

**Plumbing Board Annual Meeting  
Meeting Minutes  
August 23, 2011 - 9:30 a.m.  
Minnesota Room – Dept of Labor & Industry**

**Members Present:**

Allen Lamm  
Chad Filek  
Gale Mount  
Jim Kittelson  
Jim Lungstrom  
John Flagg  
John Parizek  
Karl Abrahamson  
Larry Justin  
Mike McGowan  
Rebecca Ames  
Ron Thompson

**Members Absent:**

Jim Gander

**DLI Staff & Visitors:**

Brian Soderholm  
Carey Demaris  
Carl Crimmins  
Cathy Tran  
David Skallet  
Gary Ford  
Gary Thaden  
Jeff Hill  
Jim Peterson

**Staff/Visitors cont.**

Jim Peterson  
Karla Peterson  
Kevin Campana  
Luke Westman  
Matt Marciniak  
Pat Munkel-Olson  
Phil Raines  
Richard Hauffe

**I. Call to Order**

The meeting was called to order at 10:05 a.m. by Chair Parizek. Housekeeping announcements were made. He mentioned the Department recently promoted Jim Lungstrom to CCLD Assistant Division Director and Cathy Tran to Manager of the Plumbing Plan Review Program. Introductions were made, attendance was taken and a quorum was declared.

**II. Approval of Meeting Agenda**

**Justin made a motion, seconded by Mount, to accept the Agenda. The vote was unanimous and the motion passed.**

**III. Approval of Previous Minutes**

*January 18, 2011* - Justin noted the following changes to the minutes on page 2, item V. section v and vi., should read PCRC not the Larry Committee. On page 5, item VI. section iii. Strike the third to last sentence, *Unlike an electrical engineer, a mechanical engineer spends very little time focusing on plumbing.* **Lamm made a motion, seconded by Kittelson, to accept the January 18, 2011 minutes with the mentioned changes. The vote was unanimous, the motion passed.**

*April 19, 2011* – There was discussion for clarification on Motions made on page 5 of 8. The Chair clarified the motion, motions in minutes are correct. Tran made recommendation to clarify the following; page 6 item E i. suggests adding 4715.2820 sub part 3 for tracking purposes. Also on page 7, Motion made by Gander, seconded by Mount, to approve this language to go forward in the approval rule making process with the exception of Item Q in 4715.2110 relating to handheld hose sprays. Tran suggests striking ‘approval’ adding *rulemaking* and adding *in 4715.2110 relating to handheld hose sprays.* **Motion made by Ames to approve with these changes, seconded by Lungstrom. The vote was unanimous, the motion carried.**

**IV. Regular Business**

A) Approval of Expense Reports – The Chair approved the expense reports as presented.

## **Committee Reports**

- a. Executive Committee – The Executive Committee met this morning focusing on rulemaking.
- b. Product and Code Review Committee – PCRC met June 21, 2011 reviewing the following items;
  - PB59 Permaliner, this was tabled as not all items were provided,
  - PB53 PEX Standards
  - PB51 adoption of IAMPO 2010 Green Plumbing and Mechanical Supplement,
  - PB62 Water Powered Sum pumps.

The next PCRC meeting is scheduled for September 20, 2011.

- c. Code Interpretation Committee – In Gander’s absence, Board Chair Parizek stated there is nothing to report at this time.
- d. Medical Gas Committee – Parizek advised there is a final draft of medical draft language that will be presented to the board today.
- e. Continuing Education Committee – Lungstrom substituted as Chair of the Committee in Karl Abrahamson’s absence. The Committee met this morning and approved the latest draft version of the rule language as modified by the Department. In addition, McGowan recommended water conditioning continuing education. This will be sent to the Board for approval.
- f. Licensing and Registration Committee – In Gander’s absence, Parizek stated there is nothing to report at this time.
- g. Water Conditioning Committee – McGowan advised nothing to report at this time.
- h. Construction Codes Committee – Kittelson for Gander, the committee discussed the new rules in Minnesota Plumbing Codes to Universal Plumbing Code.
- i. Code Comparison Committee – Lungstrom, nothing to report at this time.
- j. DLI Reports
  - 2011 Legislative Action – The Board was granted expedited rule making authority to write rules for the certification on back flow installers/testers, continuing education for back flow installers/testers and medical gas installers.

## **Special Business**

- a. Current Rulemaking
  - Chapter 4716
    - Medical Gas Language

The draft language handout; *Possible Amendment to Rules or new Rules Regulating Plumber Licensing, Certification and Registration, and Continuing Education, Minn. R. ch 4716* was reviewed. This draft language was already approved by the Board. Munkel-Olson mentioned there was some clean up on page 9 of 11 to be made, 4716.0205, Subp1(b) and (c) these edits were previously approved.

Munkel-Olson addressed the Board advising the 4716 rule making had a request for comments which was authorized at the April 19, 2011 meeting, it published on August 1, 2011. She advised the Board has

resolution authority to move forward with rulemaking process. The Board must select which kind of notice they would like to use for 4716 rulemaking. During this review the three options were explained; (1) Publish a Notice of Intent to Adopt Rules Without Public Hearing, (2) Publish a Notice of Intent to Adopt Rules With Public Hearing, or (3) Submit a DUAL Notice. Munkel-Olson also advised the timeframe to publish. Parizek mentioned the last rulemaking the Board was involved with, they elected to post the dual notice. **A motion made by Justin, seconded by Ames to move forward with the dual notice to cover all bases. Motion carries unanimously.**

Munkel-Olson asked the Board to designate someone the Department can work with on this process. The Board selected Parizek as the authorized designee. **A motion made by Lamm, seconded by Flagg to appoint Parizek. The vote was unanimous. The motion carried.**

Munkel-Olson asked the Board to review the handout *Questions for the Board to consider in drafting the SONAR* (Chapter 4716). It was asked the Board designate someone to review these questions and assist the Department staff. **A motion made by Lamm, seconded by Filek to designate Parizek to work with DLI staff on the SONAR. The vote was unanimous. The motion carried.**

- Chapter 4715

The draft language handout; Possible Rules Governing the Plumbing Code was reviewed. Munkel-Olson addressed the Board advising the 4715 rule making had a requesting for comments which was authorized at the April 19, 2011 meeting, it published on August 1, 2011. She advised the Board has resolution authority to move forward with rulemaking process. The Board must select which kind of notice they would like to use for 4715 rulemaking. **Justin made a motion to use the DUAL notice, seconded by Ames. The vote was unanimous. The motion carried.** The Board was also asked to designate someone the Department can work with on this process. As well as designate someone to review the questions and assist the Department staff on the SONAR. **Justin made a motion to designate Parizek to review the rulemaking process and assist with the SONAR, seconded by Lamm. The vote was unanimous. The motion carried.**

- Continuing Education Language

The Continuing Education Committee approved the latest draft version of the rule language as modified by the Department. The Committee brings forth the recommendation to approve the language as drafted and the continuing education requirements for water conditioning to 4 hours (2 hours code and 2 hours technical) per license cycle. **A motion to approve the Continuing Education language was made by McGowan, seconded by Kittelson. All in favor motion passed unanimously.**

There was discussion on media hours for continuing education, approving the 4 hours; 2 hours on code and 2 hours on technical all of which can be electronic. **A motion for the Continuing Education for Water Condition was made by McGowan, seconded by Filek. All in favor, motion passed unanimously.**

b. Requests for Action

- i. File (PB0062) Backflow Protection for Water Powered Sump Pumps: Bill Klapproth, the requester wasn't present. Justin reviewed the RFA with the Board pointing out the request is to add under table 4715.2110 TYPES OF DEVICES REQUIRED WHERE AN AIR GAP CANNOT BE PROVIDED – add GG to end of table inserting Water-powered sump pumps. Justin stated that at the June 2011 PCRC meeting this request was reviewed. The committee discussed two options. The first was requiring reduced pressure back flow preventer only, that motion failed. The second

motion was made to approve the language and have a reduced pressure back flow preventer column and also a spill proof vacuum breaker and pressure vacuum breaker column added for use with a water powered sump pump. That motion passed with a four to one vote. The PCRC recommends the Board to approve this request.

Lamm gave an overview and history of the water powered sump pumps. There was discussion on vacuum breaker. Carla Peterson from the Department of Health spoke on this topic. She stated there is public concern of back flow and contamination in the water supply. Ron Thompson, added because of the cross contamination there is a health risk. There was much discussion on this topic. There was clarification on the Boards authority. It was suggested to ban the product, Parizek stated banning is not being requested. **A motion leaving the code as is and deny the RFA – PB0062 was made by Lamm, seconded by Mount. The vote was 10 to 2, the motion carried.**

*The Board took a break for lunch at 12:00 p.m. and resumed at 1:05 p.m.*

Commissioner Peterson addressed the Board and stated that on behalf of Governor and Department he thanks the Board for their time and work which is important for the State. He plans on attending more board meetings in the future.

- ii. File (PB0051) Rainwater Catchment Systems – Justin gave an overview of this request and stated the PCRC has been reviewing and discussing at length for the past year. It was stated the PCRC made a motion to have the Department of Health, Department of Labor and Industry as well as the presenter, Brian Soderholm to work together for a resolution.

Brian Soderholm – presented the RFA PB0051 – Soderholm gave an overview of the request stating that since 2009 the text to amend the language has been refined. He referred to IAPMO’s 2010 publication *Green Plumbing and Mechanical Supplement*, the first publications devoted to green systems. This publication devotes an entire chapter to alternate water sources. Soderholm handed out Chapter 5 – *Alternate Water Source For Non-Portable Applications*. This chapter describes and breaks down different types of non-potable sources such as harvested rainwater. Members from Labor and Industry, the Board, IAPMO and Soderholm have met on the specifics on the code language and will be discussed with the Board today. Parizek mentioned there is a need to have guidelines and standard and quality for these types of green systems. The Department of Health was asked to review this language. Thompson advised the Department of Health has looked into this proposal and has some concerns that this may not be protective for public health looking into sources and uses such as irrigation and fountains. It was mentioned that other states standards were looked at and found that the language and standard were not of concern. The other language proposed was not directly related to public health. Thompson notes that other states put in a “Turbidity Standard” in the language. It was mentioned there should be more detail and more explanation on other water uses, surfaces, and features. Thompson also recommended having the MN Pollution Control Agency review this language and possibly the Department of Agriculture as well. Tran has contacted the MPCA and stated they have a sub-committee working on storm water re-use. There will be a report issued at a later date by PCA, Tran will be following up. The Board had discussion in great detail on this topic reviewing water quality and public safety. Justin mentioned the adoption of IAPMO’s 2012 Uniform Plumbing Code will have the Green Plumbing and Mechanical Supplement in the body of the code. It was suggested to further review and continue to work on this system to move this forward. Justin stated the National Code Review Committee will also be reviewing this. **A Motion made by Justin that MPCA, DLI, MDOH and presenter will work together and come to a resolution on**

**the language and present at a future PCRC meeting. Cathy Tran shall be the main contact, seconded by Lamm. All voted in favor. Motion carried unanimously.**

- c. Amendment to Bylaws – Munkel-Olson reviewed the February 19, 2008 Bylaws, page 2 Article V. Meetings – C. The annual meeting of the Board shall be the first meeting in July of each year. It is recommended to amend to read as follows: *The annual meeting of the board shall be the first meeting each state fiscal year.* **A motion to approve the amendment was made by McGowan, seconded by Lamm. All voted unanimously. The motion carried.**
- d. Officer Elections: Jim Lungstrom  
**Board Chair** – Lamm nominated Parizek, no other nominations were made. The vote was unanimous.  
**Vice Chair** - Kittelson nominated Justin, no other nominations were made. The vote was unanimous.  
**Secretary** – Lamm nominated Abrahamson, no other nominations were made. The vote was unanimous.
- e. Committee Appointments – Parizek reviewed the current members on the committees.

Executive Committee:

Chair Parizek  
Abrahamson  
Justin  
Lungstrom

Water Conditioning Committee:

Chair McGowan  
Flagg  
Lamm  
Lungstrom  
Parizek

Product & Code Review Committee:

Chair Justin  
Flagg  
Lamm  
Lungstrom  
Parizek

Medical Gas Committee:

Chair Parizek  
Abrahamson  
Gander  
Lungstrom  
Mount

Code Interpretation Committee:

Chair Gander  
Abrahamson  
Ames  
Kittelson  
Lungstrom  
Parizek

Continuing Education Committee:

Chair Abrahamson  
Ames  
Filek  
Kittelson  
Lungstrom

Licensing and Registration Committee:

Chair Gander  
Abrahamson  
Filek  
Lungstrom  
Parizek

National Code Review Committee:

Chair Lungstrom  
Ames  
Filek  
Justin  
Kittelson  
McGowan  
Mount  
Parizek

Construction Codes Committee:

Gander (Kittelson as Alternate)

It was mentioned that Gander would like to step down after the first of the year. Parizek asked members to think about filling Ganders positions. Also mentioned, the Medical Gas Committee may be ending as it will no longer be necessary.

### **Complaints**

Nothing brought forth.

### **Board Discussion**

Munkel-Olson and Parizek thanked the Department for their work on the board.

### **Open Forum**

Nothing brought forth.

### **Announcements**

Next Regularly Scheduled Meetings

- October 18, 2011, 9:30 a.m. – Minnesota Room, DLI
- January 17, 2012, 9:30 a.m. – Minnesota Room, DLI

### **Adjournment**

**A motion was made by Abrahamson, seconded by Kittelson, to adjourn. The vote was unanimous, the meeting adjourned at 2:25 p.m.**

Respectfully Submitted,

*Karl Abrahamson*

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