

Executive Committee of the Plumbing Board

Meeting Minutes

April 19, 2016 @ 8:00 a.m.

Department of Labor and Industry
443 Lafayette Road No., St. Paul, MN 55117-4344

Members

Grant Edwards – Vice Chair
Jim Lungstrom
John Parizek – Chair
Phil Sterner – Secretary

DLI Staff & Visitors

Wendy Legge (Chief Gen. Counsel, DLI)
Lyndy Lutz (DLI)
Cathy Tran (DLI)
Jim Peterson (DLI)
Scott Thompson (MN Plumbing Training)

Members Absent

None

I. Call to Order

The meeting was called to order by Chair Parizek at 8:27 a.m. Roll call was taken by Secretary Sterner and a quorum was declared. Introductions and housekeeping announcements were made.

II. Approval of Meeting agenda

A motion was made by Sterner, seconded by Edwards, to approve the agenda as presented. The vote was unanimous; the motion carried.

III. Approval of Previous Meeting Minutes

- A motion was made by Edwards, seconded by Lungstrom, to approve the October 20, 2015, minutes with changes to V. Special Business, A) Department Updates as noted below. The majority vote ruled with one abstention [Sterner]; the motion carried.

b. ICC Lawsuits

Legge gave an update. The ICC started an action against both the DLI and Plumbing Board although the Board adopted the rule. The action seeks a declaratory judgment to declare the new plumbing rule invalid. The Attorney General is representing the Plumbing Board. The Building Owners and Managers Association (BOMA) was granted permission to file an amicus brief in support of the ICC's position.

As discussed at the last meeting, Doug Seaton, an attorney for the ICC, submitted a data request to the Plumbing Board seeking data from Jan. 2010 to July 9, 2015. The ICC started a lawsuit claiming that Jessica Looman, DLI and the Plumbing Board violated the data practices act by not providing the data quickly enough. They sought a temporary restraining order to require all data be produced by Oct. 9 but this was not granted by the judge.

- No meeting occurred on January 19, 2016, due to lack of a quorum.

IV. Regular Business

Nothing to report

V. Special Business

A) Department Updates

Tran said she would give an update on the Water Reuse Interagency Workgroup.

B) Chair Updates

Parizek met with Charlie Durenberger, Director of Licensing and Enforcement for CCLD, regarding unlawful activity and complaints he turned over to the unit. Legge noted if an administrative order with a penalty is issued and not paid or appealed, a judgement will be issued for the amount of the unpaid penalty.

C) Plumbing Board Agenda Review

Legge noted that seven votes (of the 13 members) would be required in order to adopt the revised Bylaws.

Parizek made additions to the agenda as shown below in *italics*.

VI. Special Business

A) 2015 Plumbing Code Implementation

1. *RFI Patrick Lorio*
2. *PE pipe water service*
3. *Manholes*
4. *Double-check valve assembly/DCIAV*

B) Review of Bylaws

C) *Revision of RFI*

D) DLI Emergency Procedures

E) Ongoing Litigation Updates (closed session due to attorney-client privilege)

VI. Correspondence

Nothing to report

VII. Open Forum

None

VIII. Discussion

No discussion

IX. Announcements

Next regularly scheduled meetings – 8:00 a.m., Minnesota Room, DLI

a) July 19, 2016

b) October 18, 2016

X. Adjournment

A motion was made by Sterner, seconded by Edwards, to adjourn the meeting at 9:09 a.m. The vote was unanimous; the motion carried.

Respectfully submitted,

Phillip Sterner

Phil Sterner, Secretary