

MINUTES

UTAH PLUMBER'S LICENSING BOARD MEETING

June 4, 2008

Room 475 4th Floor 09:00 a.m.
Heber Wells Building
160 East 300 South
Salt Lake City, Utah

CONVENED

09:06 a.m.

ADJOURNED

12:31 p.m.

BUREAU STAFF

F. David Stanley, *Director*
Ross Ford, *Associate Director*
Dennis Meservy, *Bureau Manager*
Yvonne King, *Board Secretary*
Dan S. Jones, *Bureau 4 Manager*
Daniel T. Jones, *Investigation Supervisor*
Kent Barnes, *Compliance Manager*

BOARD MEMBERS PRESENT

David Told, *Chair*
Gloria Miley
David Halverson
Ed Gongaware
Travis Dalley

VISITORS

Trina Hansen, *Ogden Weber Applied Tech College*
Paul James, *Bridgerland Applied Tech College*
Doug Leon, *Davis County Applied Tech College*
Doug Llewellyn, *AMCI*
Aaron Mace, *AMCI*
Cierra Mace
Dale Olsen, *Utah Valley State College*
Jeff Pedersen, *Utah Plumbing & Heating Contractors Assoc*
Will Pierce, *Salt Lake Community College*
Jeffrey Platt, *Pro Plumbing*
Lori Stewart, *Mountainland Applied Tech College*
David Thompson, *Pro Plumbing*
John Walker, *Utah Plumbing & Heating Contractors Assoc*

MINUTES

Ed Gongaware made a motion to approve the May 2008 board meeting minutes as written. Gloria Miley seconded the motion and all members voted in favor.

ELECTIONS FOR CHAIR

David Halverson made a motion to re-elect David Told as Chair of the board. Travis Dalley seconded the motion all members voted in favor.

ADMINISTRATIVE RULES

The statute that the state legislator recently passed for the master plumber license classification required two years of supervisory experience. The statute, however, indicated that an associate of applied science or similar degree accounted for one year of supervisory experience and the acceptable education was to be established by administrative rule. For this reason the board requested information from Will Pierce of the Salt Lake Community College.

Pierce discussed with the board degree and course curriculum. He handed out an outline of course descriptions for the Associates of Applied Science Degree. Ross Ford stated that it should be a specific accrediting body that approved the curriculum. Ford indicated he would meet with the schools, notify industry and bring a report back to the board for their next meeting in July.

Dennis Meservy indicated proper degree accreditation was important. An electrician tried to become a master by providing a bachelor of science degree in electrical engineering that was obtained online. According to the college's website, the degree could be obtained in just five days for as little as \$199. The college was accredited, but types of accreditations were meaningless. The applicant in addition to a diploma had a transcript that showed six semesters of courses and passing grades. The administrative rule needed to be specific in the types of accreditations the board would accept.

Applicants by current administrative rule are given two opportunities to pass each section of the state plumbing test. The board can outline a remedial course of work experience or education for those who fail after two tries to pass the examination. The board policy had been that individuals that failed twice needed to return to school for a semester.

ELECTRICAL RULE CHANGE

The electrical board in a proposed rule change would move from two times testing to three times testing. The application would be denied, after applicants failed the parts of the examination three times or failed to complete the testing within six months, whichever occurred first. The proposed electrical rule change would also eliminate the board outlining a remedial course of work experience and education for those that failed.

Applicants would no longer have to return to school. The waiting time between test failures would change from thirty to twenty-five days. This was needed because the hands-on practical test was given once a month and on occasions the test dates were less than thirty days apart. This change was to prevent applicants having to wait nearly sixty days before retesting.

Meservy reviewed these proposed electrical administrative rule changes with the board. Halverson made a motion to mirror the electrical rules in the plumbing rules down to the waiting period between test failures. Dalley seconded the motion and all members voted in favor.

UNIFORM BUILDING CODE RULE CHANGE

Dalley attended the Uniform Building code Commission administrative rules hearing. The administrative rule allowing cities to create water conservation areas that required dual flush or additionally restricted low flush toilets and fixtures passed.

The board wanted notification and established criteria before a city could establish water conversation zones. Dan S. Jones, the bureau manager over the Uniform Building Code Commission, indicated this could be done by an amendment to the rule, but this needed to be done by this coming September. Halverson made a motion in support of proposing an amendment to the low flow water conservation administrative rule that was just passed. Dalley seconded the motion and all members voted in favor. Dalley and Halverson indicated they would be involved and get input from industry.

GOOD MORAL CHARACTER REQUIREMENT

The board discussed having a good moral character as a requirement for licensure as a plumber. This would require a change in the current statute. The Burglar Alarm Licensing Board has this authority and by administrative rule determined what criminal convictions were unacceptable. Meservy provided the board with a copy of the Burglar Alarm rules to review. This issue will be addressed by the board at their next board meeting in July.

GAS PIPING

The board expressed concern with landscaping contractors installing gas piping incorrectly. Landscaping contractors can do this type of work if it is incidental to work that is within the scope of their license classification. Those that install gas piping, and are not licensed as a journeyman plumber, need to have Rocky Mountain Gas Association Certification. Building inspectors had a responsibility to make sure the gas piping was installed and seized correctly. The suggestion was made that landscaping contractors could be restricted in the contractor administrative rules from installing gas piping.

REVIEW EXAM SCORES

The board reviewed the test scores from PSI, the testing provider for the state and competency test scores from Ogden/Weber Applied Tech College and Davis Applied Tech College. The board requested the PSI reports indicate how many times a testing applicant had taken a particular test.

APPLICATION/DISCIPLINARY REVIEW

AARON MACE

Aaron Mace appeared before the board and asked them to eliminate the paragraph in the Memorandum of Understanding that required him to provide a copy of the Memorandum of Understanding and Order to his employer and supervisor and for his employer to provide quarterly reports to the Division on his work performance and attendance. Mace stated the working environment can become very hostile when co-workers have knowledge of his criminal offenses. Mace was informed there was balance between licensing him and public safety. Gongaware made a motion to strike out the words "and supervisor" in the first sentence of the paragraph. This sentence would then read, "Respondent shall provide a copy of this Memorandum of Understanding and Order to his employer. The rest of the paragraph and the wording in the Memorandum of Understanding and Order would stand as written. Dalley seconded the motion and all members voted in favor. The matter will now go forward to the Construction Services Commission. Mace was informed the commission in their last meeting was unwilling to go forward with his Memorandum of Understanding and Order until he met with them.

DAVID THOMPSON

David Thompson appeared before the board. The board in their last meeting requested that David Thompson provide them with his police report that pertained to his criminal conviction. The report was provided by Thompson. Meservy explained he talked

with Thompson's parole officer and was given a favorable report. Halverson made a motion to approve a Memorandum of Understanding that would place Thompson on probation with conditions for four years. Gongaware seconded the motion and all members voted in favor. The matter will now move forward to the Construction Services Commission.

All business concluded meeting adjourned

Note: This report is not intended to be a verbatim transcript, but is intended to record the significant features of what was discussed in the meeting. Discussed items are not necessarily arranged in chronological order.

(ss) David Told _____ Date: July 2, 2008
David Told, Board Chair

(ss) Dennis Meservy _____ Date: July 2, 2008
Dennis Meservy, Bureau Manager