

**Plumbing and Mechanical Systems Board Meeting  
October 20, 2009 at 9:00 a.m.**

**Board Members Present:**

Ron Masters  
Jane Hagedorn  
Charles Thomas  
Stuart Crine  
Carol Crane  
Thomas Day  
Mick Gage  
Dennis Molden  
Susan Salsman  
Ken Sharp  
Brita Van Horne

**Staff Attending:**

Cindy Houlson  
Susan Van Horn  
Stephanie Underwood  
Matt Oetker  
Sheri Cord  
Mary Swinehart

**Call to Order:**

Ron Masters called the meeting to order at 9:00 a.m.

Ron Masters introduced Brita Van Horne, new board member.

**APPROVAL OF MINUTES**

The minutes from September 22, 2009 were reviewed and approved as amended.

**Motion:** Mick Gage made motion to approve minutes as amended.

**Seconded:** Tom Day

**Discussion:** No further discussion was held.

**Vote:** All ayes

**Motion:** Carried

**Committee Reports and Recommendations for Actions**

**Administrative Rules Committee** Susan Salsman Chair

Chapter 31 Public Hearing feedback and Adopt and File action postponed until November Board Meeting. Several questions were asked at the Chapter 31 Public hearing held on October 13<sup>th</sup> with individuals encouraged to contact the office.

Chapter 27 Plumbing and Mechanical Systems Board – Administrative and Regulatory Authority Cindy provided brief overview of changes to reflect Senate File 224 requirements implemented from the 2009 legislative session.

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**Motion:** Thomas Day made the motion that the Board file Chapter 27 as notice of intended action with the Administrative Rules Review Committee.

**Seconded:** Sue Salsman

**Discussion:** No further discussion was held.

**Vote:** All ayes

**Motion:** Carried

### Chapter 32 Discipline for Plumbing, HVAC, Refrigeration and Hydronic Licenses

Title to be changed to Plumbing and Mechanical Systems Board - -Discipline.

The requirement for a licensee having their license readily available when requested by an inspector will be addressed in Practice Chapter that has not been drafted yet.

**Motion:** Ken Sharp made the motion that the Board file Chapter 32 as notice of intended action with the Administrative Rules Review Committee.

**Seconded:** Chuck Thomas

**Discussion:** 32.3.8 will be changed to \$5,000

**Vote:** All ayes

**Motion:** Carried

### Chapter 33 Contested Cases

33.9(17A is part of 272C and is not trade or level specific. The entire board with the assistance of Administrative Law Judge would meet for discipline or contested issues and will make final decision.

**Motion:** Thomas Day made the motion that the Board file Chapter 33 as notice of intended action with the Administrative Rules Review Committee.

**Seconded:** Dennis Molden

**Discussion:** No further discussion was held.

**Vote:** All ayes

**Motion:** Carried

### Chapter 34 Complaints & Investigations

Pursuant to 272C.74 (1) one of the duties of this board is to establish procedures by which complaints will be investigated and examined. This rule governs the complaint and investigation process.

**Motion:** Jane Hagedorn made the motion that the Board file Chapter 34 as notice of intended action with the Administrative Rules Review Committee.

**Seconded:** Thomas Day

**Discussion:** No further discussion was held.

**Vote:** All ayes

**Motion:** Carried

### Chapter 35 Licensure of Nonresident Applicant – Reciprocity

Pursuant to Section 105.21 the board is authorized to issue reciprocal licenses subject to certain conditions. These conditions are set forth in Chapter 35

**Motion:** Mick Gage made the motion that the Board file Chapter 35 as notice of intended action with the Administrative Rules Review Committee.

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**Seconded:** Jane Hagedorn

**Discussion:** No further discussion was held.

**Vote:** All ayes

**Motion:** Carried

### Chapter 36 Petitions for Rule making

Pursuant to Section 17A.7 all agencies that create rules have to create a procedure by which interested individuals in the state can petition modifications or new rules. This chapter adopts by reference standard procedures to accomplish that.

**Motion:** Chuck Thomas made the motion that the Board file Chapter 36 as notice of intended action with the Administrative Rules Review Committee.

**Seconded:** Tom Day

**Discussion:** No further discussion was held.

**Vote:** All ayes

**Motion:** Carried

### Chapter 30 Public hearing date & locations

Cindy shared with the board that Chapter 30 was filed both as emergency and notice of intended action. As part of notice of intended action we will be having a public hearing November 24, 2009 over ICN. Exact locations will be in the bulletin once the rule is posted. When a rule gets noticed, a code editor makes grammar corrections; she does not make any changes to the content. Currently Cindy is working with the code editor.

As the result of comments from Chapter 31 Public hearing there will be additional sites available for the Chapter 30 Public hearings.

### **Application and Fees Committee** Jane Hagedorn, Chair

Jane reported this committee has not met since the last board meeting. All the changes needed from past legislation will be incorporated at the next meeting.

### **CEU Committee** Jane Hagedorn, Chair

Jane reported that the CEU Committee has met twice since the last board meeting. The process of reviewing instructors and courses has begun. Stephanie has done a wonderful job of setting up the system. Two-thirds of the list of applicants has been reviewed by this committee. Intentions are to complete the remainder of the applications at today's CEU meeting. A total of thirty applications have been received. Additional documentation and information has been requested from several of the applicants.

### **Chapter 29 Committee** Ron Masters, Chair

This committee was established at the last board meeting along with Jane Hagedorn, Chuck Thomas, Thomas Day, and Mick Gage as members. The committee met Oct. 7<sup>th</sup>, Oct. 15<sup>th</sup>, and Oct. 19<sup>th</sup>. The committee has addressed definitions for contractor, gas hearth specialty license, geothermal, active/inactive

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and restricted license, as well as surety bonds and insurance. Plans are to present Chapter 29 for notice of intended action at the next Board Meeting.

Some of the unresolved issues are the restricted license requirements and how to implement inactive master/active journeyman. The computer system cannot be changed before the first of the year to accommodate these requests. Another unresolved issue is that an individual must be active for one year before going inactive. Ken will work with the plumbing/mechanical office staff on the active/inactive issue and provide some guidance about how to handle submitting a paper application before the Dec. 31<sup>st</sup> deadline, honoring that application even after Jan. 1<sup>st</sup> sunset of the grandfather provisions.

### **Plumbing Code Committee** Tom Day, Chair

Tom reported that representatives from the Uniform Plumbing Code and the International Plumbing code made presentations on codes at last month's Committee Meeting. For today's meeting representatives from the Iowa Association of Building Officials and the Iowa Chapter of the International Association of Plumbing and Mechanical Officials have been invited to the Code Committee for presentations. For the November meeting, industry partners will be invited to voice their opinions on codes. The Committee will discuss the information from these groups and make a recommendation to the Board after all input is received.

### **Medical Gas Committee** Chuck Thomas, Chair

Chuck reported that this committee has not met since last board meeting. Applications with pending medical gas information have been processed. Clarification was provided that according to 105.10(1) individuals must have a medical gas certification issued by this Board to do medical gas work in the state of Iowa.

### **Testing & Credentials Committee** Chuck Thomas, Chair

Chuck and Susan Van Horn reported Iowa Interactive met with Prometric and Iowa Interactive is moving forward as they have all the criteria now. IDPH does have a backup system, a paper application could be used and we can transmit candidate information to Prometrics and get results even if the software is not ready. Once the exam is ready we can start issuing exams. Cities are partnering and can provide training, but do not have to and actually by law are not supposed to.

Discussion was focused on if the board was limiting what reference books could go into the test. Most cities did restrict it to only the code book.

### **Reciprocity Committee** Ron Masters, Chair

Ron reported this committee will begin meeting when rules are finalized and state testing has begun.

### **Budget Report** Ken Sharp

Ken reported on the 10% reduction on state appropriated programs. There are state appropriations, fee based programs, grants, gifts, bequests and other fund

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programs. The 10% applies only to general appropriated programs. At this time it is not being applied to the fee based, grants, gifts, bequests or other fund programs. Budget of this board is not being impacted at this time. All open positions are being held and no new positions are being approved at this time.

### Licensing Program Statistics

Susan reported the following statistics. A total of 19,985 licenses have been issued.

Master License	10030 issued
Journeyman License	9240 issued
Apprentice	492 issued

### Other Business

Even though there are individuals that are not required to have a license from this board, if the local jurisdiction requires permits and inspections, licensed or not they must meet the minimum requirements of the code.

### Public Comment

Rick Coffman, Cedar Falls

A homeowner is installing an air conditioner and requests a permit in my city. According to the state he is exempt, but does not have an EPA license. Do I still need to issue a permit? *If he is doing the work using 410, it is not covered under EPA now and not covered under CFC law. R22 is covered under EPA. The Board has no jurisdiction over federal law or city permitting.*

Rick commented that in Cedar Falls the fee for a journey person and a master are the same. There is no monetary advantage to place a master in inactive status. We then charged more for a contractor license.

Should we plan to continue issuing contractor license next year? *The Board plans to be done and have contractor license available in January.*

Evan Peterson requested and was provided a copy of the licensing statistics.

Rick Behanish – Turned in application for instructor approval. Do I need a state certificate of teaching? *No that is not required. There may be additional documentation requested.*

### Next Meeting

Rescheduled November meeting to November 9<sup>th</sup>. Time and location will be announced later.

### Adjournment

**Motion:** Tom Day made a motion to adjourn

**Seconded:** Chuck Thomas

**Discussion:** No further discussion was held.

**Vote:** All ayes

**Motion:** Carried