Plumbing and Mechanical Systems Examining Board

December 16, 2008 Meeting Minutes

The Plumbing and Mechanical Systems Examining Board met at the Iowa Department of Public Safety Building (Conference Room 125).

Call to Order: Meeting called to order at 9:00 am

Roll Call: 9:00

Board Members Present:

Ronald Masters, Chairperson
Jane Hagedorn, Vice Chairperson
Charles Thomas, Secretary
Patricia Broerman
Susan Salsman
Mickey Gage
Thomas Day
Ken Sharp
Carol Crane
Stuart Crine

Board Members Absent:

Dennis Molden

Staff Attending:

Matt Oetker, Assistant Attorney General Susan Van Horn, Program Planner Wendy Zimmerline, Secretary

Approval of Minutes

The meeting minutes from the November meeting were approved as submitted.

Motion: Thomas Day to approve minutes from November meeting.

Seconded: Jane Hagedorn

Discussion: no further discussion was held.

Vote: All ayes Motion: Carried

State of Iowa Agencies Concerns and Comments:

Brenda Reilly, Department Administrative Services

• Definition of routine maintenance rules applying to government buildings so that maintenance could perform maintenance work without a license. Feels that it restricts what work they can do. Would like a broader definition of routine maintenance given.

- Cost of license is also another issue due to that the license fees will not be reimbursed by the state agencies
- Disconnect/reconnect specialty licenses should be offered through IDPH and run concurrently with the plumbing license.
- Staff leaving could cause issues if a multiple license holder were to leave. The department would have to find someone with 4 licenses or hire 3-4 people to cover the work from the one person leaving.
- Proof of insurance for state employee to obtain a license when the state is self insured.

The board responded by providing the following information. Routine maintenance definition has been over hauled and will be presented today in later discussions to more clearly articulate the intended definition. Cost of license presentation will address the costs. The board does not have the authority to issue specialty licenses under the current legislation. Insurance and bonding is required of the contractor and an oversight in the 2008 legislation will be changed during the 2009 session.

John Dostart, Department Human Services

• Section 10 allows employees of hospitals and adult daycares to do more than what a state licensed hospital or daycare could do. Would like more consideration when coming to tasks that they are able to do. Also had concerns with the definition of routine maintenance.

New Continuing Education Committee

Board Chair Ron Masters announced there will be a new committee to approve classes for CEUs. The members of the committee will be Patty Broerman, Tom Day, and Jane Hagedorn. The committee will be getting started right away to make sure the CEUs are available as soon as possible.

Committee Reports and Recommendations for Actions:

All Committee Chairpersons provided a brief report on the progress of their committee.

Administrative Rules Committee – Susan Salsman Committee Chair

Committee Chair Susan Salsman discussed the results of the public comment and gave a breakdown of what the comments were covering. Chapter 28 fees comments overall showed people thought the fees were high.

Ken Sharp to discuss how the fees were established. Ken gave handout from Iowa Interactive. Not knowing the amount of applicants to be expected an estimate number was used to safely cover the cost of operations. Explained the draft budget projection handout that was included in packet and the new language added into chapter 28 allows the board to adjust the renewal fees if needed when they have a better knowledge of the volume of licensing.

Committee Chair Susan Salsman presented that Chapter 29 comments were focused on the grandfathering provisions. Sue explained that the grandfathering provisions are based mainly on what Iowa Code Chapter 105 would allow for grandfathering. CEUs will be addressed in a little bit. Routine maintenance definition was corrected to better define what was allowed.

Chairman Ron Masters requested any final comments or considerations from the public prior to formal action is taken on rules 28 and 29. John Dostart asked for clarification that state employees could do maintenance on the actual unit just couldn't make replacements.

Motion: Ken Sharp to adopt and file as emergency Chapter 28 & Chapter 29 effective January

1, 2009.

Seconded: Thomas Day

Discussion: no further discussion was held.

Vote: All ayes Motion: Carried

Application & Fee Committee – Jane Hagedorn Committee Chair

Committee Chair Jane Hagedorn informed the board that chapter 30 moved on and they have started on CEU forms. Suggested that a new committee be formed for CEU review and has been assigned. Committee then started work on application forms. Susan Van Horn advised that online application is to be available the week of January 12, 2009 and paper application will then be available but will not release it until software is available to enter the returned applications. Will still have testing open to the office and the Board no date is set at this time. Also license and wall certificate format has been established. Chapter 30 will be published December 17, 2008 with public hearings held on January 6, 2009 via the ICN. Committee Chair Jane Hagedorn asked that the CEUs be required for those that waiver under experience not those that waiver under test.

Testing/Credentials Committee – Chuck Thomas Committee Chair

Committee Chair Chuck Thomas updated the board on the RFP process. Friday was the last day to turn in a letter of intent and the office received four. Advised the board had received some questions and sent out answers they are included in the handout packet. The vendors that provided the notice of intent letters will now have to send in the proposal. Reminder anyone with questions regarding the proposals should be directed to John McMullen.

Reciprocity Committee - Patricia Broerman Committee Chair

Committee Chair Patricia Broerman advised the committee has received information from Montana who is established and reciprocating with several states and is interested in reciprocity with our state. Vermont has also inquired into reciprocity with our program. This contact lets us know that others are watching what is going on with our program and setting up reciprocity will be available as we continue.

Med Gas Certification – Susan Van Horn

At the previous board meeting it was requested staff obtain information from METC and NITC. This request was made and at this time no information has been received from either company.

<u>Iowa interactive Software – Susan Van Horn</u>

Already covered if no further questions.

Other Business

Still four more chapters to come so will continue working diligently to get them passed as they are written.

Public Comment

Kevin Kruse, PHCC

Four issues have come to light

• Time frame for apprenticeship training. Shortage of individuals due to lack of experience have to start apprenticeship or have done 2 years can they do 2 more and that count as the 4 years of apprenticeship program.

The board understands that as long as the employer can demonstrate that the program has been established for multiple years the registration will be retroactive.

- People that have obtained a city master's license that haven't completed an apprenticeship. Might have some people that wouldn't be grandfathered due to the language specifying that must prove previous journey person licensing.
- Special restricted license concerned that could have the special license and present that they could do more than they were suppose to.
- 105 specifies that they should have experience acceptable to board and no reference to education or testing feels that maybe should.
- Disconnect/reconnect license shouldn't need to have special electricians license if have the HVAC.

Ken Sharp responded that the board has not received the bill draft back from the legislative bureau at this time. If it is not received by the January board meeting actions will be taken to address the issues before then.

Ron Fitch, HVAC distributor

Scott Thomas letter states that wholesalers should be checking licenses. Ron feels should not be in charge of verifying the information. Also sometimes wholesalers get involved with technical issues. Continuing Education requirements they do put on some informational or trainings that could be good for the CEUs.

Don Hansen, City of Des Moines

Wanted to make a public comment on the CEU chapter and to know which testing vendors responded to the RFP.

Susan Van Horn presented an e-mail comment from Scott Thomas regarding wood burning boiler installation. (See Attachment 1)

Susan Van Horn presented an e-mail comment from Patrick Miller of the Stroh Corporation regarding types of licenses and issuing of the licenses. (See Attachment 2)

Susan Van Horn presented an e-mail comment from Bill George; would like to offer services to the board if they are needed. (See Attachment 3)

Next meeting set for January 20, 2009 at the Department of Public Safety Building Room 125.

Adjournment
The meeting adjourned at approximately 10:19 am. **Motion:** Jane Hagedorn to adjourn the meeting.

Seconded: Ken Sharp

Discussion: no further discussion was held

Vote: All ayes Motion: Carried

Respectfully submitted,

Wendy Zimmerline Secretary

Attachment 1

To Whom It May Concern:

I am writing you today to bring to light some issues that I have with adopted rules of the Iowa State Mechanical license. I am a Service technician with a major Des Moines contractor with 15 years of experience; I have an Associate in General Studies at DMACC, and 5 years of Apprenticeship training with Local 33 Plumbers and Steamfitters

I would like to bring the concern of Wood burning boilers to your attention!

- 1. Who would install this particular item?
- 2. Would the home owner be required to have a state boiler check?
- 3. Can anyone purchase materials and parts to repair and install these particular boilers?

My participation in installing a particular wood burning boiler and troubleshooting another wood burning boiler has brought to my attention some deficiencies in the system that most homeowners are unaware of. It is vital that expansion tanks and flow controls with isolating relay's be incorporated into these system along with a waste heat exchanger that could be placed in a garage or exhausted to outside air for over temp of the loop. Also how does any of these companies that manufacture these type of boilers take into consideration any outside air for fresh air minimums. Finally a sick home is a unhealthy home and that is why codes are enforced because Joe the homeowner does not know the requirements to keep their family in a Clean Air Enviorment.

First

The literature supplied with the boiler does not follow any ladder or schematic diagram, which makes the wiring confusing to above average HVAC technicians. The wiring diagram looks as if a 5th grade elementary student had been awarded for their drawing.

Second

The piping system allows for a constant flow piping system through a hot water heater which could prove to be dangerous not to mention discard all manufacturers warranties on the original equipment.

Example: Using a propane water heater with electronic ignition as your constant loop with the external heat exchanger.

If the hot water loop causes extreme contraction and expansion this could result in a premature ruptured vessel which could allow pilot to ignition but no ignition and a build of flammable gasses which could cause an explosion once ignition did combust. Also when the loop gets to warm through this system it is configured to turn on a furnace blower and enable the water source heat exchanger to transfer the extra heat into a conditioned space taking away comfort of the term conditioned air.

There is little thought taken for the respect of the manufactures of the original heating equipment supplied except for the fact that our morels as a service tech tell us to not warranty any of the equipment because of its un-orthodox engineering to that piece of equipment.

Also I understand that no Wholesaler wants to be a police agent to this problem, if the Federal government can adopt the EPA license from the Montreal Protocol with the intention of all wholesalers policing this action then it should be no different for anyone purchasing parts for repairs or installation of HVAC equipment. I am not trying to hurt any sales but this would protect a lot of unaware homeowners that someone licensed is actually working or installing their equipment.

Please take these matters into consideration under the new state law!

Thank you for your time and efforts If I may be of any assistance to your time you may contact me at the following address and telephone number.

Scott Thomas

Attachment 2

To the Board:

As we get closer to January $\mathbf{1}_{st}$ and the timeline relating to the licensing and regulation of plumbers and mechanical professionls on a statewide basis, there are a few concerns/comments I would like to submit.

One item has to do with the issuance of a contractor license to an entity and a master license to an individual. For example, under the electrical licensing process there is no distinction between the Master Electrician and the Electrical Contractor and the licenses are issued only in the Master Electrician's name. This creates a disconnect with the contractor who is issuing the bond and meeting the insurance requirements and how the licesed is tracked with the State of lowa. Under the existing scenario, the contractor is attached to the Master Electrician. In order to find out if a contractor is licensed, you must first know who the Master Electrician is for that entity. Additionally, if a Master Electrician is changed for any reason, the paperwork associated with any one master will need to be reassigned and attached to the new Master. This could potentially create an administrative challenge resulting in incomplete or misfiled information.

The better process would be to issue the Contractor's License in the name of the contractor, require bonding and insurance pursuant to the lowa Code and then assign the master to the contractor to finalize the legitimac of the Contractor and its ability to perform work under the Code. The assignment of the Master can be done with more efficiency and eliminate the need for a re-shuffling of paperwork, etc.

In addition to allowing the continuity of the business, it would also make it possible for the public to inquire about a contractor's standing without having to know the name of the aster.

Understanding that the electrical process is independent of the plumbing and mechanical process, I offer the above comments as a preemptive measure so any problems can be avoided prior to the licenses being issued.

A second item is the inability of the contractor entity to continue doing business if there is a loss of the Master for any reaon other than death. Consideration should be given to a grace, or temporary permit, for a period of six (6) months to allow for a replacement of the Master. This can be awarded by the Board if the entity is in good standing and good character. The grace period would allow for the continued operation of the business. Not allowing the business to operate under a temporary license could put the business at risk and possible individual jobs atrisk. I would also suggest that consideration be given to extending the grace period for death to one (1) year. In a closely held company where the Master and Contractor are the same, surviving family members may need more than six (6) months to get the Master issue resolved either through testing or hiring. Again, the shorter grace period creates potential risk of job loss.

Thank you for your consideration and discussion of the above.

Patrick J. Miller, LEED-AP

Attachment 3

Good Morning,

Cindy before I retired from DMACC about one year ago, I was the Program Chair for the HVAC/R Training program. I taught for 12 years and was a member of Local 33. I know both Ron Masters and the folks at Local 33, Chuck Thomas.

If I can be any help to the Board, I'd like to offer my services. I am also a licensed Master Electrician and a Journeyman Refrigeration fitter formally of Local 33.

Thank you.

Bill George