

**State of Oregon**  
**FINAL**

**Oregon State Plumbing Board**

**Regular meeting minutes**

**May 19, 2006**

**Members present:** Ken Carlson, Chairman  
Jonathan Gray, Vice-Chairman  
Skai Dancey  
Jacob Polvi

**Members absent:** Kathryn Mattimore  
Perry Shinn  
Jack Vilendre

**Staff present:** Twyla Knowles, Policy and Technical Services Assistant Manager  
Terry Swisher, Chief Plumbing Inspector, and Board Secretary  
Roseanne Nelson, Enforcement/Licensing Assistant Manager  
Barry Jones, Enforcement/Licensing Interim Manager  
Heath Lawson, Enforcement Officer  
Phil Johnson, Enforcement Officer  
Brent Griffiths, Enforcement Officer  
Debi Barnes-Woods, Division Boards Coordinator/Recorder

**Guests present:** Ron Murray, Local United Association Training Center 290  
Bob Kimes, Local Association Training Center 290

**I. Board Business**

**A. Call to order.**

Chairman Ken Carlson called the Oregon State Plumbing Board meeting to order at 9:30 a.m. The meeting was held at Building Codes Division, Conference Room "A," 1535 Edgewater NW, Salem, Oregon.

**B. Roll call.**

Kathryn Mattimore was absent, not excused. Perry Shinn and Jack Vilendre were absent, excused.

**C. Approval of agenda and order of business.**

Agenda Item VI.B., was postponed until the August 18, 2006 board meeting at the request of Jack Beuschel.

Chairman Ken Carlson **RULED** the agenda approved as amended.

**D. Approval of the February 17, 2006 Oregon State Plumbing Board meeting minutes.**

Chairman Ken Carlson **RULED** the regular minutes of February 17, 2006 approved.

**E. Date of the next regularly scheduled meeting.**

August 18, 2006.

**II. Public Comment - None**

**III. Reports**

**A. Administrator's report.**

Policy and Technical Services Assistant Manager Twyla Knowles delivered the report on behalf of Administrator Mark Long. She informed the board of the ongoing Construction Claims Task Force meetings. All meeting minutes and correspondence received are posted to the division's Web site:

<http://egov.oregon.gov/DCBS/CCTF/>.

*The following items were discussed:*

**Code committees:** The committees are meeting to review code change proposals. The Structural Code Committee has received over seventy submittals and the Mechanical Code Committee has received eight. The committees will complete review by the end of June.

**Board chair/vice-chair meetings:** This committee is continuing to meet to discuss issues related to consistency. The committee will be discussing common by-laws for all advisory boards at its June meeting.

**E-permitting:** Gary Basin, project manager, briefed the board on the permitting portal pilot project and the Statewide E-permitting Project. Mr. Basin distributed several handouts concerning e-permitting, which are filed under *Exhibit "A."* The division is now offering jurisdictions access to the state portal pilot and the opportunity to participate in the e-permitting pilot.

A legislative workgroup is also exploring the feasibility of a statewide e-permitting system.

Willamette Consulting/Eclipse Solutions has been retained as a consulting firm to lead a feasibility study, with a report due in August. The consultant will review current permitting systems, needs, and requirements for any e-permitting processes by surveying Oregon building officials. The firm will also hold Town Hall meetings with building officials and staff to assess jurisdictional needs about a statewide system.

**B. Summary of enforcement actions previously taken by the division for cases 1 through 8 outlined on the enforcement board report. (No board action required)**

Enforcement/Licensing Assistant Manager Roseanne Nelson reviewed the enforcement process and the penalty matrix. The division has been following the intent of the boards for first time violators, although the definition in the penalty matrix is not clear.

Currently the definition reads, "A first time violator does not have an adverse final order issued by the board or department within the 36 months prior to the date of the current violation." The language is confusing when an individual has several violations that are received by the division the same day. Less confusing language has been inserted into the penalty matrix stating, "A first time violator does not have an adverse final order issued by the board or department within 36 months from the date of the last order."

Board members agreed that the less confusing language was the intent of the board. *Exhibit "B."*

All four cases for Matthew S. O'Brian, DBA, Speedy Rooter, were discussed. All were filed at the same time, so they were treated as a first time violation. Cease and desist orders are being considered.

**C. Program update.**

*Chief Plumbing Inspector, Terry Swisher reviewed the following issues:*

**HB 3093, Backflow tester approved training:** The bill created an alternate method for backflow testing for Oregon licensed journeyman plumbers and registered apprentice plumbers. *Exhibit "C."* Oregon licensed journeyman plumbers and registered apprentice plumbers will be required to complete a state approved training course, for which licenses may receive continuing education credit.

**HB 3092, plumbing plan review for complex structures:** Public hearing was held on the proposed rules on March 21, 2006. The expected implementation date is October 1, 2006 to allow local jurisdictions time to prepare for the new process. The public notice and the rules were distributed, *Exhibit "D."*

*Chief Swisher reviewed proposed agenda items for August:*

- Alternate method ruling regarding air admittance valves
- Water treatment installer license test question pool

**D. Code interpretation update.**

Water heater drip pan drains: When a drip pan is not required by code, it would exceed the code, therefore a drain would not be required.

**IV. Communications**

**Enforcement communications regarding McGee Plumbing, JRT Mechanical, Ronald Harral and his two Pendleton companies; Ron's Stoves & Spa and Ron's Heating and Air, B & B Alarms and Federal Security, Inc.**

Ms. Nelson explained this item is informational only. The division issued news releases announcing enforcement actions against these companies. All releases received newspaper and radio coverage.

**V. Appeals**

**Update on the Uponor North America, Inc., appeal. (Information only)**

Chief Swisher explained the new changes in rule for formal appeals. When disagreeing with the inspection call by the local jurisdiction, an individual has two choices; (1) File an appeal through the local appeal process or, (2) file an appeal through the Building Codes Division.

This appeal was filed through BCD, it deals with a residential voluntary fire sprinkler system, NFPA 13D multi-purpose sprinkler system. Not only does this system meet the state building code and BCD Interpretive Ruling No. 01-1 requirements for one- and two-family residential fire sprinkler systems, but also exceeds the recognized minimum requirements. Chief Swisher upheld the appeal of Uponor North America, Inc.

**VI. Unfinished Business**

**A. Reconsideration request on board's product disapproval of IAPMO IGC – 203-04.**

Although this request was denied at a previous board meeting, Chief Swisher reviewed the additional information submitted for reconsideration. The request is for an alternate method ruling to allow the product to be used in place of a standard accessible p-trap, without requiring a different venting system of the building.

Chief Swisher recommends disapproval because the product installation instructions show a piping system with no venting system when using the mechanical trap devices. Chief Swisher suggested that a code change would be in order if this product were to be approved.

**MOTION by Vice-Chair Jonathan Gray** to uphold staff's recommendation to disapprove the IAPMO IGC 203-04 product standard because the standard requirements are contrary to current code requirements.

**MOTION CARRIED UNANIMOUSLY.**

**B. Alternate method ruling regarding air admittance valves.**

This item will be heard at the August 18, 2006 board meeting at the request of Jack Beuschel.

**VII. New Business**

**HB 2181 license process.**

Policy and Technical Services Assistant Manager Twyla Knowles explained the new processes established in the draft rules provided in the board packet.

Licensing concept agreements, *Exhibit "E,"* was distributed. The licensing concept agreements outline proposed rule changes for licensing and continuing education. All licensing concepts were reviewed and agreed on at the board chair/vice-chair meetings. Ms. Knowles expected an implementation date of July 1, 2006.

Chief Swisher added that the solar heating and cooling system plumbing installer license will be required to complete 8 hours of continuing education in a 3-year licensing cycle and the water heater installer plumber license will be required to complete 4 hours of continuing education in a 3-year licensing cycle.

**MOTION by Chairman Ken Carlson** to approve for public hearing and subsequent adoption of the proposed HB 2181 license process rules for Division 030 and 035 as these relate to plumbing license application process and the amendments and repeals of existing rules in Division 695, unless substantially changed.

**MOTION CARRIED UNANIMOUSLY.**

**VIII. Announcements - None**

**IX. Adjournment**

Chairman Ken Carlson adjourned the meeting at 10:35 a.m.

Respectfully submitted by,  
Debi Barnes-Woods  
Division Boards Coordinator

*Exhibits:*

- A. E-permitting documents, *Agenda Item III.A., page 2*
- B. Enforcement penalty matrix, *Agenda Item III.B., page 3.*
- C. Backflow tester approved training rules, *Agenda Item III.C., page 3.*
- D. Plumbing plan review for complex structures rules and public notice,

- Agenda Item III.C., page 3.*  
E. Licensing concept agreement document, *Agenda Item VII., page 5.*

<http://www.cbs.state.or.us/external/bcd/pdf/2568.pdf>