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**Plumbing Board
Meeting Minutes
November 13, 2007
Minnesota Room
Department of Labor and Industry (DLI)
443 Lafayette Road North, Saint Paul
DLI.CCLDBOARDS@State.MN.US**

Members Present:

Karl Abrahamson
Rebecca L. Ames
Steve Christenson
Jim Gander
Lawrence G. Justin
Kenneth Kammerer
James Kittelson
Allen J. Lamm
Michael McGowan
Rick Palmateer
John A. Parizek
Paul Sullwold
Ronald Thompson (MDH Commissioner's designee)
Randy Ellingboe (DLI Commissioner's designee)

Staff Present:

Steve Sviggum
Wendy Legge
Tom Anderson
Cathy Tran
Jim Peterson
Todd Schaefer
Tom Joachim
Kevin Wilkins
Charlie Durenberger

Members Absent:

None

Visitors:

Tom Lehman
Carl Crimmins
Jennifer Breiluger
Jim Paschal
Brian Soderholm
Jory Isakson
John Bennerotte
Stu Bennerotte
Dave Schulenberg
Mike Lipke
Jeff Mogush
Gary Thaden
Bob Wolf
Dick Welchons
Stan Theis
Matthew Marciniak
Dean Parker

1. Call To Order –Randy Ellingboe

The meeting was called to order by Randy Ellingboe (DLI Commissioner's designee) who stated that he would be conducting the meeting until the Officers are elected, at which point the Chair would take over.

Approved by Board 1-10-08

A) Announcements: Meeting time and building details.

B) Welcome: Commissioner Steve Sviggum provided opening remarks and welcome to the members and presided over introductions. Assistant Commissioner Tom Joachim and State Building Official Tom Anderson also welcomed members.

2. Approval of Meeting Agenda

Ellingboe resumed chairing the meeting and continuation of the agenda.

3. Regular Business

A) Presentation of Board Information

Ellingboe and Wendy Legge presented information on the following:

- i. Legal issues, General Board information.
- ii. Overview of Rulemaking Process.
- iii. Review of Board Powers, Authority, and Responsibilities
 1. elect its chair, vice-chair, and secretary;
 2. adopt bylaws that specify the duties of its officers, the meeting dates of the board, and containing such other provisions as may be useful and necessary for the efficient conduct of the business of the board;
 3. adopt the plumbing code that must be followed in this state and any plumbing code amendments thereto;
 4. review requests for final interpretations and issue final interpretations of the Minnesota Plumbing Code;
 5. except for rules regulating continuing education, adopt rules that regulate the licensure or registration of plumbing contractors, journeymen, apprentices, master plumbers, restricted master plumbers, and restricted journeymen and other persons engaged in the design, installation, and alteration of plumbing systems, except for those individuals licensed under sections 326.02, subdivisions 2 and 3;
 6. advise the commissioner regarding educational requirements for plumbing inspectors;
 7. refer complaints or other communications to the commissioner, whether oral or written, as provided in subdivision 7, that allege [*allege*] or imply [*imply*] a violation of a statute, rule, or order that the commissioner has the authority to enforce pertaining to code compliance, licensure, or an offering to perform or performance of unlicensed plumbing services;
 8. approve per diem and expenses deemed necessary for its members;
 9. approve license reciprocity agreements;
 10. select from its members individuals to serve on any other state advisory council, board, or committee; and
 11. recommend the fees for licenses and certifications.

4. Special Business

A) Election of Officers (presided over by Ellingboe, who didn't vote in election)

- i. Chair
- ii. Vice-chair
- iii. Secretary
 - i. Nominations were opened for Chair. Larry Justin, John Parizek and Jim Gander were nominated. Nominations were closed and two votes taken to reach a majority. John Parizek was elected Chair by a majority vote.
 - ii. Nominations were opened for Vice-Chair. Larry Justin was nominated. There were no other nominations. Nominations were closed and vote taken. Larry Justin was elected unanimously as Vice-Chair.
 - iii. Nominations were opened for Secretary. Jim Gander was nominated. There were no other nominations. Nominations were closed and vote taken. Jim Gander was elected unanimously as Secretary.

Chair John Parizek presided over the remainder of the meeting.

B) Adoption of Bylaws

A draft set of Bylaws based on a set used by the Board of Electricity was presented for Board consideration by Ellingboe and Legge. The Bylaws presented were reviewed and a number of changes were proposed by members, as follows:

- A proposal was made to change the Annual Meeting to be held in January of every year, instead of July, except the first year.
- A proposal was made to add the word "e-mail" under Article V(E)(ii).
- A proposal was made to add a definition of "2/3 voting majority" as "2/3 of members voting in a particular matter" under Article 7(B)(d).
- A proposal was made to remove "Continuing Education" from Article VII(C)(f)(iii).
- A proposal was made regarding adding a motion to "End Debate" under Article VII(F)(9).
- A proposal was made to strike the word "held" under Article VIII and add in "or perform other duties."

*A motion was made and seconded in favor of these changes listed above.
Motion passed unanimously (13-0).*

During discussion on changes to the Bylaws, guest Dean Parker distributed information to members. The handout was not officially recognized or discussed. The handout contained a request that members consider a requirement in the Bylaws that for votes on code change proposals, members who vote "no" on a motion for code change be required to document their reasons.

A motion was made and seconded that each member who votes against a proposed change to the plumbing code is encouraged to provide a written explanation for that vote. (Motion failed 3-10, with Justin, Sullwold and Lamm voting Aye).

C) Rulemaking

- i. Publish request for comments regarding possible amendments to the Minnesota Plumbing Code: Legge gave an overview of the need to publish a new Request For Comments to begin the rulemaking process under the Board.

A motion was made to give the Chair authority to sign the Request for Comments for rulemaking. Motion passed 13-0.

- ii. Schedule for review of work of Plumbing Code Advisory Committee: Ellingboe reviewed the need to consider options for rulemaking schedule at a future meeting.

D) Creation of Executive Committee

The Chair exercised the power to create an Executive Committee consisting of the Chair, Vice-chair, Secretary, and Commissioner's designee.

- E) Process for submittals of requests for rule revisions and rule interpretations: This will be discussed in greater detail at a future meeting.

- F) License reciprocity agreements were reviewed by Wendy Legge.

G) Appointment of CCAC member:

Ken Kammerer was nominated and seconded as the representative of the Plumbing Board to the Construction Codes Advisory Council. There were no other nominations. *Kammerer was elected unanimously and the motion passed.*

- G) Meeting process: No discussion.

5. Discuss possible legislative issues.

No discussion, to be discussed at future meeting.

6. Open Forum

There was no discussion under Open Forum due to time constraints.

7. Board Discussion

There was no further Board Discussion.

8. Expense Reimbursement

Expense submission process will be reviewed at a future meeting due to time constraints. Members had received copies of an explanation and the criteria under the Commissioner's Plan, Section 15. The Expense Sheet and Commissioner's Plan, Section 15, was e-mailed to Board Members 11/28/07.

9. Announcements

There were no further announcements made.

10. Next Regularly Scheduled Meeting:

The next regularly scheduled meeting will be decided by the Executive Committee.

11. Adjournment

The meeting adjourned at 4:30 p.m.

Respectfully Submitted,

Jim Gander

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