

# Meeting Minutes: Plumbing Board

Date: April 16, 2019  
Time: 9:30 a.m.  
Minutes by: Lyndy Logan  
Location: Minnesota Room, Department of Labor and Industry  
443 Lafayette Road No., St. Paul, MN 55117-4344

## **Members**

Richard Becker  
Michael Dryke  
Kent Erickson  
John Flagg (Vice Chair)  
Mike Herman – via teleconference  
Justin Parizek  
Phillip Sterner (Secretary)  
Cathy Tran (DLI Commissioner’s Designee)  
David Weum (DOH Commissioner’s Designee)

## **Members Absent**

Jeff Brown  
Rick Jacobs (Chair)  
David Wagner

## **DLI Staff & Visitors**

Suzanne Todnem (Gen. Counsel, DLI)  
Lyndy Logan (DLI)  
Jim Peterson (DLI)  
Brad Jensen (DLI)  
Trevor Ogilvie (City of Mpls)  
Jim Gander  
Matt Marciniak (IAPMO)  
Jeff Saucier (Ellingson Companies)  
Dwight Engen (LECET)  
Adam Hanson (ABC)  
Mike Johnson (J-Berd)  
Gary Thaden (MMCA)  
Scott Thompson (My Plumbing Training)  
Stephanie Manning (MUCA)

## **1. Call to Order**

The meeting was called to order by Vice Chair Flagg at 9:36 a.m. Roll call was taken by Secretary Sterner and a quorum was declared with 8 of 11 voting members, and one non-voting member, present in person or via teleconference.

## **2. Approval of meeting agenda**

A motion was made by Sterner, seconded by Becker, to approve the agenda as presented. The roll call vote was unanimous with 8 votes in favor; the motion carried.

## **3. Approval of previous meeting minutes**

A motion was made by Sterner, seconded by Tran, to approve the January 15, 2019, regular meeting minutes as presented. The roll call vote was unanimous with 7 votes in favor and one abstention; the motion carried.

## **4. Regular Business**

Approval of expense reports – Flagg approved the expenses as presented.

## 5. Committee Reports

### A. Department Updates

Tran said that there are two options for plumbing plan review – paper or electronic (iMS). For more information on submitting electronic plan review please visit: <http://www.dli.mn.gov/business/get-licenses-and-permits/online-applications-plan-review-and-permits>

### B. Executive Committee

The Committee met this morning and advised the Vice Chair on the Board’s agenda.

### C. Ad-Hoc Code Review and Rulemaking Committee update

- Todnem said the Committee met several times and have reviewed most of the chapters. All submitted RFAs can be viewed on the department’s website at: <http://www.dli.mn.gov/about-department/boards-and-councils/plumbing-board-requests-action>
- Todnem added that RFA forms are available on the department’s website if anyone wants to propose a change. The next meeting is scheduled for April 22, 2019.

### D. Construction Codes Advisory Council

Has not met – nothing to report.

- Representative: Mike Herman
- Alternate: John Flagg

## 6. Special Business

### A. Minnesota Rules, Chapter 4716 – Plumber Licensing rulemaking update

Todnem said that since she last gave an update, the rulemaking has gone to hearing. Since then the comment period and the rebuttal period have both closed. The ALJ has issued his report and approved the rule; therefore, the rulemaking process has proceeded and is now in the 14-day veto period. The Governor’s office may veto the rulemaking during this 14-day period. Once the 14-day period has passed, if there is no veto, then the Board will go forward with adoption of the rule and it would become effective 5 days later. The Governor’s veto period ends on April 18, 2019. It takes approximately two weeks to get the Notice of Adoption published with a 5 day waiting period; therefore, the effective date would be late April or early May.

### B. Court of Appeals matter A18-1810, Relator ITW Food Equipment Group, LLC, a/k/a Hobart, update and discussion

Todnem said this pertains to the Court of Appeals matter in which the Board’s final interpretation issued October 8, 2018, was appealed. All of the briefing has been completed. Hobart submitted a reply brief to the Board’s brief and the next step is oral argument that has been scheduled for May 8, 2019. Oral arguments are open to the public. After oral arguments, the Court of Appeals will issue its decision.

**7. Complaints**

Nothing to report.

**8. Open Forum**

None

**9. Correspondence**

None

**10. Board Discussion**

- Tom Andresen resigned from the Plumbing Board. He held the Residential Plumbing Contractor seat and a Notice of Vacancy has been created with the Secretary of State's office. The public is encouraged to apply.
- In March 2019, DLI Commissioner Leppink sent a recommendation for the Metro Commercial/Industrial Journeyworker Plumber seat to the Governor's office (formerly held by Edwards).

**11. Announcements**

Next regularly scheduled meetings in 2019 – all meetings will be held at 9:30 a.m. in the Minnesota Room. The Executive Committee meetings occur at 8:30 a.m. prior to each regular meeting in the Minnesota Room.

A. July 16, 2019 (annual meeting)

B. October 15, 2019

**12. Adjournment**

A motion was made by Sterner, seconded by Becker, to adjourn the meeting at 9:54 a.m. The roll call vote was unanimous with 8 votes in favor of the motion; the motion passed.

Respectfully submitted,

*Phil Sterner*

Phil Sterner, Board Secretary