

# Meeting Minutes: Plumbing Board

Date: July 20, 2021  
Time: 9:30 a.m.  
Minutes by: Lyndy Logan  
Location: WebEx Event

## Members

1. Sam Arnold
2. Richard Becker (Secretary)
3. Kent Erickson
4. Mike Herman (Vice Chair)
5. Rick Jacobs (Chair)
6. Brad Jensen (DLI Commissioner's Designee)
7. Natasha Lawrence
8. Troy Seitz
9. Scott Stewart
10. Rick Wahlen
11. Shane Willis  
David Weum (MDH Commissioner's Designee)

## Members Absent

Michael Dryke  
Justin Parizek

## DLI Staff & Visitors

Suzanne Todnem (Gen. Counsel, DLI)  
Brittany Wysokinski (Gen. Counsel, DLI)  
Lyndy Logan (DLI)  
Charlie Durenberger (DLI)  
Kate Perushek (Asst. Commissioner, DLI)  
Scott Eggen (City of Minneapolis)  
Dean Gale (St. Paul Plumbers Local 34)  
Mike Johnson (J-Berd Mechanical)  
Kristen Ober (Housing First)  
Tom Pahkala (UA Plumbers Local 15)  
John Parizek  
Gary Schick (City of Rochester)  
Gary Thaden (NECA/MMCA/SMACNA)  
Scott Thompson (My Plumbing Training)

## 1. **Call to Order, Chair Presiding**

- A. The meeting was called to order by Chair Jacobs at 9:34 AM. Roll call was taken by Secretary Becker and a quorum was declared with 11 of 13 voting members, and one non-voting member, present via WebEx.
- B. Announcements – Introductions (members and attendees)
  - **Remote meeting statement:** Thank you for joining this remote meeting via WebEx. As the board chair, I have determined today's meeting is via the WebEx platform due to the COVID-19 pandemic. Per Minnesota Statutes, section 13D.021, of the Open Meeting Law, electronic meetings are acceptable when an in-person meeting is "not practical or prudent because of a health pandemic or an emergency declared under Chapter 12."
  - Board members and attendees present on this WebEx are able to hear all discussions.
  - All handouts discussed and WebEx instructions are posted on the Board's website at: <https://www.dli.mn.gov/about-department/boards-and-councils/plumbing-board>
  - All votes will be by roll call. WebEx instructions/procedures were read aloud.

## 2. **Approval of meeting agenda**

A motion was made by Herman, seconded by Becker, to approve the agenda as presented. The roll call vote was unanimous with 11 votes in favor; the motion carried.

## 3. **Approval of previous meeting minutes**

### A. Plumbing Board regular meeting – April 20, 2021

A motion was made by Wahlen, seconded by Herman, to approve the April 20, 2021, regular meeting minutes as presented. The roll call vote was unanimous with 10 votes in favor and one abstention (Becker); the motion carried.

### B. Plumbing Board special meeting – May 14, 2021

A motion was made by Becker, seconded by Herman, to approve the May 14, 2021, special meeting minutes as presented. The roll call vote was unanimous with 11 votes in favor; the motion carried.

## 4. **Regular Business**

Approval of expense reports – Jacobs approved.

## 5. **Special Business**

### A. **Legislation Update – Assistant Commissioner Kate Perushek**

Special Session Laws: Jobs/Labor Omnibus [SF9/Ch10](#)

- Construction Codes Advisory Council (CCAC) membership: Requires appointees to have expertise in their industry/occupation. The new legislation adds an energy member and an accessibility member to the CCAC.
- Contractor Recovery Fund changes: Increases the frequency of payouts from the Contractor Recovery Fund and the amount of funds available to homeowners who have suffered a financial loss due to a licensed contractor's fraudulent, deceptive, or dishonest practices. It provides for two yearly payouts instead of one and raises the maximum payout limit for each licensed residential building contractor (licensee) from \$300,000 to \$550,000. The law also prohibits spending or transfers from the fund outside of its statutory purposes. (SF419 Eichorn/HF762 Mekeland)
- Fee reductions for the construction trades: Extends current fee reductions for licenses, building permits and plan review services; DLI is able to keep fees low and in line with the cost of providing licensing services due to technology improvements. The law will save the construction industry \$4.5 million in FY22 and 23.
- Sprinklers in existing public housing buildings: Certain existing public housing buildings must install automatic sprinkler systems that comply with the State Fire Code and State Building Code and be fully operational by August 1, 2033. (HF109 Noor/SF155 Dziedzic)

- Rural event venues (e.g., wedding barns): Places of public accommodation now defined as buildings with occupancy of 100 or more instead of 200 or more; sprinklers are now required in places of public accommodation, including rural event venues and wedding barns, at 300 occupancy or more instead of 100. This change will provide clarity and consistency for the industry and remove an economic hardship without compromising public safety. (SF524 Housley/HF1015 Marquart)
- Continuing education requirements for certified building officials: Certified building officials will now be required to take 35 hours of continuing education in a two-year period instead of 38 hours. (SF1756 Howe/HF2060 Mekeland)
- Window-fall prevention devices: Window-fall prevention devices are not required to be installed in one- and two-family dwellings and townhouses when the lowest part of the window opening is a minimum of 24 inches above the interior floor or 72 inches from the exterior ground below, aligning with national model standards. (Article 2 Section 4; HF1496 Fischer/SF802 Koran)
- Building-specific waivers: Commissioner may issue building-specific waivers from the State Building Code for traditional residential buildings, meetinghouses, and one-room educational buildings when the code requirements conflict with a federally recognized Tribe's religious beliefs, traditional building practices, or established teachings. State fire marshal similarly may grant waivers from the State Fire Code for the same reasons. Commissioner must develop an application form. Commissioner has received one application. (Article 2 Sections 17 and 19; HF1042 Keeler/SF1087 Lang)
- Plumbing license exemption for work on certain commercial equipment: The law provides an exemption from licensing requirements for certain individuals servicing or installing a commercial chemical dispensing system or servicing or replacing a commercial dishwashing machine. Provides for training, insurance, and ensures the devices include integral backflow prevention. (SF1972 Rarick/HF2155 Baker; SF226 Rarick)

**B. Enforcement & Licensing update**

- Charlie Durenberger, CCLD Assistant Director, Manager of Enforcement and Licensing, gave an update – see **Attachment A**.
- Plumbing Enforcement Actions can be found on DLI's website at: <http://www.dli.mn.gov/business/plumbing-contractors/plumbing-enforcement-actions>

**C. Department Updates**

- Brad Jensen said plumbing inspectors have been very busy statewide.
- Todnem noted that Jim Lungstrom retired from the department (former Board member).

D. **Chapter 4714 rulemaking update – Suzanne Todnem**

- Per Board’s authorization at the 5/14/2021 meeting, the chair initiated good cause exempt rulemaking. It was not approved so a regular, non-hearing rulemaking addressing the same corrections has been initiated. The Request for Comments for the new regular rulemaking was published in the State Register on 7/19/21. The hope is to get this done as quickly as possible to have the effective date as close to Dec. 17, 2021, as possible to coordinate with the large rulemaking adopted on March 22, 2021. A new attorney at DLI, Brittany Wysokinski, will be taking the lead on the new rulemaking.
- The Minnesota Plumbing Code book that combines the base model code (2018 UPC) and the Minnesota amendments is due out this week. You can check the IAPMO website, [DLI website](#), and we will send an email with a link when it becomes available.

E. **Officer elections** (*Turn meeting over to Commissioner’s Designee*)

- **Board Chair**  
Mike Herman nominated Rick Jacobs. The roll call vote was unanimous with 11 votes in favor; Jacobs was re-elected as Chair.
- **Board Vice Chair**  
Rick Jacobs nominated Mike Herman for Vice Chair. The roll call vote was unanimous with 10 votes in favor and one abstention (Herman); Herman was re-elected as Vice Chair.
- **Board Secretary**  
Rick Jacobs nominated Richard Becker for Secretary. The roll call vote was unanimous with 10 votes in favor and one abstention (Becker); Becker was re-elected as Secretary.

*(Turn meeting over to Board Chair)*

6. **Committee Reports**

- A. Construction Codes Advisory Council (CCAC) – Mike Herman (rep) / Richard Becker (alt). The last CCAC meeting was held on May 27, 2021 – the presentation can be found at <http://www.dli.mn.gov/sites/default/files/pdf/ccac-presentation0521.pdf>. Herman provided an update to the CCAC about the 2020 Minnesota Plumbing Code.

7. **Complaints**

Nothing to report

8. **Open Forum**

No requests to address the Board

9. **Correspondence**

None

10. **Board Discussion**

No discussion

**11. Announcements**

Next regularly scheduled meeting in 2021, 9:30 a.m., in-person or via WebEx TBD

- October 19, 2021

**12. Adjournment**

A motion was made by Herman, seconded by Wahlen, to adjourn the meeting at 10:25 a.m. The roll call vote was unanimous with 11 votes in favor of the motion; the motion passed.

Respectfully submitted,

*Richard Becker*

Richard Becker

Secretary

**Green meeting practices**

The State of Minnesota is committed to minimizing in-person environmental impacts by following green meeting practices. DLI is minimizing the environmental impact of its events by following green meeting practices. DLI encourages you to use electronic copies of handouts or to print them on 100% post-consumer processed chlorine-free paper, double-sided.