

# **Plumbing and Mechanical Systems Board Meeting**

**Tuesday, April 17, 2012**

Grimes State Office Building, 400 E. 14<sup>th</sup> St.

Basement Room B50, Des Moines

**Call to Order** – Chair, Jane Hagedorn called the meeting to order at 9:00 a.m.

**Roll Call:** Jim Cooper, Mick Gage, Jane Hagedorn, Blas Hernandez, Ron Masters, Dennis Molden, Jenny Pitts, Susan Salsman, Ken Sharp, and Brita Van Horne

**Staff:** Cindy Houlson, Matt Oetker, September Lau, Susan VanHorn, Bryant Reynolds, Dan Hostetler, John Kelly and Mary Swinehart

**Absent:** Chuck Thomas

## **March 20, 2012 Minutes**

Corrections were submitted:

Page 1 Under Hydronic Legislation second paragraph should read “solar thermo”

Page 2 Under Continuing Education Committee word should be “instructors”

Page 3 first paragraph should read “activate”

Page 6 last paragraph Mr. Kuckes was misspelled.

Page 8 last paragraph should be “Green”

Ron Masters made a motion to approve March 20, 2012 minutes with noted changes, seconded by Susan Salsman. Motion carried unanimously.

## **Member Recognition Ron Master**

Ron Masters presented recognition plaques to Dennis Molden and Susan Salsman who have both provided assistance to the board during their tenure serving on the Board.

## **Hydronics Legislation Ken Sharp**

The hydronics legislation has been signed by the governor’s office, and then an error was identified. Presently it is in the Standings Bill, current draft House File 245, Division 4, Section 19 who will correct hydronics definition to add “as least” to the 51%. There should be no problems or issues.

Legislators last paid day is today. It does not appear they will be done today. This session should be completed within the next two weeks by May 1<sup>st</sup>.

## **Public Comment Review April 10, 2012 Public Hearing**

IAC 641 Chapter 28 Plumbing and Mechanical Systems Board-Licensure Fees

IAC 641 Chapter 28 Plumbing and Mechanical Systems Board-Application, Licensure and Examination

Ken Sharp reported public comment period closed last Tuesday, April 10. We did experience a couple of problems with ICN connection with Sioux City and Mason City, the armory that had been reserved for the Public Hearing was not available, and therefore comments were accepted through Friday, April 13<sup>th</sup>. Reviewing the public comments received it appears there is more opposition than support.

Jane Hagedorn interjected there were 105 total comments; 84 in opposition, 14 in favor and 8 either both in favor and opposed or simply comments about other unrelated things.

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When changes were presented to the ARRC that the rules had been noticed, there was comment from the governor's office in support. The legislators were both for and against. There is no unanimous decision around this issue. There were a lot of cookie cutter comments from one or two organizations. It appeared there was a form letter signed by several individuals, presenting a good effort by some of the trade organizations to have their membership provide comments.

The soonest board could take action would be April 25<sup>th</sup>. Ken's advice based on comments received from the governor's office and public comments is we need to slow these rules down, not take action on these rules immediately, similar to what was done with the hydronics. Input and discussion from industry partners and legislators needs to take place. At this point there is going to be opposition to any decision the board makes. It would behoove this board to slow this process down and have discussions with some of the same organizations that met on the hydronics issue.

Jane Hagedorn feels with the public comment they have spoken and it was overwhelming, not just two organizations opposed and this proposal should not go forward at all.

Ken Sharp as we have received comments from legislators and governor's office speaking in favor of the changes, we would be well advised that we provide some education in that respect about perhaps leaving the rules the way they are and have opportunity for that education to occur. We have 150 legislators that have a lot of influence on what this board does and doesn't do. Receiving comments in favor and opposed to this rule change from that body, it makes sense for us to spend some time educating them on options and consequences of these rule decisions.

Following a lengthy discussion, it was agreed an Ad Hoc Committee, chaired by Brita Van Horne with membership of Ron Masters, Jim Cooper and Mick Gage would review the public comments and be prepared to make recommendations to the board at the May meeting.

Ken Sharp requested that this committee take into consideration the industry partners impact and how to reach out and educate policy makers.

### **Committee Reports and Recommendations for Actions:**

#### Administrative Rules Committee

Susan Salsman, committee chair

Susan Salsman reported this Committee meet April 5<sup>th</sup> to review waiver requests and is ready to discuss. A meeting for next month will be scheduled.

#### Continuing Education Committee

Jane Hagedorn, committee chair

Jane Hagedorn reported this committee continues weekly reviews for approval. Monthly meeting was held yesterday for discussion of applications that needed further investigation or for committee members to come to agreement on.

Discussion was held on Chapter 30 changes that will be brought forward for board input.

Discussion revolved around ecourses, how many hours and how to approach. This committee is not ready to present to the board but are working on other changes to consider.

Jane presented the statistical report of number of applications, instructor application approval, course approvals, ecourses approved, and number waiting for information, those requested information from and number of courses that have expired.

Question was asked if there are adequate numbers of classes in each trade. Response is we do not have a mechanism to track that information.

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## Discipline Committee

Jane Hagedorn, committee chair

Jane Hagedorn reported this committee met yesterday continuing to review cases and will not be bringing forward some cases under the heading of Unlicensed Complaint Discussion. There will not be closed session meeting today. Dan Hostetler is back from medical leave and is with us today. We discussed four cases that are being investigated.

Jerry Viers has been our acting investigator in Dan's absence and will be with us through the end of this month. At our March meeting we had asked Jerry to contact a Minnesota contractor working in Iowa. He spoke to two individuals, one was Jim Lundstrom who is the manager of Plumbing Licensure Unit for the State of Minnesota. He indicated that they have been licensing plumbers for many years and they also license plumbing business and contractors as of this year.

He sent Jerry to Charles Durenberger, who is an equivalent to Dan. Jerry had an interesting conversation with Mr. Durenberger about individuals going both directions, working in our state and individuals working in Minnesota without the appropriate license. A letter presented to this committee indicated that the State of Minnesota is willing to support efforts to bring action against unlicensed individuals from Minnesota and working in Iowa if there was a civil penalty involved. They would get their board involved looking at that individual license as well. The last part of the letter involved reciprocal application for licensure. The last two pages indicate the type of licenses and the costs of each.

The Discipline Committee will not be bringing any cases for today's board meeting.

## Testing and Exam Committee

Chuck Thomas committee chair

Ron Masters in Chuck Thomas absence reported this Committee has been working with Prometric on the Journeyman Refrigeration with gas exam.

Journeyman means any person, other than a master, whose principal occupation is engaged as an employee of, or otherwise working under the direction of, a master in the design, installation and repair of plumbing, HVAC, refrigeration or hydronic systems.

Refrigeration means any system of refrigeration regardless of the level of power, if such refrigeration is intended be used for the purpose of food preservation and product preservation and is also intended to be used for comfort systems. Refrigeration includes all natural gas, propane, liquid propane and other gas lines associated with any component of refrigeration. The sentence that had to be added was the last sentence propane, liquid propane and other gas associated with and a component of refrigeration system. We did note on Prometric 's reference list they did not list NFPA 54, listed was NFPA 58 only. CFR title 29 OSHA standards 1929 have been revised we will ask Prometric if new changes will be inserted and start accepting only the new update. We have asked the question on master portions of the same as journey. When we receive satisfactory results we will go ahead with these changes.

A public request was received for information on passing tests the first time. Ron reported:

Master HVAC with gas	4 of 48 passed
Master Plumber with gas	19 of 71 passed
Master Refrigeration	6 of 16 passed
Master Hydronics	5 of 15 passed

Journey HVAC with gas	25 of 141 passed
Journey Plumber with gas	94 of 204 passed
Journey Refrigeration	13 of 33 passed
Journey Hydronics with gas	34 of 118 passed

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Other pass/fail rates are being compiled for the second, third, etc. times taking the test.

Question has the pass/fail rate for local licensing been looked at?

Sioux City was about 25% the first time. Most had to take the test three to four times.

Last month it was mentioned there will be changes in the testing, reducing the number of questions and keeping the same time limit. We have received comments that individuals did not have time to complete the exam so that could possibly help. We thought that within 90 days our changes would be made; now we have to wait for a price quote to reduce the number of questions.

Jane Hagedorn commented within 90 days we will get a cost quote from Prometric on what it would take to make those changes.

Cindy Houlson is waiting for that price quote.

Revisions of questions can be accomplished when the contract is opened up. As we all know we reviewed each question that was placed on each exam.

*Bill Schweitzer commented NITC would like to know who they can contact to speak to the board about their testing.*

The board is not allowed to entertain another company, when the contract is not opened up, that company would not be allowed to compete, due to preferential treatment. As soon as announcement of the RFP being open NITC can contact us.

Ken – Because of fair competition requirements, there are some very strict parameters about when and who we can talk to. One of the ways to do that ahead of the RFP process is the request for information. If the board is frustrated enough with Prometric, and believe they would be interested in looking at other vendors I believe we can initiate a request for information at anytime. We could say we are interested in information about what our options are. That would give fair notice to anyone out there that may be a testing provider that would be interested in working with us. To start that process in a formal fashion it does not give an unfair advantage. That is the process used initially when we started looking at testing vendors. We can initiate that process at anytime and a year ahead of that contract expiring is not any too soon. We can have that discussion with the board as we see the direction of Prometric's productivity in the next few months. In that request for information we can ask about customer satisfaction, and surveys on those kinds of things to get a better sense of their relationship with their customers. We would have to take a look at what obligations we have with the present contract with Prometric to make sure we handle that appropriately.

Jane asked how the board feels about that. She would certainly not like the board to miss the opportunity. Testing and Exam will take a look at that process.

Cindy will reach out to John, who handles our contracting to gather information on the process and invite him to the next Testing and Exam committee meeting to get committee members educated about that process.

### Chapter 29

Ron Masters, committee chair

Ron Masters reported the Chapter 29 Committee met on March 29<sup>th</sup> and then again this morning before the board meeting. We have put together a list of industry partners to be involved in the meetings. We are looking at May 22<sup>nd</sup> for the next meeting with time and place to be announced.

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This will be the initial meeting for statutory rewrite. If those partners do not feel we need changes, we may not move forward.

### Code Committee

Mick Gage, committee chair

Mick Gage reported this committee met yesterday. We had one petition for waiver and didn't feel we had enough information. We requested the City of Des Moines to attend this meeting. The code committee is going to start looking at updating the plumbing code.

### Apps and Fees Committee

Jane Hagedorn, committee chair

The Apps & Fees Committee met on April 12, working through a list of questions that Susan Van Horn had that evolved while working with IT. The next day after the meeting she was to take to IT, so we are in the process of getting contractor license application on line. There will probably additional questions to work through

### **Other Business**

Jane Hagedorn reported election of officers is scheduled for the May 15, 2012 Board Meeting. Interested Candidates received are Chair – Jane Hagedorn, Vice Chair – Mick Gage and Secretary – Chuck Thomas. If there are other individuals interested in those positions please let Cindy know.

Next month we will also be reviewing committee membership, as there will be two new members on the board. If there are changes in committees, board members are asked to email Jane Hagedorn, who will have that information available for the May meeting.

### **Unlicensed Complaint Discussion**

There are none available today.

### **Dates for Committee Meetings**

Ad Hoc (Chap.. 28&29) Committee May 10 at 2 p.m. in Room 518 Brita will spearhead  
Administrative Rules Committee is scheduled to meet on May 10<sup>h</sup> 4-6 p.m in Room 518

Code Committee is scheduled to meet Mon., May 14<sup>th</sup> 11-12 p.m. Lucas Room 319  
Discipline Committee is scheduled to meet Mon., May 14<sup>th</sup> 12-2 p.m. Lucas Room 319  
Continuing Education Committee is scheduled to meet Mon., May 14<sup>th</sup> 2-3 p.m. Lucas Room 319  
Testing and Exam Committee is scheduled to meet Mon., May 14<sup>th</sup> 3-4 p.m. Lucas Room 319  
Chairs Committee is scheduled to meet Mon., May 14<sup>th</sup> 4-5 p.m. Lucas Room 319

Chapter 29 (Statutory Rewrite) Committee is scheduled to meet on May 22 at 10-12 Lucas 517 & 518

Apps & Fees Committee did not schedule for May

### **Public Comment**

Several individuals signed the public comment sheet, however they wished to speak about a specific waiver.

Don Hansen: There was some discussion regarding whether we (meaning the city of Des Moines) sent some individuals to the state to ask for a waiver. We didn't do that. We turned down a specific waiver and maybe a second one that we are not sure how our name got on. The reason

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we turned them down because it was a code issue, it's a "shall issue". If this board, in my opinion, gives waivers to "shall issue" one in particular the temp valves, it not only applies to that school. It applies to the whole state because once you start that, go down that path, you are actually doing a code change without officially doing a code change. Everybody and their brother are going to want to do it. You set a precedent. A code change requires going through a code change committee to make a code change. Then we don't care if you want to do it that way. Making a code change through a waiver makes no sense to me.

Matt Oetker: That waiver is only applicable to those facts presented for a specific situation. By its very nature to present a waiver on a code issue there has to be something that wants to be done contrary to the code. If it was consistent with the code there would never be a waiver. So is it the city's position that the state should never waive a code issue?

Don Hanson: A "shall" position absolutely. Unless they can demonstrate that they are doing something that meets the intent of the code. You gotta meet the intent of the code. If you don't meet the intent of the code and you start waiving things, and I have sat on boards, you don't have a code.

Matt Oetker: Does the city have a waiver process for the city's code?

Don Hanson: People can come and ask. When I sat on the city's board the first thing we did was look at the "shall issue", second thing you do is are they proposing something that meets the intent of the code. If they are presenting something that does not meet the intent of the code you turn it down.

Matt Oetker: That is what the city has done?

Don Hanson: Yes

Brita Van Horne: is that what the city has done or is it through the board of appeals process?

Don Hanson: First it is administratively through one of the inspectors, either turned it down or didn't. Then they can go to the board of appeals and it should work the same way. "Shall issues" in the code, once you start getting rid of "shall issues" you've got nothing left. You don't have a code anymore.

Matt Oetker: A waiver only applies to a petitioner and the facts that are presented.

Andy Roberts, Business Manager, Plumbers and Steamfitters Local Union wanted to thank Denny and Susan for being on board and may your endeavors here on out include some plumbing, make sure you do it right and install it right.

The second thing would like to thank Cindy, Mary and Susan for the public hearing we had. You are doing a fine job. I know you are busier than a cat covering shit on a marble roof. I appreciate all that you do and I apologize personally, sometimes my emotions get ahead of me and I did have a comment to one of the guys. I am here to tell you I will never do that again, I just need to keep myself in check.

5 minute break was taken.

Ken Sharp departed at 10:05 a.m.

Meeting resumed at 10:16 a.m.

### Waiver

Request for additional information 2012-70 Jim Garrett/Dart Waiver

Additional information provided by Todd Garner was distributed to the membership.

Jane Hagedorn commented this request is to waive the requirement that hose bibs to be connected to the rainwater harvesting system that is being installed at the new Des Moines Area Regional

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Transit Authority (DART) Central Station Project. This waiver was presented to the board at the last board meeting with board members requesting additional information.

John Kelly provided this waiver was presented to the board last month and was asking for exception to UPC (section 1618A) that states hose bibs shall not be allowed on rain water harvesting systems. This system would be used to flush toilets and also for site maintenance clean up. At the last meeting there was not a lot of information on the layout of the system, rather than making a ruling at the last meeting, the board requested additional information, and asked that the architect be invited to answer questions. They would like to follow along with the Green code supplement which allows such systems, but they must be inaccessible to the public. There are some protections built in to protect against access. The state adopted code UPC does not provide for this exception.

Mr. Garner addressed the questions that were presented to him in an email sent to John yesterday. He also provided today 11x17 drawings of the layout of the system and a diagram providing how the system is divided. This is the new trend in downtown Des Moines replacing the Walnut Street activity where DART will transfer all of their activity to one central site just south of the old Polk County Jail. Between 6<sup>th</sup> Avenue and 7<sup>th</sup> Street, faces the court house downtown, right on the railroad. There is hardly any vegetation except for the few trees the city requires. The hose bibs that we are asking for are hidden in the site structure and those hoses are there to wash down the platform every other week. The platforms are the paved areas and the drive lanes where the buses and people are. DART has asked that we provide hose bibs on the platforms that would allow them to use reclaimed water from the harvesting system. Those hoses would be connected to a pressure washer to wash down the drive lanes and the platform. The system is designed with filtration for disinfection. I spelled that out straight forward the way our engineer described it to me. Step 1 is a vortex pre filter on the lines that go into this tank and filters out particulates down to 1.43mm.

Step 2 within the cistrine the pump inlet connects to a float ensuring that water will be drawn from the middle, not the top or bottom where sediment will tend to collect.

Step 3 is a pump inlet fit with a fine mesh filter that captures particulates to 0.3 mm

Step 4 the pump will discharge into the interior of the building through a third and final particulate filter that will capture particulate matter to .063 mm or 63 microns.

Step 5 water will pass through a UV disinfection system utilizing show-wave radiation to kill micro-organisms. Germicidal ultra violet lights are rated for 12,000 hours, 500 days of 24 hour operation. Alarms are built into the system to notify when lamp replacement is necessary.

Backflow prevention was another question asked; there will be a makeup air gap in the system to prevent any water from the system being vacuumed into the potable water system.

Both bibs in the water system will be recessed into the slabs on the platforms in a locked box.

Those hose bibs will have a sign; we are trying to get it engraved on the lid of that box that says "non potable water do not drink used for wash down purposes only." Current design for those hose bibs is a threaded connection. DART is going to install a quick connect system and I am trying to get it changed so we don't have the opportunity for a threaded connection to be removed.

Monitoring the usage DART will implement a strategy to train employees who will maintain this system. There will only be the key and hose bibs that will allow people to get into those. Signage will be provided in the toilet saying "Non-Potable Water-Do Not drink". We will have the same issue on the site that those hose bibs are not connected to potable water.

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From the start we have tried to be as sustainable as possible. DART is an entity funded by its communities.

Following a lengthy discussion, the board examined four factors set forth by rule.

1. *Why would applying the rule result in an undue hardship on petitioner?* This petitioner has not demonstrated unique circumstances that would result in undue hardship. The board unanimously agreed.
2. *Would waiving the rule prejudice or harm the rights of any other person?* The petitioner has not demonstrated that waiving this rule would not harm the rights of any other person.
3. *Whether or not this has been set by statute?* This is a matter of law that the board does have authority.
4. *How will the public health, safety and welfare be protected if the waiver request is granted?* Locking the box and using hose bibs as alternatives will not protect the public health, safety and welfare. The board unanimously agreed.

Ron Masters made a motion to deny this waiver due to not being code compliant. Susan Salsman seconded.

Roll call vote yes: Brita Van Horne, Susan Salsman, Jenny Pitts, Dennis Molden, Ron Masters, Blas Hernandez, Jim Cooper, Mick Gage, Motion was unanimously denied by the board.

### Review 2012-50 Dallas Center-Grimes Community School District

Jane Hagedorn reported the board received two email requests to reconsider the granting of this waiver. The first comment came in on March 27<sup>th</sup> from Rick Coffman, inspector from Cedar Falls. His concern was that the 1017 device had a higher 2.5 gpm flow rate when the lavatory flow rate was .5 gpm. The second comment received on March 28<sup>th</sup> from Brian Hamner, Des Moines plumbing inspector. His concern was the 1017 device allowed was not intended to reduce the temperature but to maintain temps to avoid higher temps to avoid the legionellae bacteria growth and that the 1070 device was required at the end use and point of use to reduce temperatures back to 120 degrees. By allowing the 1017 to set the 120 degrees an unintentional result would be the growth of legionellae bacteria growth.

An ad-hoc committee, consisting of Brita Van Horne, Mick Gage, Chuck Thomas, Jane Hagedorn, John Kelly and two experts from the state hygienic lab (Dr. Pentella and Dr. Hall) met. Brita did the research on the particular device the engineer intended to use. It was determined through that research that the flow rate should be not be a problem because it was on a system with a recirculating pump and that pump would meet or exceed the flow rate requirements on the device. Brita added that the circulating pump needs to run continually.

With regards to Brian Hamner's concerns we relied on John Kelly, Dr. Pentella and Dr. Hall. John researched how the rule was written and it confirmed at the time it was written there was no mention of a concern about the potential bacteria growth problem. John also spoke to the engineer who requested the waiver about addressing the potential for that bacteria growth. It was noted that the same potential for bacteria growth exists in almost every residential water system. It was determined because of the constant recirculation that water returning to the water heater and being raised to the 140 degrees (plus or minus) and being circulated at 120 degrees was not a perfect situation but it was the best that we could hope for. There was concern if the circulator was turned off for long periods of time, it could create a greater hazard.

John Kelly commented that UPC does not specifically address legionellae bacteria.

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It was the committee's decision that the intent of the code had been met with the parts of the waiver that were granted. The committee's recommendation is that it stands and will not be reconsidered.

Following a lengthy discussion the board agreed that the approval for this waiver stands and not be reconsidered.

### Process for Waivers

There are two ways to handle waivers. A waiver can still go through the Administrative Rules Committee and it still comes before the board. At that point it will be referred to a committee of board members with expertise and the ability access experts. The second way would be if a waiver logically falls within John Kelly's realm, that they start there and on an adhoc basis, a group of board members that can review this before it is brought to the Administrative Rules Committee. Jane Hagedorn recommended that those specific waivers start with John Kelly, then could be presented to the Code Committee for review before presenting to the board.

### **Waiver of Administrative Rules**

#### Leonard Tinker 2012-79 641-28.1(5)c

Susan Salsman chairperson for Administrative Rules Committee reported upon review of the petition for waiver that Mr. Tinker had not made application for renewal. There were a few things the committee would like to address. February 19<sup>th</sup> is a Sunday and with some government organizations the following Monday is acceptable. That was seen as an impact here. Thought process of the committee was that renewals can be done online anytime. This was at the end of the 60 days. We have never received an application. The Administrative Rules Committee wanted to present to the board due to the Sunday idea.

Mr. Tinker provided his license expired December 21, 2011. He was unable to find a record of CEUs taken, went to Fort Dodge on February 8<sup>th</sup> for 8 hours of CEUs. On Feb. 14<sup>th</sup> or 15<sup>th</sup> was unable to get on the online system. He then called on the 16<sup>th</sup> or 17<sup>th</sup> and received voice mail and left a message. A call was returned to him on Feb. 20<sup>th</sup>. He came to the Lucas Building and found out that the 60<sup>th</sup> day was Feb. 19<sup>th</sup> the Sunday preceding. I thought all other governmental agencies if a date falls on a Saturday or Sunday, then it becomes the next business day.

Ron Masters made a motion to approve since his 60<sup>th</sup> day fell on a Sunday. Jim Cooper seconded the motion. Motion carried unanimously.

#### Michael Peterson 2012-88 641-28.1(5)c

Susan Salsman chairperson for Administrative Rules Committee reported this individual forgot to apply to renew his license. It was a unanimous committee recommendation to deny this waiver as there were no extenuating circumstances presented that would differ from previous decisions.

Mr. Peterson let the group know that he had submitted a renewal application in May, 2011. He has no idea why the application was not received. Mr. Peterson informed the board about his wife's ongoing illness.

Susan Salsman made a motion to approve based on ongoing family illness. Ron Masters seconded the motion. Motion carried unanimously.

#### Tom Mosness 2012-90 641-28.1(5)c

Susan Salsman chairperson for Administrative Rules Committee reported this individual forgot to apply to renew his license due to a family crisis during the months of Dec. 2011 and Jan. 2012. The committee did not have a recommendation. The committee would like more information on status of CEUs and medical issues mentioned in his correspondence.

Mr. Mosness responded he took all of his CEUs over a year ago and brought certificates with him today. He explained the medical issues he was experiencing.

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Brita Van Horne made a motion to grant this waiver due to special circumstances. Jim Cooper seconded the motion. Motion carried unanimously.

### Bill Riesselman 2012-81 641-28.1(5)c

Susan Salsman commented that there are actually four individuals from the same company three had submitted waiver forms and one had not.

Susan Salsman chairperson for Administrative Rules Committee reported upon review of the three petitions for waiver, these folks did not get all required CEUs and did not apply for renewal. The committee did not see any unique or unusual circumstance therefore it was a unanimous decision to deny and also thought that the waiver was for both CEU and/or testing.

Mr. Riesselman commented he did not receive the renewal notification and thought he had another year to renew. He thought they had another year to renew their license that it had been changed to a three year license. With this misunderstanding, his partner and two employees did not renew their license as well.

Susan Salsman made a motion to deny this request on the grounds that there were no unique or unusual circumstances. Brita Van Horne seconded the motion.

Poll vote agree with motion: Jim Cooper, Blas Hernandez, Jenny Pitts, Susan Salsman and Brita Van Horne. Oppose with motion: Mick Gage, Ron Masters and Dennis Molden

Motion carried

### John Mohr 2012-82 641-28.1(5)c

Susan Salsman chairperson for Administrative Rules Committee reported upon review of this petition for waiver, he did not get all required CEUs and did not apply for renewal. We did not see any unique or unusual circumstance therefore it was a unanimous decision to deny

Mr. Mohr has nothing else to say, thought it was taken care. Didn't know about till it was too late.

Susan Salsman made a motion to deny, Ron Masters seconded the motion

Poll vote agree with motion: Jim Cooper, Jane Hagedorn, Blas Hernandez, Susan Salsman and Brita Van Horne. Oppose motion: Mick Gage, Ron Masters, Dennis Molden and Jenny Pitts

Motion carried

### Tony Potthoff 2012-83 641-28.1(5)c

Susan Salsman chairperson for Administrative Rules Committee reported upon review of this petition for waiver, he did not get all required CEUs and did not apply for renewal. We did not see any unique or unusual circumstance therefore it was a unanimous decision to deny

Mr. Potthoff commented this is a little different circumstance. He owns 50% of the business. His partner's wife is the secretary. The information got misfiled, we have a lot of licenses, and we run a very respectable business. We have two great employees that work hard every day. Their son was deployed last year and got injured a little bit.

Brita Van Horne made a motion to deny, Susan Salsman seconded the motion

Poll vote agree with motion: Jim Cooper, Jane Hagedorn, Blas Hernandez, Susan Salsman and Brita Van Horne. Oppose motion: Mick Gage, Ron Masters, Dennis Molden and Jenny Pitts

Motion carried

There was an additional gentleman from Halbur Hardware that a waiver was not submitted for. This involved the same situation.

Matt Oetker commented in light of the board's votes on the first three waivers, I think this individual would be better off by filing a written application. You have heard everything before and what has transpired since you can put anything in that application you feel is warranted. If you would like a

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ruling right now, I believe we can get you that ruling. You would be better served with a written one in addition to what you have heard today.

This gentleman said "I've decided to pass on the waiver".

William Pierce 2012-84 641-28.1(5)c

Susan Salsman chairperson for Administrative Rules Committee reported upon review of this petition for waiver, petitioner misunderstood the law and did not realize he needed to renew. We did not see any unique or unusual circumstance therefore it was a unanimous decision to deny Mr. Pierce commented that he did know he had to renew. He did do his continuing education and remembered completing the renewal application. He did not see his wife send it off but sure she would have sent it. He quit my job in January and while filling out application for another position found out license had lapsed. He called to see what procedure I had to go through.

Brita Van Horne made a motion to deny, Susan Salsman seconded the motion

Poll vote agree with motion: Jim Cooper, Jane Hagedorn, Blas Hernandez, Susan Salsman, Mick Gage, Ron Masters, Jenny Pitts and Brita Van Horne. Oppose motion: Dennis Molden  
Motion carried

Jane Hagedorn introduced Sue Pleva who will be joining the board replacing Susan Salsman starting next month.

Break for lunch

Resumed at 1:14 P.M.

Jeff Moore 2012-78 641-28.1(5)c

Susan Salsman chairperson for Administrative Rules Committee reported upon review of this petition for waiver, he forgot to renew his license. The Administrative Rules Committee did not see any unique or unusual circumstance therefore it was a unanimous decision to deny.

Susan Salsman made a motion to deny. Ron Masters seconded the motion. Motion carried unanimously.

John Cieslikr 2012-80 641-28.1(5)c

Susan Salsman chairperson for Administrative Rules Committee reported upon review of the petition for waiver that Mr. Cieslikr misread the expiration date. The Administrative Rules Committee did not see any unique or unusual circumstance therefore it was a unanimous decision to deny.

Ron Masters made a motion to deny due to no special individual circumstances. Susan Salsman seconded the motion. Motion carried unanimously.

Mark Burke 2012-85 641-28.1(5)c

Susan Salsman reported that this one and the two following were from the same group.

Susan Salsman chairperson for Administrative Rules Committee reported upon review of the petition for waiver that Mr. Burke forgot as he was on the road working in Texas. The Administrative Rules Committee did not see any unique or unusual circumstance therefore it was a unanimous decision to deny.

Ron Masters made a motion to deny. Susan Salsman seconded. Motion carried unanimously.

Kohne Burke 2012-86 641-28.1(5)c

## **Plumbing and Mechanical Systems Board Meeting**

**Tuesday, April 17, 2012**

Grimes State Office Building, 400 E. 14<sup>th</sup> St.

Basement Room B50, Des Moines

Susan Salsman chairperson for Administrative Rules Committee reported upon review of the petition for waiver that Mr. Burke forgot as he was on the road working in Texas. The

Administrative Rules Committee did not see any unique or unusual circumstance therefore it was a unanimous decision to deny.

Susan Salsman made a motion to deny. Brita Van Horne seconded. Motion carried unanimously.

### Steven Burke 2012-87 641-28.1(5)c

Susan Salsman chairperson for Administrative Rules Committee reported upon review of the petition for waiver that Mr. Burke forgot as he was on the road working in Texas. The Administrative Rules Committee did not see any unique or unusual circumstance therefore it was a unanimous decision to deny.

Ron Masters made a motion to deny. Susan Salsman seconded. Motion carried unanimously.

### Walter Aunspach 2012-89 641-28.1abc

Susan Salsman chairperson for Administrative Rules Committee reported upon review of this petition for waiver, he forgot to renew his license. The Administrative Rules Committee did not see any unique or unusual circumstance therefore it was a unanimous decision to deny.

Ron Masters made a motion to deny. Brita Van Horne seconded the motion. Motion carried unanimously.

Mick Gage made a motion to adjourn the meeting. Susan Salsman seconded. Motion carried.

**Adjournment** 2:34 p.m.

**Next meeting** is scheduled on May 15, 2012 at the Grimes State Office Building, 400 E. 14<sup>th</sup> St. Basement Room B50, Des Moines