

**NORTH DAKOTA STATE PLUMBING BOARD  
MEETING MINUTES  
October 5, 2016**

The North Dakota State Plumbing Board met on October 5, 2016, at 1:00 p.m., at the Bank of North Dakota, 1200 Memorial Highway, Room 201 - Leadership Hall, Bismarck, ND, President Lon Drevecky presided.

Board members present were Jason Dirk – Journeyman Plumber, Lon Drevecky – President/Mechanical Engineer and Dean Eman – Master Plumber.

Board members Wayne Kern – Vice President/State Health Department and Heather Jones – Consumer Member were absent.

Staff members present were Brent Beechie – Secretary/Chief Inspector, Kimberley Tomanek – Business Manager, Laurie Walcker – Administrative Assistant, Scott Samuelson – Plumbing Inspector, Dean Staska – Plumbing Inspector, Aaron Kasper – Plumbing Inspector and Ken Dahl – Contract Plumbing Inspector.

Others present were Jim Thorpe – City of Dickinson, Luke Tillema and Darrell Zaback – City of Minot, Dustin Hillman – City of Fargo, Michael Marback – Advanced Mechanical and Matthew Marciniak – International Association of Plumbing and Mechanical Officials (IAPMO).

**MINUTES**

President Drevecky called for the consideration of the minutes of the June 15, 2016 meeting.

**MOTION:** Mr. Dirk made a motion to approve the minutes of the June 15, 2016 meeting as received. Mr. Eman seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

President Drevecky called for the consideration of the minutes of the July 6, 2016 special meeting.

**MOTION:** Mr. Dirk made a motion to approve the minutes of the July 6, 2016 special meeting as received. Mr. Eman seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

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

President Drevecky 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. Eman made a motion to approve the financial statements as presented. Mr. Dirk seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

## **OLD BUSINESS**

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

President Drevecky called on Ms. Tomanek to discuss the Certificates of Deposit.

Ms. Tomanek stated that there are currently three CDs, two at Plains Commerce Bank that mature in June of 2017 and one at BlackRidge Bank that matures in August of 2017.

### **Background Checks**

President Drevecky called on Mr. Beechie to provide an update about background checks.

Mr. Beechie explained that Mr. Edward Erickson has drafted a proposed bill on behalf of the Board for criminal history background checks that will be presented during the 2017 legislative session. Final drafts will be forwarded to board members before the session starts.

### **License Fees**

President Drevecky called on Mr. Beechie to talk about license fees.

Mr. Beechie explained that at the July 6, 2016 board meeting, it was decided fees would be increased and Ms. Tomanek would provide a detailed spreadsheet with fee options and the decided upon amounts will be included in the proposed bill that Mr. Erickson has drafted. He went on to say that eight options and caps for licenses fees, exam fees and late fees have been provided in the spreadsheet.

There was some discussion between the board members about what would be reasonable license, exam and late fees and fee caps for plumbers and sewer and water individuals.

**MOTION:** Mr. Dirk made a motion to raise the master plumber license fee to \$225.00; journeyman plumber license fee to \$125.00; 5<sup>th</sup> year apprentice plumber license fee to \$125.00; 4<sup>th</sup> year apprentice plumber license fee to \$70.00; 3<sup>rd</sup> year apprentice plumber license fee to \$60.00; 2<sup>nd</sup> year apprentice plumber license fee to \$50.00; and 1<sup>st</sup> year apprentice plumber license fee to \$40.00. Mr. Eman seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

**MOTION:** Mr. Eman made a motion to set the caps for a master plumber license fee at \$325.00; journeyman plumber license fee at \$225.00; 5<sup>th</sup> year apprentice plumber license fee at \$225.00; 4<sup>th</sup> year apprentice plumber license fee at \$110.00; 3<sup>rd</sup> year apprentice plumber license fee at \$100.00; 2<sup>nd</sup> year apprentice plumber license fee at \$90.00; and 1<sup>st</sup> year apprentice plumber license fee at \$80.00. Mr. Dirk seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

**MOTION:** Mr. Eman made a motion to raise the sewer and water contractor license fee to \$200.00; sewer and water installer license fee to \$125.00; sewer and water apprentice over 3,400 hours license fee to \$125.00; and sewer and water apprentice under 3,400 hours license fee to \$100.00. Mr. Dirk seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

**MOTION:** Mr. Eman made a motion to set the caps for the sewer and water contractor license fee at \$300.00; sewer and water installer license fee at \$225.00; sewer and water apprentice over 3,400 hours license fee at \$225.00; and sewer and water apprentice under 3,400 hours license fee at \$200.00. Mr. Dirk seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

**MOTION:** Mr. Dirk made a motion to set the master plumber exam fee at \$45.00; and the journeyman plumber exam fee at \$35.00. Mr. Eman seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

**MOTION:** Mr. Dirk made a motion to set the master plumber exam fee cap at \$65.00; and the journeyman plumber exam fee cap at \$55.00. Mr. Eman seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

**MOTION:** Mr. Dirk made a motion to set the sewer and water contractor exam fee at \$45.00; and the sewer and water installer exam fee at \$35.00. Mr. Eman seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

**MOTION:** Mr. Dirk made a motion to set the sewer and water contractor exam fee cap at \$65.00; and the sewer and water installer exam fee cap at \$55.00. Mr. Eman seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

**MOTION:** Mr. Dirk made a motion to set the master plumber late fee at \$45.00; and the journeyman plumber late fee at \$35.00. Mr. Eman seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

**MOTION:** Mr. Dirk made a motion to set the master plumber late fee cap at \$65.00; and the journeyman plumber late fee cap at \$55.00. Mr. Eman seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

**MOTION:** Mr. Dirk made a motion to set the sewer and water contractor late fee at \$45.00; and the sewer and water installer late fee at \$35.00. Mr. Eman seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

**MOTION:** Mr. Dirk made a motion to set the sewer and water contractor late fee cap at \$65.00; and the sewer and water installer late fee cap at \$55.00. Mr. Eman seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

**MOTION:** Mr. Eman made a motion to set the 5<sup>th</sup> year apprentice plumber late fee at \$35.00 and the cap at \$55.00; and the sewer and water apprentice over 3,400 hours late fee at \$35.00 and the cap at \$55.00. Mr. Dirk seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

**MOTION:** Mr. Dirk made a motion to make the exam fees non-refundable, with reasonable exceptions for refunds. Mr. Eman seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

## **NEW BUSINESS**

### **Pipe Hangers and Supports**

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

Mr. Beechie stated that he received a telephone call from a North Dakota plumber about a new pipe hanger and support system that is being used in the Minneapolis/St. Paul area. He continued by saying that the plumber wanted to know if the new hangers and support system would be allowed in North Dakota because the plumber believes it would be very cost efficient and easy to use. Mr. Beechie mentioned that the Uniform Plumbing Code does not address it, but it could be approved under alternative materials and methods.

After some discussion, it was the consensus of the Board to add this item to the next board meeting agenda to discuss it in further detail.

### **Apprentice Plumber Application**

President Drevecky called on Ms. Tomanek to present the Apprentice Plumber application.

Ms. Tomanek reported that an application for 1<sup>st</sup> Year Apprentice Plumber was received on July 7, 2016 and the applicant, Timothy Rapp, listed a brief explanation of a list of felony convictions. She said that Mr. Rapp was contacted to request further explanation of the felonies, which was received on September 26, 2016. Ms. Tomanek explained that Mr. Rapp was charged with possession of a firearm by a convicted felon in September of 2010, theft of property in February 2011, and possession of a controlled substance with intent to deliver, possession of an automatic rifle-silencer-bomb, felon in possession of a firearm and possession of drug paraphernalia in August 2012. She went on to say that Mr. Rapp completed probation for the 2010 and 2011 offenses and is currently on probation for the August 2012 offense until approximately 2020. Ms. Tomanek concluded by saying that Williams Plumbing is aware of these felonies, provided a letter of recommendation and Mr. Rapp has been employed there since May 2016.

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

**MOTION:** Mr. Dirk made a motion to approve the 1<sup>st</sup> Year Apprentice application with the condition that if Mr. Rapp 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. Eman seconded the motion and it was unanimously approved with board members Dirk, Drevecky and Eman voting in favor.

A letter signed by President Drevecky will be mailed to Mr. Rapp 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 until 2020.

## **REPORTS**

### **Content Management System**

President Drevecky called on Ms. Tomanek to provide an update about the website/Content Management System (CMS).

Ms. Tomanek stated 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 on August 25, 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 ended by saying that while this will cause a further delay in completion, Agency MABU was confident that the project will be completed in 2016.

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

President Drevecky called on inspectors Mr. Staska, Mr. Samuelson, Mr. Kasper, Mr. Beechie and Mr. Dahl – North Dakota State Plumbing Board, Mr. Thorpe – City of Dickinson, Mr. Tillema and Mr. Zaback – City of Minot, Mr. Hillman – City of Fargo and attendees Mr. Marback – Advanced Mechanical and Matthew Marciniak – IAPMO to report on work or any plumbing issues within their jurisdictions. A brief discussion was held and President Drevecky thanked the attendees.

## **ANNOUNCEMENTS**

The winter Inspector meeting will be held before the Board meeting in conjunction with the North Dakota Association of Plumbing, Heating and Mechanical Contractors Convention on Thursday, February 16, 2016 at 1:15 p.m.

**ADJOURNMENT**

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

The meeting adjourned at 2:42 p.m., to meet again on February 16, 2017 in Bismarck for a regular meeting.

Attest *Kimberly Romanek*

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President  
*O. Wayne Ken*  
Vice-President

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Master Plumber  
*[Signature]*  
Journeyman Plumber  
*[Signature]*  
Consumer Member