meet the requirements as set forth in IDAPA 07.02.05.012.03(a) and (b). The Board decided it has no desire to move forward with this recommendation.

- Apprentice Applicants-Proof of Employment and Enrolled in Training – This would allow in-state apprentices who have not completed the schooling requirements but can demonstrate they have performed double the amount of work experience, 16,000 hours or eight year, to apply to take the journeyman exam. In addition, the individual would still need to provide proof as being registered with the state of Idaho as an apprentices for the required eight years. The Board agreed to further discuss this topic at the January 2020 meeting.

ACTION: The topic *Apprentice Applicants-Proof of Employment and Enrolled in Training* will be placed on the January 2020 agenda as an informational item.

Gas/Hydraulic Permits – An email has been sent to all contractors explaining effective October 1, 2019, gas lines and hydronic systems will need to be paid/permitted through an HVAC permit, not plumbing permit. This is an internal change within DBS since gas and hydronics are not part of the plumbing system per statute. A plumbing contractor can still do the work; however, will need to pull a second, HVAC, permit. The job would be inspected by an HVAC inspector, and the monies will go to the HVAC program.

Board Member Pond recommended plumbing contractors be allowed to continue to pull a plumbing permit; however, the Division reformat the permit to allow the calculation of the two values, plumbing and HVAC, separately. The only issue is there is no way to delineate on plumbing permits that an HVAC inspector has inspected that portion of work.

◆ **Compliance Program Report**

Council on Licensure, Enforcement and Regulation (CLEAR) – Currently, the Compliance Program Specialist is attending a two-day CLEAR Educational Conference in Minneapolis, Minnesota. The conference focused on areas like compliance and discipline, testing and examinations, administration, legislation and policy, and entry to practice and beyond.

Compliance Officers – Effective October 1, 2019, Region 2 will have a new compliance/outreach officer actively in the field. In the 2021 budget is a request for two additional full-time compliance/outreach officers to be stationed in north and eastern Idaho.

Changes to Compliance Program – Additional information on changes to the Compliance program will be addressed at the January 2020 meeting.

ACTION: The topic *Changes to Compliance Program* will be placed on the January 2020 agenda as an informational item.

Reauthorization of Rules – As part of the reauthorization of the rules process, the Division was instructed, as all agencies were, to cut the size of the administrative code. Part of those cuts include consolidating the six existing chapters of the plumbing rules into one single chapter. The Division did not substantively change any of those rules. A public hearing will be held October 1, 2019; allowing for public comment. During that week, a special meeting will be held with each board to approve what has been done at that point.

◆ **Administrator Report**

Financial Report – Finances are good with more than one year in cash reserve. The Administrator received warning from the Chairman of the Joint Finance and Appropriation Committee that it is looking at the Division’s surplus.

Permits – The Division is seeing no slow down with 311 permits taken out yesterday and have hit over 300 permits several days in the last six weeks.

New Office Location – The Idaho Department of Labor is closing 14 facilities statewide. The Division is looking to buy the building in Blackfoot; consolidating its Pocatello and Idaho Falls offices.

◆ **Adjournment**

MOTION: Gilbert Pond made a motion to adjourn the meeting. All in favor, motion carried.

The meeting adjourned at 11:27 a.m. (MDT)

MATT GARDNER, CHAIRMAN
IDAHO PLUMBING BOARD

CHRIS L. JENSEN, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

01/07/2020rb