

State of Oregon

**State Plumbing Board
Regular meeting minutes
October 15, 2015**

Members present: Travis Argue - Journeyman plumber, Chair
Matthew Rozzell - Building official, Vice-chair
Rick Bosch - Registered plumbing business
Skai Dancey - Mechanical engineer
Melissa Gitt - Plumbing inspector
Michael Perry - Employee of the Oregon Health Authority

Members absent: Vacancy - Member of the general public

Staff present: Kate Lozano, Assistant Attorney General
Brett Salmon, manager, Policy and Technical Services
Andy Skinner, plumbing program chief, Policy and Technical Services
Homer Humelbaugh, plumbing program assistant chief, Policy and Technical Services
Adam Blechman, contested case representative, Enforcement and Training
Richard Baumann, policy analyst, Policy and Technical Services
Debi Barnes-Woods, boards administrator/coordinator, Policy and Technical Services

Guests present: James McKenzie, senior plumbing inspector, City of Portland
Molly Fisher, Oregon Health Department
Ken VanHoesen, self
Pam Ditty, Mike Ditty LLC

I. Board business

A. Call to order

Chairman Travis Argue called the October 15, 2015, State Plumbing Board meeting to order at 9:41 a.m. The meeting was held at the Building Codes Division in Conference Room A, 1535 Edgewater Street NW, Salem, Oregon.

B. Roll call

Michael Perry arrived at 9:50 a.m. All members were present.

This Board has one vacant position: Member of the general public.

C. Approval of agenda and order of business

Chair Argue ruled the agenda and order of business approved.

D. Approval of the August 20, 2015, board meeting minutes

Chair Argue ruled the minutes of August 20, 2015, approved as written.

E. Date of the next regularly scheduled meeting: December 17, 2015.

II. Public comment – None

III. Reports

A. Building Codes Division report

Brett Salmon, manager, Policy and Technical Services, noted that Administrator Long will report on the 2015 Annual Report at the next meeting.

B. Program update

Andy Skinner, plumbing program chief, updated the Board on all the training classes completed and said that the upcoming specialized plumbing inspector (SPI) cross-training course is scheduled to begin November 3, 2015.

C. Summary of enforcement actions previously taken by the division outlined on the enforcement board report. *(No board action required)*

Adam Blechman, contested case representative, Enforcement Services, removed Case No. C2015-0052 from the summary report.

D. Conditioned license for Kris Ivory Griffith, abn Macksburg Plumbing *(No Board action required)*

This item was informational. No Board discussion took place.

(Break to clear audience from room for executive session at 9:45 a.m. No Board vote will be taken during this time)

IV. Executive session

Professional Regulatory Update from the Department of Justice containing information. Exempt from public inspection under the Public Records Law - Legal advice from counsel, [ORS 192.660\(2\)\(f\)](#)

(Chair Argue announced in open meeting that executive session ended and out of public meeting will begin at 10:44 a.m. Chair Argue also said that no Board vote was taken during executive session and no Board vote will be taken during out of public meeting)

V. Out of public meeting

The Board temporarily adjourned the public meeting to deliberate on a contested case hearing for Ken Van Hoesen, BCD Case No. 2013-0060, pursuant to [ORS 192.690\(1\)](#)

(Break to allow audience back in room to be seated)

Board review and provide a recommendation for Ken Van Hoesen, BCD Case No. 2013-0060

Andrea Simmons, manager, Enforcement and Training, explained the seven alleged violations that occurred without a plumbing contractor license. The Respondent requested a hearing and the Administrative Law Judge agreed with the violations, but not with the amount assessed. The proposed order proposed \$21,000 in civil penalties. Minor housekeeping changes were also made to the amended proposed order.

Kate Lozano, Assistant Attorney General, explained the four options the Board may take in this matter:

- Issue a final order that adopts the proposed order that ALJ Marni Davis proposed
- Issue a final order that adopts the amended proposed order provided in the Board packet
- Issue a final order that adopts an amended proposed order proposed by the Board that includes the new amendments
- Make a motion to withdraw the notice that will result in finding no violations or penalties assessed

Motion by Vice-chair Matthew Rozzell to issue the amended proposed order consistent with the proposed to include “**at this time**” after the words “**is not appropriate**” page 7 first paragraph
Motion carried unanimously

VI. Communications

Statewide Code Interpretation No. 13-02: Water heater seismic strapping

This item was informational. The [interpretation](#) is posted at the Division website.

VII. Appeals - None

VIII. Unfinished business - None

IX. New business

A. Board review and provide the Director with a recommendation regarding proposed administrative rules related to medical gas plumbing certification requirements

Andy Skinner, plumbing program chief, Policy and Technical Services, said the Division proposed deleting the language to require third-party certification, and inserting language that would instead require a copy of a valid ASSE 6020 medical gas certification or by completing a Division-approved training course for medical gas plumbing inspector.

Melissa Gitt explained her preference that the verifier makes sure safety is followed according to NFPA Section C and that inspectors are licensed to NFPA 99.

Motion by Rick Bosch to recommend that the Division proceed to rulemaking with proposed amendments to OAR 918-695-0410

Melissa Gitt was the only member in opposition to the motion.

Motion carried

B. Review and approve committee’s recommendation on new continuing education courses and instructors applications

Richard Baumann, policy analyst, Policy and Technical Services, updated the Board on the continuing education committee’s recommendations for continuing education courses and instructor applications and requested Board approval.

Motion by Matthew Rozzell, Vice-chair, to approve the committee's recommendations for approval or denial of courses or instructors.
Motion carried unanimously

X. Announcements

The next scheduled Horizontal Wet Venting class is scheduled for Friday, October 30, 2015, from 7:00 a.m. to 11:00 a.m.

XI. Adjournment

The meeting was adjourned at 11:55 a.m.

Respectfully submitted by,
Debi Barnes-Woods, Boards Administrator/Coordinator