

**NORTH DAKOTA STATE PLUMBING BOARD**  
**MEETING MINUTES**  
February 16, 2017

The North Dakota State Plumbing Board met on February 16, 2017, at 1:15 p.m., in conjunction with the North Dakota Association of Plumbing, Heating and Mechanical Contractors Convention at the Bismarck Ramada, 1400 E Interstate Avenue, Bismarck, ND, Vice President Wayne Kern presided.

Board members present were Jason Dirk – Journeyman Plumber, Heather Jones – Consumer Member and Wayne Kern – Vice President/State Health Department.

Board members Lon Drevecky – President and Dean Eman – Master Plumber were absent.

Staff members present were Brent Beechie – Secretary/Chief Inspector, Kimberley Tomanek – Business Manager, Scott Samuelson – Plumbing Inspector, Dean Staska – Plumbing Inspector and Aaron Kasper – Plumbing Inspector.

Others present were Lon Lessard and Ivan Maas – North Dakota State College of Science (NDSCS), Chris Plante – City of Grand Forks, Jeff Klemetsrud – Klemetsrud Plumbing & Heating, Luke Tillema and Chad Finken – City of Minot, Travis Greff and Mark Thompson – H.A. Thompson & Sons, Jerry Hoffarth – Lunseth Plumbing & Heating, Mike Birrenkott – Lakeside Services, LLC – Dustin Hillman – City of Fargo, Clarence Kuntz – Mandan Northwest Pipe Fittings, Brady Blaskowski – City of Bismarck, John Cook – Ray Company, Mike Fitzgerald and Ken Slag – Western Steel & Plumbing.

**MINUTES**

Vice President Kern called for the consideration of the minutes of the October 5, 2016 meeting.

**MOTION:** Ms. Jones made a motion to approve the minutes of the October 5, 2016 meeting as received. Mr. Dirk seconded the motion and it was unanimously approved with board members Dirk, Jones and Kern voting in favor.

**YEAR-TO-DATE FINANCIAL STATEMENTS AND BUDGET**

Vice President Kern called on Ms. Tomanek to review the financial statements and the Fiscal Year-to-Date Budget.

Ms. Tomanek presented the financial statements and the Fiscal Year-to-Date Budget.

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

## **OLD BUSINESS**

### **Pipe Hangers and Supports**

Vice President Kern called on Mr. Beechie to discuss pipe hangers and supports.

Mr. Beechie said that the Cooper B-Line Vee Bottom Clevis Hanger; Plastic Pipe Support Channel; and Loop Hanger for Plastic Pipe are being used in the Minneapolis/St. Paul area mostly likely for flexible pipes. He continued by saying that a hanger is placed every ten feet as opposed to every four feet for PVC and CPVC, or every thirty two inches for PEX pipe. Mr. Beechie mentioned that he asked Ken Slag for information about the Cooper B-Line pipe hangers and supports.

Mr. Slag explained that other than the only specifications listed are Manufactures Standardization Society (MSS) and there have been no other testing done on it.

Mr. Beechie added that considering the tolerance and thickness of the material, it should be acceptable. He went on to say that the City of Grand Forks has seen the use of the Cooper B-Line hangers and supports in their jurisdiction. Mr. Beechie concluded by saying the Uniform Plumbing Code does not address it, but it could be approved under alternative materials and methods.

There was a brief discussion among the board members about the pipe hangers and supports.

**MOTION:** Mr. Dirk made a motion to approve the use of the Cooper B-Line Vee Bottom Clevis Hanger; Plastic Pipe Support Channel; and Loop Hanger for Plastic Pipe in the North Dakota State Plumbing Board's jurisdiction. Ms. Jones seconded the motion and it was unanimously approved with board members Dirk, Jones and Kern voting in favor.

### **Legislative Bills**

Vice President Kern called on Mr. Beechie to provide an update about the legislative bills.

Mr. Beechie reported that HB1113 was the bill that was introduced to allow the North Dakota State Plumbing Board to request criminal history background checks on applicants. The proposed bill was voted do-pass from the Industry, Business and Labor Committee, but failed to pass the House. He said that HB1114 was introduced to allow the Board to increase license fees for plumber and sewer and water licensure, however, it did not pass either. Mr. Beechie continued by saying that HB1160 was introduced so that the handful of licensed plumbers who also pump out septic tanks would not have to also pay the fee of \$100.00-150.00 through the State Department of Health for the septic tank licensure and passed the House. He went on to say that HB1327 was introduced to allow exemptions from inspections and permitting for home repairs performed by homeowners, which failed to pass the House. Mr. Beechie concluded by saying that HB1331 was introduced that would make the Board responsible for private sewage disposal system licensing and inspections in North Dakota and fortunately it failed to pass the House.

## **Content Management System**

Vice President Kern called on Ms. Tomanek to talk about the website/Content Management System (CMS).

Ms. Tomanek stated that at the last meeting she shared that Agency MABU has been working on website and Content Management System edits, updates and security fixes when they discovered that the plumber portion of the CMS was never completed. She said that she and Mr. Beechie met with the MABU team in August of 2016 to discuss the options for finishing the build out of the plumber portion of the CMS. Ms. Tomanek explained that Agency MABU estimated approximately 100 additional hours, all of which will not be billed to the North Dakota State Plumbing Board. She went on to say that as it turned out, it took Agency MABU 300 hours to finish the complete buildout of the Inspector and Plumber sites, all of which were not billed to the Board. Ms. Tomanek added that when all the sites were completed, she spent the week of February 6<sup>th</sup> testing all three sites to make sure they were working properly together. She indicated that the sites were well-built considering the two individuals working on the project do not understand the inner workings of the Board. She said that a list of necessary edits were sent to Agency MABU on February 10<sup>th</sup> and was told the additional edits would take approximately 75-80 hours to complete and asked if the Board would be willing to split the cost of the edit. It would be 40 hours at the state rate of \$81.12, which is a total of \$3,244.80. Ms. Tomanek ended by saying that without the final edits, the sites will not properly function and the estimated completion would be March 2017.

**MOTION:** Ms. Jones made a motion to approve the additional fee of \$3,244.80 for completion of the content management system edits. Mr. Dirk seconded the motion and it was unanimously approved with board members Dirk, Jones and Kern voting in favor.

## **NEW BUSINESS**

### **Certificates of Deposit (CD)**

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

Ms. Tomanek said that there are three CDs, each in the amount of \$100,000.00. Two of them are at Plains Commerce Bank and mature in June of 2017. The other one is at BlackRidge Bank and it matures in August of 2017. She then asked what the Board's wishes are when the two at Plains Commerce Bank mature on June 4<sup>th</sup>, 2017.

**MOTION:** Mr. Dirk made a motion to allow Ms. Tomanek and Mr. Beechie to seek out the financial institution that will provide the best interest rate and term to invest the \$200,000.00 from the two CDs maturing on June 4, 2017. Ms. Jones seconded the motion and it was unanimously approved with board members Dirk, Jones and Kern voting in favor.

## **License Renewal Forms**

Vice President Kern called on Ms. Tomanek to discuss license renewal forms.

Ms. Tomanek recommended that in lieu of being able to request criminal history background checks on applicants, that the same felony question that is on all of the applications be added to all renewal forms. The question reads: Have you been convicted of a felony under the laws of this state or any other jurisdiction? If so, please explain in-full on a separate sheet of paper.

**MOTION:** Ms. Jones made a motion to add the felony question to all renewal forms. Mr. Dirk seconded the motion and it was unanimously approved with board members Dirk, Jones and Kern voting in favor.

## **Open Meetings, Open Records and Meeting Procedures and Minutes**

Vice President Kern called on Ms. Tomanek to talk about Open Meetings, Open Records and Meeting Procedures and Minutes.

Ms. Tomanek explained that in October of 2016, she attended a very informative training session provided by the State. It was in regards to the historical significance and legal perspectives of meetings; Review of the North Dakota Century Code and Sunshine Laws; Understanding the meeting process according to Roberts Rule of Order; and deciphering what and what not to include in meeting minutes and the publication and distribution of meeting minutes. Ms. Tomanek indicated that the reason for bringing this information to the attention of the Board is because there are two things that the Board may want to consider. The first is that it is good practice to schedule and post board meeting dates on the website for the entire year. She continued by saying that the tentative dates could be scheduled at the fall meetings and could be changed if need be. Ms. Tomanek ended by saying the second item to consider is that it is also good practice to take roll call votes on all non-procedural items or items that include any discussion.

It was the general consensus of the Board to implement these two procedures.

## **Apprentice Plumber Applications**

Vice President Kern called on Ms. Tomanek to present the Apprentice Plumber applications.

Ms. Tomanek stated that an application for 1<sup>st</sup> Year Apprentice Plumber was received on January 23, 2017 from Mr. Knapp. He provided a letter of explanation listing two counts of Gross Sexual Imposition in 2016. Mr. Knapp is currently serving his five year sentence at the James River Corrections Center in Jamestown, where his work duty is commercial maintenance. His estimated release date is April of 2020. Mr. Knapp was also sentenced with five years of concurrent supervised probation. Also enclosed is information obtained from the North Dakota Courts Records Inquiry website.

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

**MOTION:** Mr. Dirk made a motion to deny the 1<sup>st</sup> Year Apprentice application for Mr. Knapp. Ms. Jones seconded the motion and it was unanimously approved with board members Dirk, Jones and Kern voting in favor.

The second application was received on November 18, 2016 from Mr. Bock. He provided a brief explanation listing a Principle to Forgery in 1997, Burglary and Conspiracy to Manufacture in 2003 and Possession in 2010, all of which occurred in Idaho. Mr. Bock served time for each offense before moving to Watford City last year. Enclosed are the case histories from the Idaho Supreme Court Data Repository. Mr. Bock has been working for Marv Feakes, the owner of Titanium Plumbing since August of 2016. Also enclosed is a letter of recommendation from Mr. Feakes.

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

**MOTION:** Mr. Jones made a motion to approve the 1<sup>st</sup> Year Apprentice application with the condition that if Mr. Bock is convicted of any further criminal offenses, his license will be reviewed by the Board, which could result in the revocation of his license. Mr. Dirk seconded the motion and it was unanimously approved with board members Dirk, Jones and Kern voting in favor.

A letter signed by President Drevecky will be mailed to Mr. Bock along with his license which will explain the condition with his licensure. Ms. Tomanek will perform a North Dakota Courts Record Inquiry every six months.

## **REPORTS**

### **Inspectors and Attendees from Local Jurisdictions**

Vice President Kern called on inspectors Mr. Staska, Mr. Samuelson, Mr. Kasper, Mr. Beechie – North Dakota State Plumbing Board, Lon Lessard and Ivan Maas – North Dakota State College of Science (NDSCS), Dustin Hillman – City of Fargo and Brady Blaskowski – City of Bismarck to report on work or any plumbing issues within their jurisdictions. A brief discussion was held and Vice President Kern thanked the attendees.

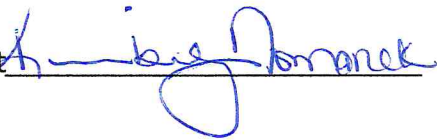
## **ANNOUNCEMENTS**

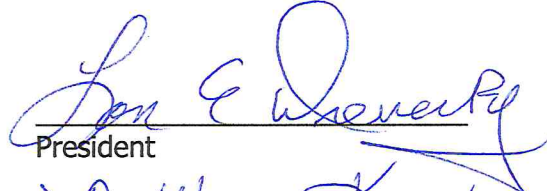
There will not be a summer inspector meeting.

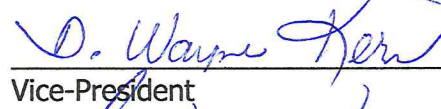
**ADJOURNMENT**

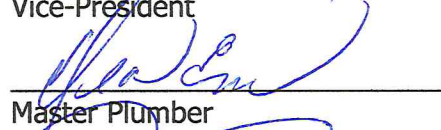
**MOTION:** Mr. Dirk made a motion to adjourn the meeting. Ms. Jones seconded the motion and it was unanimously approved with board members Dirk, Jones and Kern voting in favor.

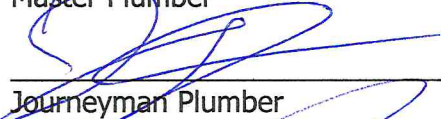
The meeting adjourned at 2:20 p.m., to meet again in May 2017 in Bismarck for a regular meeting.

Attest 

  
President

  
Vice-President

  
Master Plumber

  
Journeyman Plumber

  
Consumer Member