

**State of Oregon
Draft**

Agenda Item I.D.

Oregon State Plumbing Board

Meeting minutes

October 22, 2009

Members present: Jonathan Gray, Vice-chair
Rick Bosch
Skai Dancey
Sarah Heinicke
Michael Perry
Robin Scheffer
Jack Vilendre

Connected by teleconference
New member

New member

Members absent: None

Staff present: Nicole Defever, assistant Attorney General
Patrick Allen, administrator
Chris Huntington manager of policy and technical services
Terry Swisher, chief plumbing inspector and board secretary
Liz Browder, manager of enforcement services
Homer Humelbaugh, assistant chief plumbing inspector
Brent Griffiths, lead enforcement officer
Aeron Teverbaugh, policy analyst
Richard Baumann, policy analyst
Shauna Parker, rules coordinator
Debi Barnes-Woods, division boards coordinator

Guests present: Marv Morlan, City of Portland
Art and Carole Atchison
G.F. Scheuermann, Local 290
Cathy Carlson
Ken Carlson, former board Chairman
Pam Ditty, Mike Ditty, LLC
Bob Jones
Samantha Jones

I. Board business

A. Call to order

Vice-chairman Jonathan Gray called the Oregon State Plumbing Board meeting to order at 9:30 a.m. The meeting was held at the Building Codes Division, Conference Room A, 1535 Edgewater Street NW, Salem, Oregon.

B. Roll call

All members were present. Skai Dancey was connected by teleconference.

C. Approval of agenda and order of business

Vice-chair Gray **RULED** the agenda and order of business approved.

D. Approval of the regular board meeting minutes

Vice-chair Gray **RULED** the August 21, 2009 minutes approved.

E. Date of the next scheduled meeting

December 17, 2009

F. Formal farewell to Ken Carlson

Administrator of the Building Codes Division Patrick Allen thanked Mr. Carlson for his many years serving on the Oregon State Plumbing Board and his service as Chairman. Mr. Carlson received a letter of thanks from the administrator and a certificate of appreciation from the governor.

G. Welcome new board members:

- Sarah Heinicke, public member position
- Robin Scheffer, plumbing inspector position

At this time Vice-chair Gray read a script to announce the start of executive session.

(Break to clear room for executive session)

- A. Executive session to consult with counsel concerning legal rights and duties regarding potential settlement agreement offer for Studor, Inc. V. State of Oregon Marion County Circuit Court No. 08c11685 (ORS 192.660(2)(f) and (2)(h))**

(Break to allow audience to be seated)

As the audience returned to Conference Room A, the meeting was brought back into regular session at 10:55 a.m.

II. Public comment - None

III. Reports

A. Building Codes Division report

Manager of Policy and Technical Services Chris Huntington welcomed the new board members then discussed the content of the [BCD Update](#) packet of information. Manager Huntington focused on the rulemaking activities. He noted that HB 3462, passed by the 2009 Legislature, has two major components related to inspector certification. First, it authorizes the division to establish renewal periods and fees for certifications (Phase I). Second, it authorizes the division to create a pilot program to develop specialized inspector certifications and training (Phase II). A committee was established to focus exclusively on implementing the first phase of HB 3462 rulemaking, dealing with the inspector and building official certification renewal periods, processes, and fees. Phase II will begin later this fall and will follow a separate process.

Manager Huntington reviewed HB 2950 that created a new Construction Industry Energy Board, which consists of two members from each of the following boards: Electrical and Elevator Board, Building Codes Structures Board, and Residential Structures Board, and one member appointed by the Oregon Department of Energy. Manager Huntington noted that the new board is specifically designed to review energy efficiency related standards and codes. Currently, the Oregon Solar Energy Code Committee is meeting to prepare for adopting the nation's first solar energy code to be implemented statewide. The primary goal of the code is to provide clarity and promote consistency in the installation and construction standards of solar energy systems, focusing on photovoltaic installations. The new board will make code recommendations to the administrator at the first board meeting.

SB 79 was discussed noting that the bill accomplishes three things:

- Creates a task force on energy performance scores
- Requires an increase in the energy efficiency of 15-25 percent in commercial structures and 10-15 percent in residential structures by 2012
- Authorizes the development of a voluntary "reach code" containing construction methods for achieving higher levels of energy efficiency than under the statewide code.

Manager Huntington then discussed the progress of the full-service system for ePermitting. The new on-line service will continue to supply access for ordering permits, but it will also include streamlined plan review of construction plans, along with on-line submissions of project approval and inspection tracking services. The first jurisdictions are expected to join the full-service system by early 2010.

C. Enforcement cases

Manager of Enforcement Services Liz Browder introduced herself for the new members and reviewed the enforcement process. Manager Browder also discussed the mandatory state closure days known as "furlough" days. She noted that the enforcement officers will be working during mandatory closure days. She and the enforcement officers are on "floating furloughs" to ensure enforcement throughout the state.

Brent Griffiths, lead worker of enforcement services, spoke briefly on the enforcement cases listed in the board packet:

Final Order after hearing

1. **Consideration of final order after hearing for Aspen Creek Landscaping, Inc.** The company was charged with making a plumbing installation without a contractor's license and without first obtaining a valid permit.

A hearing was requested within the time allowed and the Senior Administrative Law Judge Ken L. Betterton found in favor of the division and issued a proposed order.

Motion by Jack Vilendar to issue a final order, adopting the proposed order with no changes.

Motion carried unanimously

2. Consideration of final order after hearing for Ronald Bergstrom

This item has been withdrawn from the agenda to be brought back at a later date.

D. Summary of enforcement actions previously taken by the division for cases 1 through 3, outlined on the enforcement board report. (No board action required)

No board discussion for this item.

E. License denials (No board action required)

Mr. Griffiths explained that the cases listed on the report were all license denials. The first two cases are individuals who applied for plumbing inspectors licenses, which are under the authority of the director. The last case is a journeyman plumber's license denial, which is under the authority of the State Plumbing Board although the action is a default order because the applicant did not appear for the hearing.

IV. Communications - None

V. Appeals – None

VI. Unfinished business - None

VII. New business - None

VIII. Announcements - None

IX. Adjournment

There being no other business Vice-chair Gray adjourned the board meeting at 11:10 a.m.

Respectfully submitted by,

Debi Barnes-Woods
Division Boards Coordinator