

IDAHO PLUMBING BOARD MEETING

Thursday – January 21, 2021 – 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 21, 2021 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
John Kierce
Rick Garrett
Bob King

DBS Staff Members Present:

Ron Whitney, Administrator
Patrick Grace, Deputy Administrator
Spencer Holm, Deputy Attorney General
John Nielsen, Plumbing Program Manager
Chuck Knapp, Regional Supervisor, Region 1
Josh Nyman, Regional Supervisor, Region 3
Renee Bryant, Administrative Assistant 2

◆ Open Forum

There were no new issues to address under open forum.

City/County Concerns – There were no new issues to address under open forum.

◆ Approval of the January 21, 2021 Agenda, September 17, 2020 Meeting Minutes, October 14, 2020 Special Meeting Minutes and October 29, 2020 Special Meeting Minutes

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

◆ Plumbing Apprentice Course

Plumbing Program Manager John Nielsen does not have any issues with Porter House, Inc.'s proposed plumbing apprentice curriculum.

MOTION: Rick Garrett made a motion to approve the plumbing apprenticeship schooling through Porter House, Inc. Gilbert Pond seconded. All in favor, motion carried.

◆ Practical Exams--Statute/Rule Changes

The proposed changes in IDAPA 24.30.20 *Rules Governing Plumbing* were explained by Plumbing Program Manager Nielsen. Although the majority of changes are based off the Red Tape Reduction Act, language has been added for schools to provide practical exams. Board Member Rick Garrett was concerned the new verbiage would discriminate against in-state apprentices.

Through Executive Order (EO) 2021-01 – *Zero-Based Regulation*, a moratorium has been placed on the submission of proposed rule changes and review schedules have been staggered across agencies and within agencies. The Plumbing Program Manager would like to evaluate all plumbing rules, and possibly the 2021 Uniform Plumbing Code; beginning the negotiated rulemaking process in 2023 for presentation at the 2024 legislative session. Deputy Attorney General Spencer Holm believes the Board may meet some of the EO requirements to run rules; therefore, the Board will be attempting to run proposed changes as discussed at today’s meeting for the 2022 legislative session.

As requested, the Plumbing Program Manager will contact the schools and inform them of the direction the Board would like to take with practical exams.

ACTION: The Plumbing Program Manager will reach out to the schools on the decision of the board regarding practical exams.

◆ **Definition of Bathroom Group**

Since the last meeting, the following sentence has been added to the definition of bathroom group: “As it pertains to horizontal wet venting, all fixtures shall be within the same room”. Plumbing Program Coordinator Steve Bennett, College of Western Idaho, stated the proposal aligns with the definition of bathroom groups in the American Society of Sanitary Engineering (ASSE) manual. Rather than continue to individually review the topic *Definition of Bathroom Group*, the Chairman agreed to include it with future proposed rule changes for review in 2023.

ACTION: The topic *Definition of Bathroom Group* will be part of proposed changes to the plumbing rules for review at future board meetings.

◆ **Section 507.25 Accessibility for Service--Water Heaters**

Reviewed was a proposed amendment to Section 507.25 *Accessibility for Service--Water Heaters*. Plumbing Plans Examiner/Inspector Daryl Spivey, city of Boise, stated there is nothing in code on what is/is not allowed when setting water heaters. Having received plans on several large apartment complexes, the city has created a policy where water heaters are not allowed to be stationed behind any appliance.

Suggestions to the code were: 1) Put in minimum requirements, 2) Add “readily” in front of accessible, 3) Put a moratorium on gas water heaters in wash rooms with a dryer, and 4) Add “unobstructed access”.

For review in 2023, the Plumbing Program Manager would like to include the water heater proposal with future rule changes. It was expressed water heaters and strappings are safety issues, and any recommended changes should go before the 2022 legislature. Before the negotiated rulemaking process can begin, specific requirements in EO 2020-01 must be met and receive approval by the governor’s office.

Board Member Gilbert Pond was fine with water heater strappings being discussed under this topic. However, stated water heaters on the second story or above need to be strapped. When questioned, a water heater on the ground floor that’s on a shelf or platform needs to be strapped.

For clarity, the topic *Accessibility for Service--Water Heaters* is under section 507.2 not 507.25, and water heaters can be anchored or strapped. For future meetings, the two topics, *Section 507 Accessibility for Service--Water Heaters and Strappings*, will be combined and retitled *Code Changes*.

ACTION: The topic *Code Changes* to be added as an informational item on the agenda for the March 18, 2021 board meeting.

◆ **Water Heater Strappings**

This subject was addressed under the topic *Section 507.25 Accessibility for Service--Water Heaters*.

◆ **Program Manager Report**

Five (5) Year Rule Review/Rulemaking Schedule – This subject was addressed under the topic *Practical Exams--Statute/Rule Changes*.

NOV Activity Report – There were no issues with the report.

Journeyman First Exam Report – There were no issues with the report.

Recognition – Kudos were given to the Division’s new Compliance Officer Bryan Mulleneaux.

Specialty Pumps and Requirements – The Idaho Groundwater Association requested the topic *Specialty Pumps and Requirements* be added as an informational item on the agenda for the board’s next meeting.

ACTION: The topic *Specialty Pumps and Requirements* to be added to the March 18, 2021 board meeting agenda as an informational item.

Contractor Issue – Briefly explained was an issue with a plumbing contractor in north Idaho. A fine has been paid and employee changes have been made within the company. Should another violation occur, there will be legal action to suspend his contractor’s license.

◆ **Administrator Report**

Financial Report – As requested at the Board’s September 2020 meeting, Administer Ron Whitney reviewed a five-year synopsis of the cash balance reserves, FY2015-2016 through FY2019-2020, of the Plumbing Board’s end-of-the-year reports. The projected year-end reserve for FY2021 is around three million dollars.

Budget – The Division’s budget was submitted to the Joint Finance-Appropriations Committee (JFAC) as part of the Division of Occupational and Professional Licenses (DOPL) budget. Authorized within the budget is supplemental spending of \$3.5 million for DBS’s portion of tenant improvements and moving costs to the Chinden Campus. Another major expense in FY2022 will either be the upgrade of the Division’s TRAK-iT system or create/find a new inspection/licensing/permitting software program. Each board will pay a pro-rata share of expenses accrued by DBS.

DOPL Legislation – Three proposed bills, to create DOPL and bring boards from various agencies under one umbrella, will be presented at the 2021 legislative session. The bills will: 1) Update all agency organizational references to the new agency name; 2) Create efficiencies and consistency in agency operations by bringing hiring authority under the DOPL Division Administrator; and 3) Transition current agency funds to the DOPL Fund for transparency and accountability.

Board Member Garrett requested a monthly statement of the plumbing’s revenue and expenses be provided to the Board. The Administrator receives such a report and will provide to the Administrative Assistant 2 for disbursement.

ACTION: The Administrative Assistant 2 will provide a financial report to the Board every month.

Permit Activity – For the 2020 calendar year, permits have exceeded the numbers for 2019 by ten percent and 2018 by 16 percent. So far in January 2021, there have been 209 permits issued daily; whereas, the same time in 2019, there were 160 permits issued per day.

Recognition (Cont’d) – Staff was praised for their adjustments to abnormal work schedules/locations while maintaining a higher than normal level of work activity during the 2020 pandemic.

DOPL Legislation (Cont’d) – There were concerns the proposed language on plumbing’s finance and licensing was not clear and could be misinterpreted. It was explained, with a new agency, the rule-making process takes two years; first to create and second to amend.

Upon receiving notification of the new bill numbers, as well as legislative committee hearings, the Division will contact the Board and interested parties.

ACTION: The Division will notify the Board and interested parties when the RS bills are numbered, and legislative committee hearings are scheduled.

◆ **Adjournment**

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

The meeting adjourned at 11:20 a.m. (MST)

MATT GARDNER, CHAIRMAN
IDAHO PLUMBING BOARD

RON WHITNEY, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

02/17/2021rb