

**NORTH DAKOTA STATE PLUMBING BOARD**  
**MEETING MINUTES**  
February 20, 2014

The North Dakota State Plumbing Board met on February 20, 2014 at 1:10 p.m., in the Congress Room at the Ramada Hotel, 1400 East Interchange 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 Howard Wrigley – Master Plumber were absent.

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

Others present were Dean Staska – City of Fargo, Michael Marback – Advanced Mechanical, David Skarphol – RL Engebretson, David Romine – H.A. Thompson & Sons, Jay Cofell – Cofell's Plumbing, Brian Miller – HA Thompson & Sons, Ron Strand – City of Fargo, Greg Zenker – Ferguson Enterprises, Lon Lessard – North Dakota State School of Science, Logan Dockter – Local 300, Clarence Kuntz – Mandan Northwest Pipe, Mike Birrenkott – Lakeside Services, LLC, Brady Blaskowski – City of Bismarck, Jon Hanson – Precision Plumbing, Inc., Beau Koffler – Precision Plumbing, Inc., Brian Goodman – Northern Plumbing Supply, Colin King – Kingsway Marketing, Ray Ziegler – Burleigh County, Barry Schmidt – Western Steel & Plumbing, Mark Thompson – H.A. Thompson & Sons, Travis Greff – H.A. Thompson & Sons and Keith Johnson – Custer District Health.

**MINUTES**

Vice President Kern called for the consideration of the minutes of the October 8, 2013 meeting.

**MOTION:** Heather Jones made a motion to approve the minutes of the October 8, 2013 meeting as received. Jason 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 Fiscal Year to Date Budget.

Ms. Tomanek presented the Financial Statements and Fiscal Year to Date Budget.

**MOTION:** Heather Jones made a motion to approve the Financial Statements as presented. Jason Dirk seconded the motion and it was unanimously approved with board members Dirk, Jones and Kern.

## **NEW BUSINESS**

### **Plumbing Inspector Position**

Vice President Kern called on Mr. Beechie to discuss the Plumber Inspector position for eastern North Dakota.

Mr. Beechie explained that Ken Dahl will be retiring in June so there is a need to hire another inspector to cover that area. He went on to say that this position has traditionally been a part-time temporary position but it would be reasonable to consider a making it a full-time position. Mr. Beechie added that the position will be advertised on Job Service North Dakota and will be mentioned at the continuing education sessions in March.

The board members discussed setting up a screening committee, an interview committee, proposed inspector districts and whether or not to make the position a full-time permanent position.

**MOTION:** Heather Jones made a motion to hire a full-time permanent Plumbing Inspector for eastern North Dakota. Jason Dirk seconded the motion and it was unanimously approved with board members Dirk, Jones and Kern voting in favor.

### **Custer District Health**

Vice President Kern called on Mr. Johnson from Custer District Health to discuss private sewage disposal.

Mr. Johnson explained that after the Leith situation, it has become apparent that there are some things that need to be addressed. The first is the provision of water and sewer to a house. He went on to say that Custer District Health had been taking the intent language from Interpretative Rules section of the North Dakota Rules and Regulations 62-03.1-01 and 62-03.1-03 and have been using it as law. Mr. Johnson said that in 2010 the intent language was repealed, perhaps being redundant because it was covered later in the code. He continued by saying that in working with the Custer Health District attorney, it was discovered that redundancy may not be the case and that was probably the only part of the plumbing code that required a residence be served with water and sewer. Mr. Johnson added that if a property is not in a city where the building code requires a residence be served with sewer and water, there really is not language in place that requires a residence to have it. He indicated that Custer Health District would like to see the language added back in. Mr. Johnson said that the second item pertains to whether or not the North Dakota State Plumbing Board has the authority to delegate administrative authority to the local health units for onsite sewer. Custer District Health's attorney has not found a place in



the century code where the North Dakota State Plumbing has that authority, but there must have been some sort of legal review done at one point because the North Dakota State Plumbing Board has administrative rules authorizing it. He concluded by saying that Custer Health would like to have that administrative authority in their jurisdiction.

Vice President Kern responded by saying that as for the administrative authority for onsite sewer, some historical research will have to be done to see which law authority the administrative code came from that defines administrative authority to include local public health units. He added that whenever that was done, it must have been felt that sufficient authority existed so that definition could stand, but the definition at this time is quite broad but includes the local health units. Vice President Kern ended by saying that as far as the interpretive rules, the North Dakota State Plumbing Board can look at the interpretative rules and if there portions that are not covered in the rest of the code and are needed for various reasons, it can be considered to add them back in.

Mr. Beechie said staff will review these items and look at adding the interpretative rules back into the administrative code and will work with Mr. Johnson on defining who has authority over onsite sewage systems.

## **REPORTS**

### **Website/Content Management System**

Vice President Kern called on Ms. Tomanek to provide an update about the Website/Content Management System.

Ms. Tomanek indicated that she has been working with TodayMade on the website and the content management system. She said that the content on the website is almost complete and the content management system should be ready to test in March and will be launched in the summer of 2014. Ms. Tomanek then presented the new website and explained where information can be found and the new features that plumbers will be able to utilize.

### **Inspectors from Local Jurisdictions**

Vice President Kern called on attendees, Mr. Dahl – North Dakota State Plumbing Board, Mr. Samuelson – North Dakota State Plumbing Board, Mr. Staska – City of Fargo, Brady Blaskowski – City of Bismarck, Ray Ziegler – Burleigh County and Lon Lessard – North Dakota State College of Science to report on plumbing issues and work within their jurisdictions. Mr. Kern thanked the attendees.

## **ANNOUNCEMENTS**

Immediately following the meeting, there will be a round table discussion about lead free and mechanical licensure.

**ADJOURNMENT**

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

The meeting adjourned at 2:03 p.m., to meet again in June 2014.

Attest *Kimberly Tomarek*

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President

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Vice-President

*D. Wayne Kern*  
Master Plumber

*[Signature]*  
Journeyman Plumber

*[Signature]*  
Consumer Member