

**Plumbing Board**  
**Code Interpretation Committee Minutes**  
**January 30, 2008 – 1:00 p.m.**  
**Minnesota Room – Department of Labor and Industry**  
**443 Lafayette Road North, Saint Paul 55155**  
**[DLI.CCLDBOARDS@State.MN.US](mailto:DLI.CCLDBOARDS@State.MN.US)**

**Members Present:**

Jim Gander  
John A. Parizek  
Rebecca Ames  
Paul Sullwold  
Randy Ellingboe

**Other Board Members Present:**

Allen Lamm  
Lawrence G. Justin  
Ronald Thompson

**Staff Present:**

Wendy Legge  
Cathy Tran  
Annette Trnka  
Jim Peterson

**Members Absent:**

None

**Visitors:**

Gary Thaden  
Dave Schulenberg  
Kevin Hoppe  
Tom Lehman  
Bob Wolf  
Kathryn Renner

**I. Call To Order**

The meeting was called to order by Chair Jim Gander at 1:10 p.m. Introductions followed.

**II. Approval of Meeting Agenda**

Chair Gander asked for approval of the Agenda with one change to move the Minnesota Water Well Association presentation to the top of the agenda. Motion made by Ellingboe, seconded by Sullwold to accept amended agenda. Parizek moved to amend, seconded by Sullwold to remove item “C” under Section IV, due to prior discussion regarding Complaints. The only authority that the Plumbing Board has is to refer complaints related to an allegation of a violation of any statute or rule relating to Plumbing Code compliance, or licensing, or unlicensed plumbing work to the Department of Labor and Industry. The Committee thereby does not have authority to make any recommendation on such complaints. These complaints could be forwarded administratively and do not need to go through a Committee or the Board. If any such complaints do come to the Board directly, they will be referred promptly

back to the Department of Labor and Industry. Vote was unanimous and the motion passed.

### **III. Open Forum**

A presentation was given to the Committee by the Minnesota Well Water Association. Kevin Hoppe spoke regarding the issue of what falls under plumbing code and what falls under well code for clarification regarding which actions take precedence under 103(i) on what well workers can do from the well to the house. The Plumbing Board has no authority as to the enforcement of the Code. The Department of Health has that authority. It was suggested that a Request For Action could be submitted requesting a plumbing code change.

### **IV. Special Business**

- A) Code Interpretation Committee organization. The Chair recommended that first comments would be accepted from Committee members, then Board members, then from the public. The Chair will not vote unless his vote is needed to break a tie. It was decided that the Code Interpretation Committee would meet on an “as needed” basis. General requests for interpretation will first go through the Department of Labor and Industry, then if the requestor does not agree with the interpretation, they can request the interpretation be done by the Committee. It’s in the statutes that within 30 days of a request for an interpretation being received for a Final Interpretation that it be published within 10 business days. The committee was given authority by the Plumbing Board to make those final interpretations.
- B) Review of process for submittal and review of requests.
  - i. Request For Interpretations forms (RFIs) and process for submittal. Discussion was held on how a Request For Interpretation form could be created. The form will include a section for who at the Department of Labor and Industry did the initial interpretation and why the Requester disagrees with the interpretation. The Department of Labor and Industry will be sure to notify any Requester for a code interpretation that if they are not satisfied with the interpretation, a request for final interpretation may be given to the Code Interpretation Committee.
  - ii. Dispersal of RFIs to Committee members. Parizek made a motion, seconded by Sullwold to have the RFIs dispersed to the Committee and Board members two weeks in advance of the next committee meeting. The vote was unanimous and the motion passed. Chair Gander did not vote.
  - iii. Minimum required supporting documentation for RFI (e.g. standards.) There was a consensus of the Committee that requirements won’t be set until an RFI form is produced before making recommendations and referring it to the Committee electronically.

- iv. Staff review of RFIs. A consensus was made that DLI staff will have two weeks to review the RFI before making recommendations and referring it to the Committee electronically.
- v. Public access to submittals. RFIs should be assigned an RFI file number and be posted to the Board or Committee website. It will be researched whether it would be possible to do a search by section of code.
- vi. Notification to RFI submitter of time of review. It was decided that when the RFI is going to be discussed at a Committee meeting, as much advance notification time will be given to the Submitter as possible.
- vii. Amount of time allotted for Committee meeting for each RFI. It was decided that the time allotted at the assigned Committee meeting on RFI presentations will be 5 minutes. It was also suggested by Wendy Legge that comments shouldn't be limited to the involved parties, but rather any member of the public regarding their perspective on the interpretation. If the Final Interpretation by the Code Interpretation Committee is disputed, the Requester could appeal the Final Interpretation within 30 days, and it would then be forwarded to the Administrative Law Judge.
- viii. Opportunity for public comment on RFIs (written or at meetings.) It is not required to allow for public comment, but the Committee may choose to allow or disallow. There are no pending RFIs.
- ix. Information on webpage. DLI staff is to investigate how much information can be made available on the Board website.

#### **V. Open Forum**

There was no further open forum discussion.

#### **VI. Discussion**

No further discussion.

#### **VII. Announcements**

Next Regularly Scheduled Meetings: The Committee will meet on an "as needed" basis, based on when a Request For Interpretation comes in.

#### **XI. Adjournment**

A motion was made by Sullwold, seconded by Parizek to adjourn the meeting. The vote was unanimous and the motion passed. The Chair did not vote. The meeting adjourned at 2:43 p.m.

Respectfully Submitted,

*Jim Gander*  
Jim Gander