

# Plumbing Board

## Minutes from Annual Meeting

July 17, 2012 – 9:30 a.m.

### Members Present (All)

Chad Filek  
Gale Mount  
Grant Edwards  
Jim Kittelson  
Jim Lungstrom  
John Flagg  
John Parizek  
Joseph Bekel  
Ron Thompson  
Larry Justin  
Mike McGowan  
Pete Moulton  
Phillip Sterner  
Rebecca Ames

### DLI Staff & Visitors

A/C Looman  
Carey Demaris  
Cathy Tran  
Charlie Durenberger  
Gary Ford  
Gary Thaden  
Jim Peterson  
Josie Steinhoff  
Luke Westman  
Phil Raines  
Kevin Campana  
Matthew Marciniak  
Pat Munkel-Olson

#### **I. Call to Order**

This meeting was called to order by Chair Parizek at 9:33 a.m. Introductions and housekeeping announcements were made. New Board members, Moulton, Sterner, Beckel and Edwards introduced themselves. Attendance was taken a quorum was met.

#### **II. Approval of Meeting Agenda**

Chair Parizek noted there is a minor change under Committee Reports - DLI Reports shall be moved up to accommodate Durenberger's staff meeting.

**Justin made a motion to approve today's agenda as revised, seconded by Flagg. The vote was unanimous, the motion carried.**

#### **III. Approval of Previous Meeting Minutes**

Munkel-Olson noted a correction on page two, item J. *i. Joint Good Cause Rulemaking, Current Status* Munkel-Olson reminded the Board that there was one (not zero) comments and zero requests for a hearing. **Mount made a motion to approve the minutes as corrected, seconded by Kittelson. It was a majority vote with one abstaining vote. The motion carried.**

#### **IV. Regular business**

A) Approval of Expense Reports – Chair approved the expenses presented.

#### **V. Committee Reports**

A) DLI Reports – Charlie Durenberger, manager in the Enforcement and Licensing unit of CCLD addressed the Board. He provided an overview of the continuing education process. Features of the program were reviewed. The continuing education program was implemented Oct. 1, 2011, the department registers sponsors, reviews and approves courses, logs course offerings, and documents individuals' completion of

continuing education courses Information on the program can be found on the department's website at [www.dli.mn.gov/CCLD/CE.asp](http://www.dli.mn.gov/CCLD/CE.asp). The directory of approved courses, sponsor information and forms, course applications can also be found there.

- B) Executive Committee – Chair Parizek advised that the committee met prior to the Board meeting today. They discussed the dates that some of the new rules will go into effect as well as restructuring some of the Boards sub-committees.
- C) Product and Code Review Committee – Justin stated the committee did not meet in June but is schedule to meet on 9/18/12. Two RFAs will be reviewed at that time. One is a follow up with the HDPE pressure pipe request and the other is a new RFA on flammable waste interceptors.
- D) Code Interpretation Committee – nothing to report
- E) Medical Gas Committee – nothing to report
- F) Continuing Education Committee – nothing to report
- G) Licensing and Registration Committee – nothing to report
- H) Water Conditioning Committee – nothing to report
- I) Construction Codes Advisory Council – Kittelson stated the CCAC meet and are currently working on code changes.
- J) National Code Review Committee – Lungstrom stated the committee met on 6/12/12. He gave an overview to the new members advising the process of the adoption of the national code. The committee has developed possible amendments for the code and hopes to bring a compile of these amendments to the October Board meeting.

Ron Thompson asked about dealing with the current RFAs and the UPC codes. Parizek stated there are currently a couple of manufactures that would like their products approved by the state plumbing code. The process was reviewed; starting with publishing a request for comments, review the code for possible revisions and/or amendments, take comments from the public, rulemaking begins were specific language will be developed, SONAR will be drafted, and then publish an intent to adopt, take requests for hearing or comments, then publish a notice of adoption from there it can take up to 180 days before they go into effect. Parizek stated this process can take up to three years. The concern the Board has is whether or not to move forward with the RFAs using the present MN Plumbing Code or with the National Plumbing Code. Chair Parizek stated a letter should be sent to the requestors and the next elected Chair will do so. Edwards asked what the timeframe is on the adoption process. Munkel-Olson gave an overview of the process and the timeframe.

## **VI. Special Business**

- A) Rulemaking – Munkel-Olson gave updates on
  - i. Chapter 4716 – Munkel-Olson stated that the amendment to chapter 4716 is complete as of 11/27/11. This includes licensing, certification, registration and continuing education rulemaking.
  - ii. Chapter 4716 Expedited –The notice of intent will be processed in October.

- iii. Chapter 4715 – The most recent update to the MN Plumbing Code. The rulemaking on this will be effective 10/31/12.
- iv. Chapter 4715 Good Cause – This was a renumbering of rules out of 4715 into administrative chapter 1300 rulemaking in conjunction with department and will be effective 4/30/12.

Parizek stated that discussed at the earlier Executive Committee meeting today was one item that dealt with Chapter 4716 the expedited rulemaking and the continuing education portion. He stated they were granted expedited authority to write rule on RPZ certification tester and tester rebuilder. But they were not granted expedited authority on the Continuing Education portion instead just granted authority to write rule RPZ certification. Munkel-Olson stated that RPZ rules require a national third party certification in order to receive a certification from the department. She stated that the classes by the ASSE for certification are sufficient for continuing education purposes. Parizek stated the intent would be to open up rulemaking and draft language along with SONAR. **A motion made by Sterner to authorize the Chair to open rulemaking on RPZ tester, RPZ rebuilder, continuing education, authoring Chair to publish a request for comments, seconded by Justin.** Prior to the vote, Gary Ford from Metro Testing stated his concern with the enforcement of the RPZ program. There was great discussion on this topic. Jim Peterson stated the department is looking into increase staff and improving the enforcement action process. **The motion was reviewed again and made by Sterner to authorize the chair to draft and publish a request for comments for RPZ tester and rebuilder certifications and continuing education, draft rules and draft the SONAR, seconded by Justin. The vote was unanimous and the motion carried.**

*The Board took a break at 10:45 and resumed at 11:05 a.m.*

- B) Officer Elections – The meeting was handed over to the Commissioner’s Designee, Jim Lungstrom. Lungstrom conducted the elections as follows:
  - i. **Board Chairman** – McGowan nominated Parizek. No other nominations were made. The vote was unanimous, nomination passed. Parizek was re-elected as Chair.
  - ii. **Vice Chairman** – Parizek nominated Justin. No other nominations were made. The vote was unanimous, nomination passed. Justin was re-elected as Vice Chair.
  - iii. **Secretary** – Sterner nominated McGowan. No other nominations were made. The vote was unanimous, nomination passed. McGowan was elected as Secretary.
  - iv. **Representative and Alternate to Construction Codes Advisory Council (CCAC)** – Ames nominated Kittelson be recommended to Commissioner Peterson to represent the Board on the CCAC. Mount nominated Beckel to serve as Kittleson’s alternate. There were no further recommendations. The vote

was unanimous, the nomination passed. Kittelson and Beckel will be recommended to Commissioner Peterson.

- C) Committee Appointments – Parizek reviewed the sub-committees with the Board stating that the Medical Gas Committee and the Continuing Education Committee have been dissolved. For an updated list of committees and members, see last page.
- D) Policy Reviews – Munkel-Olson addressed the board and advised the laws -
  - i. Open Meeting – The law requires that the Board notify the public of meetings. It is advised not to exchange or discuss issues unless in front of the Board. Shall something arise bring to the Chair. Any communications received should also be sent to Munkel-Olson and/or Demaris. A memo on these topics will be forthcoming.
  - ii. Document Retention – Records must be kept according to the official records act.
  - iii. Bylaws – Parizek reviewed the changes made in April 2009. A motion by Flagg to accept the amendments as presented, seconded by Kittelson. The motion was unanimous, the motion carried. Revised bylaws will be distributed.

## **VII. Complaints –none brought forth**

## **VIII. Open Forum – none brought forth**

## **IX. Board Discussion**

Edwards requested a copy of the UPC IAPMO codes. Marciniak stated he will send the department 4 copies for the new members.

## **X. Announcements**

- A) Next Regularly Scheduled Meetings
  - i. October 16, 2012, 9:30 a.m. – Minnesota Room, DLI
  - ii. January 15, 2013, 9:30 a.m. – Minnesota Room, DLI

## **XI. Adjournment**

**A motion was made by Sterner seconded by Edwards to adjourn. The vote was unanimous, the meeting adjourned at 11:44 a.m.**

Respectfully Submitted,

*Mike McGowan*

Mike McGowan  
Secretary

## Plumbing Board Committees

### Executive Committee

Justin  
Lungstrom  
McGowan  
Parizek

### Code Interpretation, Licensing & Registration Committee

Beckel  
Edwards  
Filek  
Flagg  
Kittelsohn  
Lungstrom  
Mount  
Parizek

### National Code Review Committee

Ames  
Edwards  
Filek  
Justin  
Kittelsohn  
Lungstrom  
McGowan  
Mount  
Parizek

### Product & Code Review and Water Conditioning Committee

Filek  
Flagg  
Justin  
Lungstrom  
McGowan  
Moulton  
Parizek