

**NORTH DAKOTA STATE PLUMBING BOARD
MEETING MINUTES
October 20, 2020**

The North Dakota State Plumbing Board met on October 20, 2020 at 1:00 p.m., at the North Dakota Heritage Center, 612 E Boulevard, Bismarck, ND. President Heather Jones presided.

Board members present were David Bruschwein – Department of Environmental Quality, Jason Dirk – Journeyman Plumber, Dean Eman – Master Plumber, Jim Fristad – Mechanical Engineer (via Zoom) and Heather Jones – Consumer Member.

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

Also present were Allyson Hicks – North Dakota Attorney General’s Office, Ryan Meisch - North Dakota State College of Science and Allen Inlow – International Association of Plumbing and Mechanical Officials (IAPMO) (via Zoom).

MINUTES

President Jones called for the consideration of the minutes of the June 30, 2020 board meeting.

Mr. Bruschwein pointed out three typos on pages 2 and 3. The first two change Bruhschwein to Bruschwein and the third changes incarnated to incarcerated.

MOTION: Mr. Bruschwein made a motion to approve the minutes of the February 6, 2020 meeting as revised. Mr. Eman seconded the motion and it was unanimously approved with board members Bruschwein, Dirk, Eman, Fristad and Jones voting in favor.

YEAR-TO-DATE FINANCIAL STATEMENTS AND BUDGET

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

Ms. Tomanek reviewed the financial statements and budget.

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

NEW BUSINESS

Clarification of NDCC 43-18-13. License - How Obtained – Fee and Clarification of 43-18-17. Renewal of license – Fee

President Jones called on Mr. Beechie to discuss Clarification of NDCC 43-18-13. License - How Obtained – Fee and Clarification of 43-18-17. Renewal of license – Fee.

Mr. Beechie explained that Chapter 43 of the North Dakota Century Code relates to plumbers and that any proposed amendments to Chapter 43 must go through legislation. He went on to say that 43-18-13 License – How Obtained – Fee appears to have been misinterpreted for many years and was discovered when conversations were had with Allyson Hicks from the Attorney General's Office, while discussing the proposed bill draft. Currently, the license fee for a master plumber is \$165.00 per year and the master plumber exam, late or application fee is \$35.00, but no more than \$200.00 is paid by one licensee per calendar year. Mr. Beechie said that the license fee for a journeyman plumber is \$75.00 per year and the journeyman plumber exam, late or application fee is \$25.00, but no more than \$100.00 is paid by one licensee per calendar year. It appears that the Board can charge up to \$200.00 for a master plumber examination fee and \$100.00 for a journeyman plumber examination fee. He added that it also appears that the Board can also charge up to \$200.00 for a master plumber license renewal fee and \$100.00 for a journeyman plumber license renewal fee. Mr. Beechie concluded by saying that NDCC 43-18-13 sets the fees for examinations and NDCC 43-18-17 sets the fees for license renewals.

Ms. Hicks added that the Board already has the authority in 43-18-13 to set examination fees for master plumbers up to \$200.00 and journeyman plumbers up to \$100.00. The Board also has the authority in 43-18-17 to set license renewal fees for a master plumber up to \$200.00 and up to \$100.00 for a journeyman plumber. She continued by saying that the century code does not currently address application fees or late fees, which is what the proposed bill would do. Ms. Hicks stated that most boards and commissions have the authority to charge administrative fees under the section called duties of the board. She went on to say that the examination and license renewal fee amounts can be set by Board motion and the new fees would be effective January 1 of the following year. Ms. Hicks ended by saying that if the proposed bill is passed, then the Board can set the fee amounts for application and late renewals and change Mr. Beechie's title through Administrative Rules.

There was some discussion among the board members and Ms. Hicks about NDCC 43-18-13 and 43-18-17.

Proposed Bill for Chief Inspector Title Change and Administrative Fees (Late and Application Fees)

President Jones called on Mr. Beechie to present the proposed Bill for Chief Inspector Title Change and Administrative Fees (Late and Application Fees).

Mr. Beechie stated that the proposed bill would change some of the current language pertaining to staff positions because it is antiquated, change the job title from Chief Inspector to Executive Director, and would remove the requirement that the Secretary or Executive Director has to be a

licensed plumber. He said that it would also remove the requirement for the board office to be located at the state capital. Mr. Beechie explained that presently the licensure fees that pertain to plumbers are application fees, license or renewal fees, examination fees and late fees. The proposed amendments relating to licensure fees would clarify and provide consistency for each fee type, while setting a maximum allowable amount for application fees and late fees. License or renewal fees and examination fees have already been established by the limits in Chapter 43-18.

There was a brief discussion among the board members about the proposed bill.

MOTION: Mr. Bruschwein made a motion to approve the proposed bill as presented. Mr. Fristad seconded the motion and it was unanimously approved with board members Bruschwein, Dirk, Eman, Fristad and Jones voting in favor.

Proposed License Fee Increase

President Jones called on Mr. Beechie go over the proposed license fee increase.

Mr. Beechie said that if license fees for master plumbers were increased from \$165.00 to \$200.00 per year and license fees for journeyman plumbers were increased from \$75.00 to \$100.00 per year, the increase would create an additional revenue of \$43,335.00 to help offset the deficit the Board has been experiencing for several years.

MOTION: Mr. Eman made a motion to increase the master plumber license fee to \$200.00 per year and the journeyman plumber license fee to \$100.00 per year. Mr. Dirk seconded the motion and it was unanimously approved with board members Bruschwein, Dirk, Eman, Fristad and Jones voting in favor.

Approval of New Applications and License Renewals

President Jones called on Ms. Tomanek review the list of new application and license renewals.

Ms. Tomanek indicated that the first list contains licenses that have been issued between June 1, 2020 and September 30, 2020 and the second list contains licenses that have been renewed between June 1, 2020 and September 30, 2020.

MOTION: Mr. Dirk made a motion to approve the new applications and license renewals between June 1, 2020 and September 30, 2020. Mr. Bruschwein seconded the motion and it was unanimously approved with board members Bruschwein, Dirk, Eman, Fristad and Jones voting in favor.

IAPMO Online Continuing Education Courses

President Jones called on Mr. Beechie to discuss the IAPMO Online Continuing Education Courses.

Mr. Beechie stated that IAPMO submitted a proposal to provide online continuing education for North Dakota plumbers that would cover Chapter 8, Chapter 10, Water Heater Inspections or

Backflow Prevention for Chemical Dispensers and Kitchen Equipment from the 2018 Uniform Plumbing Code.

There was a brief discussion among the board members about the online continuing education proposal.

MOTION: Mr. Eman made a motion to approve IAPMOs proposal to provide online continuing education for Chapter 8, Chapter 10 Water Heater Inspections and Backflow Prevention for Chemical Dispensers and Kitchen Equipment from the 2018 Uniform Plumbing Code. Mr. Dirk seconded the motion and it was unanimously approved with board members Bruschwein, Dirk, Eman, Fristad and Jones voting in favor.

Travis Lorenz Continuing Education Courses

President Jones called on Mr. Beechie to review the Continuing Education Courses submitted by Travis Lorenz.

Mr. Beechie stated that Mr. Lorenz is requesting approval to teach in person continuing education courses to J-Berd Mechanical employees, which is located in Sauk Rapids, MN.

There was a brief discussion among the board members about the continuing education proposal.

MOTION: Mr. Dirk made a motion to deny the Continuing Education Courses submitted by Travis Lorenz. Mr. Fristad seconded the motion and it was unanimously approved with board members Bruschwein, Dirk, Eman, Fristad and Jones voting in favor.

Occupational Licensing Subcommittee Questionnaire

Allyson Hicks informed the Board that the Occupational Licensing Subcommittee disbanded and therefore the questionnaire does not need to be completed.

REPORTS

2020 North Dakota Continuing Education Sessions

President Jones called on Ms. Tomanek to talk about the 2020 North Dakota State Plumbing Board continuing education sessions.

Ms. Tomanek stated that the in-person sessions for Bismarck and Fargo that were rescheduled to October 2020 have been cancelled due to the pandemic. She added that the Continuing Education Correspondence Courses have been emailed and mailed to all Journeyman and Master plumbers who have not yet completed continuing education for 2020.

Certificates of Deposit

President Jones called on Ms. Tomanek to report on the certificates of deposit.

Ms. Tomanek stated that there is one CD at Horizon Financial Bank in the amount of \$100,000.00 that matures in February 2021 and the other two \$100,000.00 CDs at Plains Commerce Bank that mature in October 2021.

2021 Board Meeting Dates

President Jones called on Ms. Tomanek to discuss the 2021 board meeting dates.

Ms. Tomanek indicated that North Dakota Association of Plumbing Heating & Mechanical Contractors Convention has been scheduled for February 11 and 12, 2021 and the Association would like the Board to hold its meeting in conjunction with the convention. She ended by saying the June and October dates will be based on the availability of the Heritage Center meeting room and an email will be sent to the board members when the dates have been set.

(Secretary's Note: The North Dakota Association of Plumbing Heating & Mechanical Contractors Convention was later rescheduled to September 2021 due to the pandemic.)

Inspectors and Attendees from Local Jurisdictions

President Jones called on Ryan Meisch - North Dakota State College of Science and Scott Samuelson and 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

February Inspector and Board Meeting

President Jones announced the next board meeting will be held on February 11, 2021. An Inspector meeting may also be held.

ADJOURNMENT

MOTION: Mr. Bruschwein made a motion to adjourn the meeting. Mr. Eman seconded the motion and it was unanimously approved with board members Bruschwein, Dirk, Eman, Fristad and Jones voting in favor.

The meeting adjourned at 2:40 p.m., to meet again on February 11, 2021 for a regular meeting.

Attest Kimberly L. Tomasz

[Signature]
Mechanical Engineer

[Signature]
Department of Environmental
Quality

[Signature]
Master Plumber

[Signature]
Journeyman Plumber

[Signature]
Consumer Member