

**Executive Committee of the Plumbing Board**  
**Meeting Minutes**  
**October 20, 2015 @ 8:00 a.m.**

Department of Labor and Industry  
443 Lafayette Road No., St. Paul, MN 55117-4344

**Members**

John Parizek – Chair  
Jim Lungstrom  
Grant Edwards – Vice Chair

**Members Absent**

Phil Sterner – Secretary

**DLI Staff & Visitors**

Lyndy Lutz (DLI)  
Cathy Tran (DLI)  
Wendy Legge (Chief Gen. Counsel, DLI)  
Jim Peterson (DLI)  
Gary Thaden (MMCA)  
Pete Moulton (Board member)  
Chad Filek (J-Berd Mechanical)  
Scott Thompson (MN Plumbing Training)  
Gary Ford (Metro Testing)  
Richard Hauffe (ICC)

**I. Call to Order**

The meeting was called to order by Chair Parizek at 8:38 a.m. Introductions and housekeeping announcements were made.

**II. Approval of Meeting agenda**

A motion was made by Lungstrom, seconded by Edwards, to approve the agenda as presented. The vote was unanimous; the motion carried.

**III. Approval of Previous Meeting Minutes**

A motion was made by Parizek, seconded by Lungstrom, to approve the July 21, 2015 Executive Committee Minutes with a revision to V. Special Business, item B) to read as follows: "This amendment took away the Board's authority and the department plans to seek legislation to..." The majority vote ruled (Edwards abstained); the motion passed.

**IV. Regular Business**

Nothing to report

**V. Special Business**

**A) Department Updates**

**a. Reciprocal Agreements**

Peterson has not received any correspondence from other states. Parizek received a message from North Dakota regarding licensing renewal reciprocity. Rulemaking would need to be opened in order to make any changes to continuing education requirements (CE) but it might be worth discussion by the Board. The Reciprocity Agreements were signed in 2008 and nothing has been drafted since.

Peterson commented that it would be ideal to have agreements in place with Iowa and North Dakota.

**b. ICC Lawsuits**

Legge gave an update. The ICC started an action against both the DLI and Plumbing Board although the Board adopted the rule. The action seeks a declaratory judgment to declare the new plumbing rule invalid. The Attorney General is representing the Plumbing Board. The Building Owners and Managers Association (BOMA) was granted permission to file an amicus brief in support of the ICC's position.

As discussed at the last meeting, Doug Seaton, an attorney for the ICC, submitted a data request to the Plumbing Board seeking data from Jan. 2010 to July 9, 2015. The ICC started a lawsuit claiming that Jessica Looman, DLI and the Plumbing Board violated the data practices act by not providing the data quickly enough. They sought a temporary restraining order to require all data be produced by Oct. 9 but this was not granted by the judge.

**B) Complaints**

None

**C) Chair Updates**

Individuals renewing their licenses can do so without necessarily supplying all of their CE requirements and the department is following up with these license holders. There are a number of master plumbers that have been notified to either complete their education or surrender their license and pay a fine.

Ford commented on testing requirements and issues with renewal date extensions. This isn't fair to others. There should be a stronger consequence for those that don't renew their licenses on time. Parizek agreed with a cut-off date but noted that enforcement won't deny a license due to CE paperwork not turned in on time.

**D) Plumbing Board agenda review**

Parizek noted the following changes as noted below:

**V. Committee Reports**

- A) Department Updates
  - a. *Rulemaking update*
  - b. Data Request
  - c. Reciprocity
  - d. *SSTS Building Sewers*
- B) Executive Committee
  - a. Report of Chair
    - i. Code Book Update
    - ii. Outstanding RFA's
- C) Construction Codes Advisory Council
- D) Ad-hoc Committees

**VI. Special Business**

- A) ICC Lawsuits
- B) Minnesota Rules, Chapter 4716
  - a. Continuing Education
  - b. Registered Unlicensed – Water Conditioning
  - c. Effects of Plumbing Code Rules

**VI. Correspondence**

Parizek received information from a CE provider and will forward to the Board.

**VII. Open Forum**

None

**VIII. Discussion**

No discussion

**IX. Announcements**

Next regularly scheduled meetings – 8:00 a.m., Minnesota Room, DLI

- a) January 19, 2016
- b) April 19, 2016
- c) July 19, 2016
- d) October 18, 2016

**X. Adjournment**

A motion was made by Lungstrom, seconded by Edwards, to adjourn the meeting at 9:15 a.m.

Respectfully submitted,

*Phillip Sterner*

Phil Sterner, Secretary