

**Plumbing and Mechanical Systems Board Meeting
Tuesday, September 21, 2010**

Iowa Department of Public Safety Building, Conference Room 125
215 East 7th Street, Des Moines, IA 50319

Board Members Present: Thomas Day, Mick Gage, Jane Hagedorn, Ron Masters, Dennis Molden, Ken Sharp, Chuck Thomas, Stuart Crine and Brita Van Horne

Board Members Absent: Susan Salsman

Staff Attending: Cindy Houlson, Matt Oetker, Susan Van Horn and Mary Swinehart

Call to Order – Chair Jane Hagedorn

Minutes dated August 17, 2010

Tom Day made motion to approve minutes

Chuck Thomas seconded

No further discussion was held

Vote: All ayes

Motion: Carried

Consent to Sales and Leases of Good and Services Matt Oetker

Matt was unable to prepare for this presentation. This presentation will be deferred to next month.

Committee Reports and Recommendations for Actions:

Administrative Rules Committee Sue Salsman, committee chair

Chuck reported during Susan Salsman's absence. This committee met on Aug. 25th and will meet again following the board meeting. Practice Chapter is moving along.

Application & Fee Committee Jane Hagedorn, committee chair

Jane reported this committee has not met this last month. Next meeting will focus on renewal applications.

CEU Committee Jane Hagedorn, committee chair

Jane reported that this committee has been working on changes to be incorporated into Chapter 30. The plan is to meet again today with hopes of bringing Chapter 30 forward at the next board meeting.

We continue with the approval process for instructors and courses to date:

approximately 850 total applications received

over 300 instructors Approved

approximately 430 courses Approved

7 E courses Approved

Fluctuates from 25 to 40 applications in an incomplete status

About 50 no further information received after 30 days

The approval process developed for approving instructors and courses is working well. We are moving applications through the system more quickly.

Code Committee Tom Day, committee chair

Tom reported that we have not had a meeting this last month.

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Testing/ Credentials Committee Chuck Thomas, committee chair

Chuck reported this committee has been working with Prometrics on renewals. We have not received the exact date when new tests will be available. Chuck and Jane have taken the new tests.

There are a large number of people who have applied to take the exams (237); 88 have attempted the exams (some have taken multiple times). There was a question about the pass rate, 59 have taken the exam more than once, out of that there is a 54% pass rate.

Prometric notified us that it is difficult to evaluate the numbers because we have not had enough individuals take the exams. They need about 100 attempts to take an exam to provide meaningful statistics.

The following lists the number of attempts and number of passes.

65	journey Plumbing with 32 passing	29	master Plumbing with 9 passing
19	journey Refrigeration with 5 passing	8	master Refrigeration with 0 passing
36	journey HVAC with 4 passing	20	master HVAC with 0 passing
49	journey Hydronics with 5 passing	11	master Hydronics with 1 passing

Reciprocity Committee Ron Masters, committee chair

Ron reported at the last meeting it was agreed to send notification to South Dakota that this board is not ready at this time to enter into any reciprocity agreements.

Chapter 29 Ron Masters, committee chair

Ron reported this committee met on September 13th to discuss requests received from groups such as Black Hills, NIAC, DMACC, Hawkeye Community College, HVAC Excellence and RSES wishing to be considered an equivalent for requirements for specialty licensing. Cindy is seeking additional information from these groups.

Also discussed was a board member's request to increase from 60 days to 6 months when an applicant can sit for a journey person exam. The committee agreed that time could be increased to 6 months provided there are no objections from DOL Office of Apprenticeship.

Cindy will follow up with Department Of Labor Apprenticeship to identify if there is support for this change. Change in the Chapter 29 will need to follow the regular rule making process which takes a minimum of 110 days.

Discipline Committee Jane Hagedorn, committee chair

This committee met yesterday and received a presentation from Julie Bussanmas, Assistant Attorney General on the discipline process as it works for other licensing boards. This provides the framework to determine what our actual procedures should be. We will focus on the discipline process at our next meeting.

Dan Hostetler spoke to the committee about his progress. He is actively working on five cases, four of which fall into the category of fraudulently obtaining a license, and one is for professional incompetence.

The complaints he has received thus far fall into four categories:

- 37 for fraudulently obtaining a license
- 24 for working without a license
- 8 professional incompetence
- 2 false advertising

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The procedures must be in place to move forward in the process. That has been this committee's focus and will continue.

Budget Report – Ken Sharp

Ken reported on the distributed budget reports.

Close out budget report for Fiscal Year 2010. Budget numbers are closed out at the end of August.

Revenue collected is a combination of moneys carried over from last fiscal year and fees that were collected this year. We carried over just under \$2.5 million, and just under \$1.7 million in revenue this fiscal year. Ken described the definition of each line item.

Why do we get charged from the credit card companies?

Every vendor gets charged a percentage of the sales for credit cards. The state has negotiated the agreement with credit card companies.

Projected Budget Fiscal Year 2011

There will be some modifications throughout the year to this report not reflected in the projected budget. This will give a pretty good idea as to what is budgeted this year.

Personnel services has been increased due to increase in staffing

Instate travel increased due to Dan onboard and will do some traveling.

The remainder of the line items remains about the same.

ITD reimbursements has been increased for this year due to renewals

Two months into our fiscal year does not provide a lot to report as far as expenses. By January a better picture of expenses should be available. Financially we are very sound. As we look at state-wide inspections, we will use some licensing funds to get started. If statewide inspections do not move forward, we will need to be prepared to address questions that will come out of the legislature relative to fees versus expenses.

Are expenses for the move to a new location accounted for?

Ken reported on a meeting with the executive team. Ken said we are out of options, the soonest a move can occur is a year to 15 months from now.

With a move there will be additional expenses such as remodeling, furniture, etc.

The delay was due to the legislation that was passed last session. There have even been discussions about downtown office spaces. Regardless whether we end up at Mercy Capitol, somewhere else, or stay where we are at, if we move and there are remodeling expenses, we may have to pay for as well. There is no reason to budget for remodeling in Fiscal Year 2011 because a move is a year to 15 months away.

Reimbursement to the Attorney General's office – that could increase significantly due to the discipline process being put into place.

Ken responded we have not had any discussions or inquiries from the Attorney General's office about the need to increase that dollar amount. Generally our relationship with the Attorney General's office is very good and there is a lot of give and take as far as this budget number. If the Attorney General's office feels they are not being adequately reimbursed they will let us know. Ken is not inclined to increase this line item at this point, if needed there is enough cushion in other line items that we can offset and shift those dollars to that line item.

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I am assuming the budget amendment process is available should you need to increase a line item.

There is not a budget amendment process similar to the process at the local level. There is flexibility to add additional line items or make adjustments to those dollar amounts throughout the year.

Do you have a projected cost for a conference?

Ken reported he will have a better idea in the next 4-6 weeks. The cost of a conference is not reflected in this document because we were not talking conferences at the time the budget was prepared. A meeting has been scheduled with the Conference Planning Committee the first part of October.

Jane supports concerns about costs that may be associated with disciplinary actions based upon the meeting we had yesterday.

Ken & Matt will discuss the costs associated with the disciplinary process and may place under another line item.

Inspection Study Committee Update – Ken Sharp

Ken reported this committee met yesterday. A lively discussion was held on the tentative draft of the report. There are a significant number of comments that will be incorporated into the report. The final report needs to be no more than 10-12 pages with an executive summary at the beginning.

There are three main issues of contention:

1. Local Inspection Programs. The committee has not been able to reach agreement on what local inspection programs should be expected to do. The discussions by the committee have focused on three options.
Option 1 – Require local programs to amend their inspection programs to align with the statewide program. This would include adoption of the state codes and similar qualification requirements for local staff.
Option 2 – Allow local programs full latitude to conduct inspection programs as they decide.
Option 3 – Find common ground between Option 1 and Option 2.
The Committee will be discussing this in more detail and will likely present these options as part of the report.
2. Mechanical code. There should be a statewide mechanical code. If we are going to have statewide inspections there has to be a code to enforce. As far as which code to adopt and who oversees and who has enforcement responsibilities, we still have some sorting out in that respect. The committee is discussing just stating a need for a mechanical code in the report and letting the details wait for another day.
3. Applicability of agriculture settings. The Iowa Farm Bureau Federation (IFBF) attended one of our meetings and voiced their concerns regarding applicability of statewide inspections on farmsteads and farm properties. IFBF is going to meet with their membership to provide additional feedback. Additionally, IFBF will be invited to our October meeting to work through some of those issues as we try to find some common ground.

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After I make some revisions based upon feedback yesterday, we will be at a point where I am willing to share with the board members to get your feedback and input. One thing we need to recognize in the Inspection Report is that no one around the table is going to get everything they want. I don't expect that we will have all differences resolved before we are ready to submit the report but at least we can get some general consensus on some of the key aspects and work out some of those differences as we get into the legislative process.

Conference Planning – Ken Sharp

The last time we met with the Conference Planning Committee there were a lot of questions about do we really need a statewide conference.

The Plumbing and Mechanical Office worked with the Department's GIS coordinator to map data regarding the locations of licensees and approved courses for which we have information on when and where those courses were offered. Ken reviewed the maps with the board. In general the maps show that there is a lack of courses in remote areas of the state, and in particular that the northwest third of Iowa is lacking in plumbing related courses.

There are some limitations with these maps but they gave us a good idea on where courses are being offered in Iowa. This will be useful as we work with the conference planning committee to help plan our efforts. In addition, if industry partners would like these maps they are available by calling the board office.

Maps will be updated in the future as more course data becomes available.

Northwest Iowa Tech in Fayette and Woodbury College are not on the Community College Map. We will double check that all community colleges are included.

How did you take into account that a class could be held on different dates and at different sites? We did not – we looked at any notifications received that a course was being held and if it was held one day in Des Moines and the next day in Council Bluffs, it was counted twice. Location is what was identified.

Did you include the PHCC conferencing?

If we had the location, it was included. We took everything that had been posted to the website. *You missed some bullets if that was included PHCC held HVAC and Plumbing in the Waterloo/Cedar Falls area.*

August 15th was the cutoff date to get the information to ITE.

It is really not totally comprehensive.

That is due to the information that we get back from training providers about when and where a course is held.

We have only requested that information indirectly: Do you want it listed on our website?

Those classes that are taught on an as needed basis would not be included.

Licensing Report – Cindy Houlson

Cindy reported the numbers are very similar to what was presented last month. The Plumbing and Mechanical Licensing staff has processed applications for a total of

Total of 8,973 Plumbing licensees

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Total of 8,204 HVAC licensees
Total of 2,830 Refrigeration licensees
Total of 5,841 Hydronic licensees

Other Business

Chuck Thomas reported on an email from Jeff Beneke, Center for Energy & Environmental Education, UNI

This group has formed an advisory committee to assist in selecting qualified applicants for training. If a board member would be interested in serving on this advisory committee, they would welcome the expertise from this group.

Fuel gas code

Ken reported he has met with Stuart Crine and Michael Coveyou on the fuel gas code. After taking a very thorough look at the rules, it was recognized that there is some confusion regarding cross references that are in the different sections of the rules. NFPA 54 is the intended standard as we have identified. Stuart and Mike will be working on correcting some of the language in their rules that have created the confusion. The regulatory scope related to NFPA 54 is not clear to licensees so we are going to have some discussions with Stuart about what we need to do in terms of an educational effort with licensees. We have worked through those issues and clarified NFPA 54 is the code we default to for the purposes of our exams.

Does NFPA 54 and NFPA 58 regulate liquid petroleum?

The point that Mike Coveyou tried to make is the fire marshal has authority over propane and liquefied natural gas but does not have authority over all gases. When it is in gas state he does not have authority. Several areas were identified where there doesn't appear to be a code adopted to address the gaseous state such as into a home.

Prometric has been informed that testing with Gas is under NFPA 58 & 54.

Stuart believes that is correct. Even if we are not there, that is where we are headed.

Stuart ask if Tom or someone on the board that deals with this would be willing to meet with his group (Stuart, Mike Coveyou and some of the flammable liquid guys) from a field perspective. A code is needed, when a person is doing an installation he needs a reference.

Public Comment

Jerry Hintz - *Are conferences going to be a one day or two day?*

That has not been finalized. We were tentatively planning on having a two-day event where we could cram in as many CEUs as possible. Realistically, 6 or 7 hours per day is about the longest for any conference. We are sorting that out and that is one of the items up for discussion.

Are you still looking at this being self supporting as no moneys coming out of your budget?

We are balancing several things, we don't want to go out and make the conference so cheap that it competes with those providing CEUs. But also not interested in making money and not interested in this board putting out a lot of expenses to support training for licensees that otherwise should be providing some of their own resources to attend those trainings. Ideally, it would be awash in terms that the conference would pay for itself and we do not have licensing dollars going in to support that. There may be some dollars that would start it up but that fee would come back in to

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offset expenses to have basically a zero ending balance. We are not far enough along to tell you what that budget is going to be.

Next meeting scheduled October 19, 2010 at Iowa Department of Public Safety Building (Conference Room 125), 215 East 7th Street, Des Moines, IA 50319

Adjournment

Chuck Thomas made a motion to adjourn

Ron Masters seconded

No further discussion was held

Vote: All ayes

Motion: Carried