

**IDAHO PLUMBING BOARD  
VIDEOCONFERENCE MEETING**

**Thursday – January 16, 2020 – 9:30 a.m. (MST)**

**Division of Building Safety  
1090 East Watertower Street, Suite 150, Meridian  
1250 Ironwood Drive, Suite 220, Coeur d’Alene  
155 North Maple Street, Blackfoot**

**MINUTES OF THE JANUARY 16, 2020 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 9:31 a.m. (MST)

**Board Members Present:**

Matt Gardner, Chairman  
Gilbert Pond, Vice-Chairman  
Rick Garrett  
Bob King  
John Kierce

**DBS Staff Members Present:**

Chris L. Jensen, Administrator  
Ron Whitney, Deputy Administrator  
Spencer Holm, Deputy Attorney General  
John Nielsen, Plumbing Program Manager  
Adam Bowcutt, Regional Manager, Region 3  
Gary Sonnen, Regional Supervisor, Region 1  
Amy Kohler, Compliance Program Specialist

◆ **Acknowledgement**

Bob King and John Kierce, At-Large Representatives, were welcomed to the Board.

◆ **Open Forum**

City/County Concerns – Through DBS, Garret Christoffersen, City of Idaho Falls Plumbing/Mechanical Inspector, asked the topic *Jurisdictions Checking Licensure* be placed as an informational item on the agenda for the next board meeting. The City of Idaho Falls interpretation of the statute is the city does not have the authority nor responsibility to check licenses on job sites within the city limits, only the state.

**ACTION:** The topic *Jurisdictions Checking Licensure* to be placed on the March 19, 2020 board meeting agenda as an informational item.

Definition of Bathroom Group – Steve Bennett, College of Western Idaho, asked the Board to consider amending the definition of “Bathroom Group” in the 2017 Idaho Code as it makes horizontal wet venting a very questionable proposition; affecting the first part of horizontal wet venting where it says a bathroom group can be horizontally wet vented. The 2017 code reads, “Any combination of fixtures, not to exceed one water closet, two lavatories, either one bathtub or one combination bath/shower, and one shower, and may include a bidet and an emergency floor drain.” The definition in the 2009 Idaho Code is a three-fixture minimum. Mr. Bennett recommended replacing the definition in the 2017 Idaho Code with the definition from the 2009 Idaho Code, removing the word “urinal”.

Plumbing Program Manager John Nielsen agreed the definition of “Bathroom Group” could be more clearly defined; however, would not remove urinals. His interpretation of a horizontal wet vent in a bathroom group is a bathtub or tub/shower, toilet, and lavatory, beyond that additional fixtures can be added.

With no objections from the Board, the topic *Definition of Bathroom Group* will be placed as an informational item on the agenda for the next meeting.

**ACTION:** The topic *Definition of Bathroom Group* to be placed on the March 19, 2020 board meeting agenda as an informational item.

◆ **Approval of the January 16, 2020 Agenda, September 19, 2019 Meeting Minutes and October 2, 2019 Special Meeting Minutes**

**MOTION:** Gilbert Pond made a motion to approve the agenda and meeting minutes as presented. Rick Garrett seconded. All in favor, motion carried.

◆ **IDAPA 07.02.05 Mobile Home Installer Licensing**

This is in conjunction with a statute change being ran at the 2020 Legislature to eliminate the mobile home set-up or installer license from the plumbing rule as they are regulated for licensure in their own statute. Upon approval of the change in statute, a proposed rule change, provided in the packet, will be submitted to the 2021 Legislature. Although mobile home set-up or installers will no longer be required to obtain a plumbing license, they will still be able to pull permits to get their mobile home connections.

Upon sine die of the 2020 Legislature, end of March, Plumbing Program Manager Nielsen will begin the process of negotiated rulemaking. Therefore, the topic *IDAPA 07.02.05 Mobile Home Installer Licensing* does not need to be placed on the agenda for the March 19, 2020 board meeting.

◆ **Practical Exam**

There has been no progress made on this issue. Individuals taking a four-year school program in Idaho have an option to take the practical exam; however, those from out-of-state do not. Mark Hosick, UA Local 296, brought forth a drawing where the individual must draw, electronically or on paper, the building by code. This type of practical could be done the same day they take their journeyman test from one of the Division’s three office locations.

Board Members Rick Garrett and Gilbert Pond support the possibly of moving the drawing to the practical portion of the journeyman test. The practical is already in rule; therefore, it would require changing the practical exam from out in the field and putting fixtures together to a paper/electronic drawing.

Board Member Gilbert Pond stated it would be beneficial to have at least one subcommittee meeting to review any ideas and/or drawings prior to the March 2020 board meeting. Several audience members, including Board Member Pond, offered to participate on the subcommittee.

Board Member John Kierce offered, and the Chairman agreed, to provide the board members with copies of the drawing shown by Mr. Hosick.

Deputy Attorney General Spencer Holm clarified for the Board to direct the Division to make changes to the practical exam, the topic *Practical Exam* will need to be placed as an action item on the March 2020 board meeting agenda.

**ACTION:** The topic *Practical Exam* to be placed on the March 19, 2020 board meeting agenda as an action item.

◆ **Apprentices--Proof of Employment and Schooling**

A question has been brought up that the way the plumbing rule reads it can be interpreted that anybody could show 16,000 hours and be able to sit for the journeyman exam. Currently, if an individual wants to come in and register as an apprentice, they are not required to show they are working for anyone. An individual can also go to school and not be registered. However, once school is completed, they must come in and show four years of on-the-job-training in Idaho. This issue has also been broached to the HVAC Board where it was argued the 16,000 hours is in the journeyman qualifications portion of the licensure rules for out-of-state individuals under the title Out of State Journeyman Applications. It was explained titles do not hold any authority nor are the law.

For the next meeting, the Board asked the Plumbing Program Manager to meet with the Deputy Attorney General to define the appropriate apprentice hours, as well the qualifies for instate and out-of-state individuals to take the journeyman test.

**ACTION:** The topic *Clarification of Apprentice Hours* to be placed on the March 19, 2020 board meeting agenda under the Plumbing Program Manager Report.

◆ **Inspectors Working in the Trade**

At the September 2019 meeting, there was concern a city/county inspector was running their business, as well as providing plumbing services, in the city/county they were employed; causing concern of a conflict of interest. Statute does not allow DBS inspectors to practice or work in the trade. A request was to change the statute to include city/county inspectors; however, the statute only pertains to DBS inspectors. Teri Ottens, Idaho Association of Building Officials (IDABO) Representative, explained IDABO has a conflict of interest statute that says you can't work in your own jurisdiction. You can have a business, you can do work outside your jurisdiction, but you can't within. Also, having worked for the Association of Idaho Cities, Ms. Ottens stated almost every city has a policy that says if you do outside work you have to get permission from the city. It was suggested the individual in question contact IDABO. Hearing no further discussion, Chairman Gardner tabled this topic until further notice.

◆ **Program Manager Report**

Legislation – A statute change regarding the 24-month expiration date upon a license expiring is at the 2020 Legislature. Upon approval, and to coincide with statute, the Division will submit the proposed rule change to the 2021 Legislature Session.

Proposed Code Change-Water Heaters – The Plumbing Program Manager has spoken to Dan Ediger, City of Boise Plumbing Inspection Supervisor. The Uniform Plumbing Code is vague when it comes to allowing appliances to be placed in front of water heaters. At the March 2020 Board meeting, Mr. Ediger would like to discuss the possibility of a code change; restricting appliances from being in front of water heaters.

**ACTION:** The topic *Proposed Code Change-Water Heaters* to be placed on the March 19, 2020 board meeting agenda as an informational item.

◆ **Compliance Program Report**

A new full-time compliance/outreach advisor has been hired to check licenses in all jurisdictions. The Division’s approach is to try to get everyone in compliance; however, anyone refusing to comply or are habitual offenders will be dealt with more severely. Compliance Program Specialist Amy Kohler continues to receive positive feedback with having an advisor in the field on a regular basis.

◆ **Administrator Report**

Financial Report – The finances are in good condition and continue to grow due to the busy construction environment.

Budget – Returning from the budget setting with the Joint Finance-Appropriations Committee, the Administrator stated the two big issues discussed were compliance and licensing. In the budget is the request for two additional full-time compliance advisors; one for north Idaho and one for eastern Idaho.

Violations – Noting there was a contractor with 12 fines in the PLB% NOV Activity by Date Report, Board Member Pond questioned the next course of action on a repeat offender. At this time, there is no further action; however, this is being discussed by the Division for all three trades, plumbing, electrical and heating, ventilation and air conditioning, to determine when a license should be revoked. Issues with safety are considered gross violations and DBS will take away licenses. One suggestion was to issue a stop work notice to the general contractor on the subcontractor with the violation; removing them from the job site the remainder of the day.

◆ **Adjournment**

**MOTION:** John Kierce made a motion to adjourn the meeting. Gilbert Pond seconded.

The meeting adjourned at 10:48 a.m. (MST)

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MATT GARDNER, CHAIRMAN  
IDAHO PLUMBING BOARD

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RON WHITNEY, ADMINISTRATOR  
DIVISION OF BUILDING SAFETY

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DATE

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