Board Minutes
Iowa Plumbing and Mechanical Systems Board Meeting
July 16th, 2013 – 9:00 a.m.
University Hygienic Lab, DMACC
Iowa Lab Facility Rooms 207 & 208
Ankeny, IA 50023

Call to Order

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

Roll Call

Members Present:	**Members Absent:**	**Other Attendees:**
Jim Cooper	Ken Sharp	September Lau
Blas Hernandez	Michele Chalfant	Cindy Houlson
Mick Gage		Dan Hostetler
Robert Kunkel		Matt Oetker
Ron Masters		Stephanie Belieu
Rod Schultz		Susan Van Horn
Sue Pleva		

Minutes

A motion was made by Mick Gage and seconded by Jim Cooper to approve the May 21st, 2013 Minutes. Motion carried unanimously.

Contractor Licensing Update **Cindy Houlson**

Cindy Houlson shared to-date there are 902 contractor licenses. There are 94 expired certificates of liability licensed contractors. There will be 41 certificates of liability expiring within the next 30 days. We have received 14 certificates of liability or bonds that have been cancelled. There have been 11 certificates of liability or bonds sent in without an application. The contractors that have expired or canceled certificates or bonds are still working until there is a policy and procedure produced on what to do. Staff is notifying the contractors that they need to get the updated documents into the office as soon as possible.

Committee Reports and Recommendations for Actions

Administrative Rules Committee **Rod Schultz, committee chair**

Notice of Intended Action:

IAC 641 – Chapter 23 Plumbing and Mechanical Systems Board – Licensee Practice
IAC 641 – Chapter 29 Plumbing and Mechanical Systems Board – Application, Licensure, and Examination
IAC 641 – Chapter 30 Continuing Education for Plumbing and Mechanical Systems Professionals
IAC 641 – Chapter 32 Plumbing and Mechanical Systems Board - Licensee Discipline
IAC 641 – Chapter 33 Plumbing and Mechanical Systems Board – Contested Cases

A motion was made by Rod Schultz and seconded by Mick Gage to accept the Notice of Intended Action for Chapters 23, 29, 30, 32, and 33. Motion was carried unanimously.

Board of Health Notice of Intended Action:

IAC 641 – Chapter 27 Plumbing and Mechanical Systems Board – Administrative and Regulatory Authority
IAC 641 – Chapter 28 Plumbing and Mechanical Systems Board – Licensure Fees

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IAC 641 – Chapter 29 Plumbing and Mechanical Systems Board – Application, Licensure, and Examination
IAC 641 – Chapter 30 Continuing Education for Plumbing and Mechanical Systems Professionals
IAC 641 – Chapter 32 Plumbing and Mechanical Systems Board - Licensee Discipline
IAC 641 – Chapter 35 Plumbing and Mechanical Systems Board – Licensure of Nonresident Applicant – Reciprocity

Rod shared that the Board of Health (BOH) Notice for Intended the six rules listed. There are 3 rules that both the PMSB and BOH had to take action on; Chapter 29, Chapter 30 and Chapter 32. The rules are being fast tracked to meet the July 19th, 2013 filing date. A public hearing on all eight rules will be held on August 27th, 2013. Details on ICN locations will be published in the bulletin.

Application and Fees Committee **Sue Pleva, committee chair**

Met in June and there is nothing new at this time.

CEU Committee **Jim Cooper, committee chair**

Approved 4 instructors and 18 classes, things are coming in a little slower.

Chapter 29 Committee **Ron Masters, committee chair**

William Dowty Equivalency – Service Technician license – William Dowty sent in an application for an equivalency for the classes he took for his service technician license. The committee feels that classes he took are equivalent to our requirements.

A Motion was made by Ron Masters and seconded by Robert Kunkel to approve the William Dowty's equivalency for service technician application for his license. Motion passed unanimously.

NIACC COURSE NAME EQUIVALENCY – Agreed the class name change was good to go because the only thing that changed was the name.

Code Committee **Mick Gage, committee chair**

Mick informed the committee met in June and July. The Fire Marshall has had three individuals in attendance to help bring the Building Code and the International Mechanical Code together. There will be a public hearing on Chapter 25 on Wednesday July 17th, 2013.

Discipline Committee **Sue Pleva, committee chair**

Continue meet each month and will be discussed in closed session.

Other Business

No other

Public Comment

Jerry Hintz, Local Union 263 – Question for Cindy Houlson, was wondering if there was a contractor's license is there a breakdown of the what disciplines the contractors have applied to be master of record.

Question for Jim Cooper, we are half way through the month of July, contracts due with Prometric, we have contractors and individuals that would like to take the new test.

Lea Gard, Local Union 33 - with the new school year coming up, we are looking at buying new books for our students. For example the new FPA's, High Pressure Boiler books, and the books you can take into the testing sites. They have editions behind them. They did not let us bring older code books in the past. So right now we are struggling with: do we buy the new code books or because Prometric's in the past hasn't let us bring new code books in. But we don't

want to buy the old code books if in July they are going to the new books and have to spend $5000 or more on books that aren't going to work. What system are we going to be tested on?

Lee has taken the Master's test multiple times and there are questions on there that there are no right answers or they say the correct answer is wrong to a test.

Lee stated that he put in an application to be on the board and he was wondering what was going on with that because he hasn't heard anything back yet. He has noticed that there are still two vacancies.

Bill Switzer, IAPMO – to Lee you can challenge the question on that test. The protractor is supposed to send the question to Prometic and review the right answer. They can go back and re-due the test.

Bill has an issue with the line item 14(d), page 31 - the passage of the test of 75 to 70. That reciprocity between other states the passage is 75 percent and if we go to the 70 percent passage on a state test when we get reciprocity other states won't accept that as being equivalent.

Cindy Houlson – We will be having a Public Hearing on the Notice of Intend Actions of these rule changes on August 27th, 2013 from 11:30am to 1:00pm. You are encouraged to write in your public comment will be open once these rules get published and we will be accepting open comment through then end of August 27th, 2013 and letting us know you will be attending the Public Hearing.

Waiver of Administrative Rules

Waiver # 2013-1 Jeff Stansberry – failed the time line of an application. Showing that he attempted to turn that application will back date to his original expiration date reviewed application with the waiver. A motion was made by Rod Schultz seconded by Jim Cooper approved the **Waiver #2013-1, Jeff Stansberry** to renew his license with the back date. Motion passed unanimously.

Discipline Training **September Lau**

3 sets of processes for the different individuals that come before you that fall under what the board calls discipline.

Licensees Discipline – anyone that already holds a license with the board that is licensed in a particular trade or a contractor license.

Applicant for licensure – this is the process for an initial applicant for licensure that doesn't hold a current license that they are applying for.

Unlicensed individuals – least amount of protection and you have the right to impose a civil penalty against people who are practicing in any of chapter 105 without a license.

Unlicensed Complaint Discussion

PMUL20130018 Christopher Miller – The allegation is that MR. Miller has advertised performing work in plumbing, heating and cooling. The discipline committee's recommendation is to issue a Notice of Intent (NOI) to Impose Civil Penalty. Sue Pleva moves and seconded by Blas Hernandez to issue a notice of intent to impose a $ 750.00 civil penalty in case number PMUL20130018, Christopher Miller, for unlicensed work in the Plumbing and HVAC trades(s), and for advertising as a licensed journeyperson plumber. Motion carried unanimously.

Application Review

There were no applications for review.

Closed Session Discipline Review and Closed Session Deliberation

At 9:50 am a motion was made by Jim Cooper and seconded by Sue Pleva to go into closed session to discuss complaints according to Iowa Code section 21.5(1)(a)(d)(f). In accordance

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with Iowa Code section 21.5, portions of the meeting, when confidential materials are reviewed, are held in closed session. A roll call vote was taken Jim Cooper, Mick Gage, Robert Kunkel, Ronald Masters, Sue Pleva, Rod Schultz, and Blas Hernandez.

At 11:06 am a motion was made by Jim Cooper and seconded by Rod Schultz to go out of closed session. Motion carried unanimously.

Open Session

A motion was made by Jim Cooper and seconded by Sue Pleva to close case numbers: PM20100034, PM20100019, PM20100038, PM20110001, PM20110006, PM20110056, PM20110057B, PM20110059, PM20110065, PM20120003, PM20120004, PM20120014, and PM20120052. Motion passed unanimously.

A motion was made by Jim Cooper and seconded by Rod Schultz to file a statement of charges as drafted and with amendments for the following case: PM20100029. Motion passed unanimously.

A motion was made by Jim Cooper and seconded by Rod Schultz issue the statement of charges as drafted in the following cases: PM20100049, PM20100051, and PM20100049A. Motion carried unanimously. Sue Pleva has abstained from the vote.

A motion was made by Jim Cooper and seconded by Rod Schultz to issue the statement of charges as drafted in the following cases: PM20110057 and PM20110057A. Motion passed unanimously.

A motion was made by Jim Cooper and seconded by Rod Schultz to accept the settlement agreement as drafted in case numbers: PM20120073 and PM20110029A. Motion passed unanimously.

Adjournment

At 11:13 am a motion was made by Mick Gage and seconded by Blas Hernandez to adjourn the meeting. Motion carried unanimously.

Next meeting is scheduled for September 17th, 2013:
University Hygienic Laboratory, DMACC,
Iowa Lab Facility Rooms 207 & 208,
2220 S. Ankeny Blvd.
Ankeny, IA 50023

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