

**NORTH DAKOTA STATE PLUMBING BOARD
MEETING MINUTES
February 11, 2021**

The North Dakota State Plumbing Board met on February 11, 2021 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 was Chris Plante – City of Grand Forks and Jed Scheuermann – International Association of Plumbing and Mechanical Officials (IAPMO) (via Zoom).

MINUTES

President Jones called for the consideration of the minutes of the October 20, 2020 board meeting.

MOTION: Mr. Bruschwein made a motion to approve the minutes of the October 20, 2020 meeting as received. Mr. Dirk 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 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 budget as presented. Mr. Eman seconded the motion and it was unanimously approved with board members Bruschwein, Dirk, Eman, Fristad and Jones voting in favor.

NEW BUSINESS

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 indicated that the first list contains new licenses that have been issued between October 1, 2020 and January 31, 2021 and the second list contains licenses that have been renewed between October 1, 2020 and January 31, 2021.

MOTION: Mr. Eman made a motion to approve the new applications and license renewals between October 1, 2020 and January 31, 2021. Mr. Bruschwein seconded the motion and it was unanimously approved with board members Bruschwein, Dirk, Eman, Fristad and Jones voting in favor.

Certificates of Deposit

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

Ms. Tomanek stated that there are two CDs at Plains Commerce Bank, both in the amount of \$102,935.13. She continued by saying that there is also one CD at Horizon Financial Bank in the amount of \$100,000.00 that matures in February 2021 and requested direction on how the Board would like to proceed with the funds.

MOTION: Mr. Bruschwein made a motion to reinvest the funds at the banking institution that offers the best return on the investment. Mr. Eman seconded the motion and it was unanimously approved with board members Bruschwein, Dirk, Eman, Fristad and Jones voting in favor.

IAPMO Online Continuing Education Course

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

Mr. Beechie stated that IAPMO submitted a proposal to provide online continuing education for North Dakota plumbers that would cover Chapter 9 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 IAPMO's proposal to provide online continuing education for Chapter 9 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.

ROCKETCERT Online Continuing Education Courses

President Jones called on Mr. Beechie to present the ROCKETCERT Online Continuing Education Courses.

Mr. Beechie said that ROCKETCERT submitted a proposal to provide two online continuing education courses for North Dakota plumbers that include North Dakota Industry Related Plumbing and North Dakota Code Updates.

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

MOTION: Mr. Eman made a motion to approve ROCKETCERTS' proposal to provide two online continuing education courses for North Dakota plumbers that include North

Dakota Industry Related Plumbing and North Dakota Code Updates. Mr. Dirk seconded the motion and it was unanimously approved with board members Bruschwein, Dirk, Eman, Fristad and Jones voting in favor.

Journeyman Plumber License Renewal

President Jones called on Ms. Tomanek to talk about the Journeyman Plumber license renewal.

Ms. Tomanek explained that Brent Flattum-Riemers was registered as an Apprentice Plumber in 2006 and was issued a Journeyman Plumber license in 2010. In 2018 Mr. Flattum-Reimers was charged with Gross Sexual Imposition – Sexual Act – Victim Unaware and in June of 2020 was convicted of the charges, which was reported on the 2021 renewal form. She went on to say that Mr. Flattum-Riemers is currently an inmate at the McKenzie County Correctional Facility and is scheduled for release on April 26, 2021. Ms. Tomanek ended by saying that included in the packet there is a letter from Mr. Flattum-Reimers; a letter of support from his employer, Manning Mechanical; and an email from his probation officer.

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

MOTION: Mr. Fristad made a motion to table the Journeyman Plumber license renewal item until the June board meeting and requested an updated status letter provided from the probation officer. Mr. Eman seconded the motion and it was unanimously approved with board members Bruschwein, Dirk, Eman, Fristad and Jones voting in favor.

Apprentice Plumber License Renewal

President Jones called on Ms. Tomanek to review the Apprentice Plumber license renewal.

Ms. Tomanek said that Kevin Garnica was registered as a 1st Year Apprentice 2012. He was last licensed as a 4th Year Apprentice in 2016 and it expired on December 31, 2016. She went on to say that the office received an application for a 5th Year Apprentice in December 2020 along with a felony explanation letter. Mr. Garnica was convicted of Theft in 2010; Conspiracy to Deliver a Controlled Substance, Possession of a Controlled Substance with the Intent to Deliver and Endangerment of a Child or Vulnerable Adult in 2014; Attempted Unlawful Entry into a Motor Vehicle and Possession of Drug Paraphernalia also in 2014; Possession of Cocaine and Possession of a Controlled Substance in 2020; and Reckless Endangerment also in 2020. Ms. Tomanek stated that a letter was mailed to Mr. Garnica and the employer listed on his application, Pfaff Plumbing, on December 28, 2020, requesting additional information that was not addressed in the letter from Mr. Garnica and any letters of support. She ended by saying the office has not received anything further from Mr. Garnica, but did receive a call from Pfaff Plumbing in January stating that Mr. Garnica was in jail. He has been at the Lake Region Correctional Center since January 13, 2021.

There was some discussion among the board members about the renewal application. It was the general consensus of the Board is that Mr. Garnica can reapply once he is released from jail.

MOTION: Mr. Dirk made a motion to deny the Apprentice Plumber license renewal. Mr. Fristad seconded the motion and it was unanimously approved with board members Bruschein, Dirk, Eman, Fristad and Jones voting in favor.

Apprentice Plumber Application

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

Ms. Tomanek stated that Travis Prebble is applying for a 1st Year Apprentice Plumber license and the application was received on November 16, 2020. Mr. Prebble indicated that he was convicted of a felony and provided an explanation through email. She said that he was convicted of Terrorizing Against an Adult in January of 2018. Ms. Tomanek concluded by saying that a letter from his probation officer was included in the packet.

There was a brief discussion among the board members about the application.

MOTION: Mr. Dirk made a motion to approve the Apprentice Plumber application with the condition that any future criminal offenses be reported by the employer and probation officer to the North Dakota State Plumbing Board. Mr. Bruschein seconded the motion and it was unanimously approved with board members Bruschein, Dirk, Eman, Fristad and Jones voting in favor.

House Bill 1183

President Jones called on Mr. Beechie to report on House Bill 1183.

Mr. Beechie said that House Bill 1183 is a Bill for an Act to create and enact a new section to chapter 23-35 and a new chapter to title 43 of the North Dakota Century Code, relating to requiring public health units to adopt the technical guide for onsite wastewater recycling treatment and the licensing of installers of onsite sewage treatment systems; to provide for application; and to provide a penalty. He went on to say that the bill was last heard at the Political Subdivisions Committee on February 4, 2021 and is still in committee. Mr. Beechie stated that it appears that the North Dakota State Plumbing Board will not be included in the bill and would like the Board's direction on how to testify if need be.

There was some discussion among the board members and staff about House Bill 1183.

MOTION: Mr. Eman made a motion to give Mr. Beechie the authority to testify against House Bill 1183 should there be an attempted inclusion of the North Dakota State Plumbing Board. Mr. Fristad seconded the motion and it was approved with board members Dirk, Eman, Fristad and Jones voting in favor. Board member Bruschein abstained from voting.

REPORTS

Legislative Updates

President Jones called on Mr. Beechie to discuss the legislative updates.

Mr. Beechie stated there are several bills that are being followed. The first is House Bill 1166 which is a bill for an Act to amend and reenact subsection 3 of section 15.1-13-17 and sections 15.1-13-17.1, 15.1-18-12, 43-51-11.1, and 43-51-11.2 of the North Dakota Century Code, relating to occupational licensing of foreign practitioners who are residents of the state; and to provide for a report to the legislative management. He went on to say that House Bill 1322 is bill for an Act to amend and reenact sections 28-32-14 and 28-32-17 and subsection 1 of section 28-32-18 of the North Dakota Century Code, relating to the attorney general's review of proposed administrative rules and the authority of the administrative rules committee to object or void and administrative rule. Mr. Beechie said that Senate bill 2051 is a bill for an Act to amend and reenact sections 43-18-04, 43-18-06, and 43-18-08 of the North Dakota Century Code, relating to employees of the state board of plumbing and fees for applications, examinations, renewals, and late renewals for plumbers. He ended by saying that Senate Bill 2052 is a bill for an Act to amend and reenact section 23.1-16-10 of the North Dakota Century Code, relating to boiler inspections.

Board Member Terms

President Jones called on Ms. Tomanek to review board member terms.

Ms. Tomanek indicated that Mr. Dirk's term expires on June 30, 2021 and he has indicated that he will apply for reappointment one more time. She added that Mr. Eman's term expires on June 30, 2024, but he has decided to resign from his appointment and his last meeting will be in June 2021.

Election of Officers

President Jones called on Ms. Tomanek to talk about election of officers.

Ms. Tomanek explained that since Mr. Eman is currently the Vice President, an election of officers will need to be held.

The general consensus of the Board is to wait until a new board member is appointed and attending meetings before an election of officers is held.

Inspectors and Attendees from Local Jurisdictions

President Jones called on Christ Plante – City of Grand Forks 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

June Board Meeting

President Jones announced the next board meeting will be held on June 29, 2021.

ADJOURNMENT

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

The meeting adjourned at 2:39 p.m., to meet again on June 29, 2021 for a regular meeting.

Attest Kimberly Tomance

Mechanical Engineer

D. J. B. M.

Department of Environmental
Quality

[Signature]

Master Plumber

[Signature]

Journeyman Plumber

[Signature]

Consumer Member