

**NORTH DAKOTA STATE PLUMBING BOARD
MEETING MINUTES
February 14, 2023**

The North Dakota State Plumbing Board met on February 14, 2023 at 1:00 p.m., at the Bank of North Dakota, 1200 Memorial Highway, Room 201 – Leadership Hall, Bismarck, ND. President Heather Jones presided.

Board members present were David Bruschwein – Department of Environmental Quality, Caleb Bulow – Professional Engineer, Jason Dirk – Journeyman Plumber, Heather Jones – Consumer Member, and Luke Tillema – Master Plumber.

Staff members present were Brent Beechie – Executive Director/Chief Inspector, Kimberley Tomanek – Business Manager, and Scott Samuelson – Inspector.

Also present were Leonard Schwindt – City of Dickinson and Jordan Singer – City of Mandan.

MINUTES

President Jones called for the consideration of the minutes of the September 22, 2022 board meeting.

MOTION: Mr. Bruschwein made a motion to approve the minutes of the September 22, 2022 meeting as received. Mr. Dirk seconded the motion and it was unanimously approved with board members Bruschwein, Bulow, Dirk, Tillema, and Jones voting in favor.

YEAR-TO-DATE FINANCIAL STATEMENTS AND BUDGET

President Jones called on Ms. Tomanek to review the financial statements and budget.

Ms. Tomanek reviewed the financial statements and budget.

MOTION: Mr. Bruschwein made a motion to approve the financial statements and amended budget as presented. Mr. Tillema seconded the motion and it was unanimously approved with board members Bruschwein, Bulow, Dirk, Tillema, and Jones voting in favor.

UNFINISHED BUSINESS

Apprentice Plumber License Application

President Jones called on Mr. Beechie to talk about the Apprentice Plumber Application.

Mr. Beechie stated that Derek Fredericksen's Apprentice Plumber Application was received on August 8th, which indicated that he was convicted of a felony count of Terrorizing Adult Victim Domestic Violence. He said a letter was mailed to Mr. Fredericksen and his employer Bradley Fredericksen at ASAP Plumbing & Remodeling, requesting an explanation of the Terrorizing conviction in 2020, as well as the convictions of Aggravated Assault – Domestic Violence in 2017 and Child Neglect in 2019. Mr. Beechie indicated that Mr. Fredericksen provided copies of all of the case charges for each conviction and a letter of support from Mr. Fredericksen's probation officer, which indicates that the term of probation ends on December 2022. He went on to say that a letter was also received from the Domestic Violence & Abuse Center, Inc. stating that Mr. Fredericksen completed a Men's Non-Violence Program. At the meeting in September 2022, the Board tabled the Apprentice Plumber Application to the February 2023 meeting to allow Mr. Fredericksen time to submit a letter of support from his employer. Mr. Beechie ended by saying that a letter of support was received from Mr. Fredericksen's employer on January 25, 2023.

There was some discussion among the board members about the application.

MOTION: Mr. Bulow made a motion to issue a 1st Year Apprentice Plumber license, with the condition that any future criminal offenses be reported by the applicant and employer to the North Dakota State Plumbing Board. Mr. Tillema seconded the motion and it was unanimously approved with board members Bruschwein, Bulow, Dirk, Tillema, and Jones voting in favor.

NEW BUSINESS

Apprentice Plumber License Application

President Jones called on Ms. Tomanek to discuss the Apprentice Plumber Application.

Ms. Tomanek said that Wallis Gonseh's 1st year Apprentice Plumber application was received on October 11, 2022, which indicated that he was convicted of Sexual Imposition in 2018. She explained that a letter was mailed and emailed to Mr. Gonseh and his employer requesting a letter of explanation and letters of support from his employer, and his parole officer. Ms. Tomanek shared that Mr. Gonseh provided an emailed explanation and more details during a telephone conversation. Mr. Gonseh explained that he spent 36 months in jail, completed treatment, and was released in 2020 and will be on probation until 2023. She concluded by saying that letters of support were received from Peterson Mechanical and North Dakota Probation and Parole.

There was some discussion among the board members about the application.

MOTION: Mr. Dirk made a motion to issue a 1st Year Apprentice Plumber license, with the condition any future criminal offenses be reported by the applicant, employer, and probation officer to the North Dakota State Plumbing Board.

Mr. Tillema questioned if the motion included a timeframe for offenses to be reported.

MOTION: Mr. Dirk amended the motion to issue a 1st Year Apprentice Plumber license, with the condition any future criminal offenses be reported by the applicant, employer, and probation officer to the North Dakota State Plumbing Board; and Mr. Gonseh must not be charged or convicted of any further criminal offenses for at least five years. Mr. Tillema seconded the motion and it was unanimously approved with board members Bruschwein, Bulow, Dirk, Tillema, and Jones voting in favor.

Approval of New Applications and License Renewals

President Jones called on Ms. Tomanek to go over the list of new applications and license renewals.

Ms. Tomanek said that the first list contains new licenses that have been issued between September 1, 2022 and January 31, 2023 and the second list contains licenses that have been renewed between September 1, 2022 and January 31, 2023.

MOTION: Mr. Tillema made a motion to approve the new applications and license renewals between September 1, 2022 and January 31, 2023. Mr. Bruschwein seconded the motion and it was unanimously approved with board members Bruschwein, Bulow, Dirk, Tillema, and Jones voting in favor.

Certificates of Deposit

President Jones called on Ms. Tomanek to review the Certificates of Deposit.

Ms. Tomanek stated that one CD at Edward Jones Investments in the amount of \$100,000 at 4.55%, which expires in October 2023. The other CD is at First Western Bank & Trust in the amount of \$100,000 at .45%, which matures on February 23rd. She requested direction on how the Board would like to proceed with the funds from the CD maturing on February 23, 2023.

MOTION: Mr. Bruschwein made a motion to reinvest \$100,000 at the banking institution that offers the best return on the investment. Mr. Dirk seconded

the motion and it was unanimously approved with board members Bruschwein, Bulow, Dirk, Tillema, and Jones voting in favor.

Reciprocity Consideration with the Texas Board of Plumbing Examiners

President Jones called on Mr. Beechie to talk about reciprocity consideration with the Texas Board of Plumbing Examiners.

Mr. Beechie stated that the office received a letter from the Texas State Board of Plumbing Examiners to invite the North Dakota State Plumbing Board to consider reciprocity for journeyman plumber license holders. He continued by saying that Texas has reciprocity with Louisiana and Arkansas and would like to reciprocate with more states. Mr. Beechie explained that to be eligible to take the journeyman exam in Texas, the applicant must complete 8,000 hours of on-the-job training under the supervision of licensed plumbers and North Dakota's requirement is 7,600 apprentice hours and four years working for a licensed Master Plumber. Mr. Beechie requested direction on how the Board would like to proceed with the reciprocity consideration with the Texas Board of Plumbing Examiners.

There was some discussion among the board members and staff about the reciprocity consideration. The general consensus of the Board is proceeding with the conversations, while ensuring the proper oversight for the plumbers.

MOTION: Mr. Bulow made a motion to proceed with the reciprocity conversations with the Texas State Board of Plumbing Examiners. Mr. Tillema seconded the motion and it was unanimously approved with board members Bruschwein, Bulow, Dirk, Tillema, and Jones voting in favor.

Proposed Policy of Limiting Communication from Licensees

President Jones called on Ms. Tomanek to discuss the Proposed Policy of Limiting Communication from Licensees.

Ms. Tomanek indicated that the proposed policy is a result of a licensee who has repeatedly treated staff in an inappropriate and threatening manner. She said that the policy would create steps that the Board and staff could take to protect staff from being subjected to repeated rude, profane and vulgar language, and threatening language or behaviors. Ms. Tomanek ended by saying that she worked with the Governor's Office and the Attorney General's Office to create the proposed policy.

MOTION: Mr. Tillema made a motion to approve the proposed policy as presented. The motion failed for lack of a second.

There was some discussion among the board members and staff about the proposed policy. It was the general consensus of the Board for staff to continue to work with the Attorney General's Office in order to create a thorough policy.

MOTION: Mr. Tillema made a motion for staff to continue to work with the Attorney General's Office in order create a thorough policy. Mr. Bulow seconded the motion and it was unanimously approved with board members Bruschwein, Bulow, Dirk, Tillema, and Jones voting in favor.

REPORTS

Board Terms

President Jones called on Ms. Tomanek to go over Board Terms.

Ms. Tomanek stated that Mr. Bulow was appointed in July 2022 and his appointment expires in June 2026, Mr. Dirk's appointment expires in June 2025, and Mr. Tillema's appointment expires in June 2024. She added that Ms. Jones appointment is next to expire in June 2023. An application for reappointment or any applications for appointment must be submitted to the Office of the Governor through the online application process.

Content Management System Update

President Jones called on Ms. Tomanek to discuss the Content Management and Website.

Ms. Tomanek indicated that the Content Management System (CMS) and Website deployed on April 22, 2022. The final step in the project was the switch for credit card vendors from Stripe to Paymentus was completed in September. She went on to say that because Paymentus was the hold up on finishing the project and caused an \$1,800 change request with Prominent, Paymentus, through JP Morgan Chase reimbursed the Board for the \$1,800. Ms. Tomanek explained that JP Morgan Chase is the State's credit card vendor and Paymentus is the vendor they chose to accept credit card payments for the State of ND. She ended by saying the final step in the CMS and Website project is the finalization of the Maintenance Service Agreement with Prominent.

Professional Licensing Board Training Seminar

President Jones called on Ms. Tomanek to talk about the Professional Licensing Board Training Seminar.

Ms. Tomanek said that the Office of Attorney General conducted an orientation and training seminar for North Dakota Professional Licensing Board members, legal counsel and office staff on October 5, 2022. The training was beneficial.

Legislative Updates

President Jones called on Mr. Beechie to review the Legislative Updates.

Mr. Beechie reviewed a few bills that are being followed this session, but he does not anticipate having to testify, unless the Board instructs him to do so.

Inspectors and Attendees from Local Jurisdictions

President Jones called on Leonard Schwindt – City of Dickinson, Jordan Singer – City of Mandan, and Scott Samuelson & Brent Beechie – North Dakota State Plumbing Board to report on work or any plumbing issues within their jurisdictions. A brief discussion was held and President Jones thanked the inspectors and attendees.

ANNOUNCEMENTS

Summer Board Meeting

President Jones announced the next board meeting will be held on June 27, 2023 at 1:00 p.m., at the Bank of North Dakota.

ADJOURNMENT

The meeting adjourned at 2:35 p.m., to meet again in June 2023 for a regular meeting.

Attest Kimberly Tompsett

Professional Engineer

D. J. Bur
Department of Environmental
Quality

[Signature]
Master Plumber

Journeyman Plumber

[Signature]
Consumer Member