



State of Idaho
Division of Occupational and Professional Licenses
State Plumbing Board

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Draft Minutes of 03/27/2025

Board Members

Present: Matt Gardner, Chairman
Bob King, Vice-Chairman
Bill Harmon
John Kierce

Division Staff

Present: Amy Lorenzo, Bureau Chief
Jeremy Kirk, Executive Officer
Gus Tate, Legal Counsel
Don Morse, Investigator
Melissa Ferguson, Education Prog. Sup.
Wendy Gutierrez, Financial Officer
Amanda Lee, Board Support Specialist

Prosecuting Attorney

Present: Andrea Rosholt

The meeting was called to order at 9:01 AM MT by Chairman Matt Gardner.

APPROVAL OF MINUTES

A motion was made and seconded to approve the 01/23/2025 meeting minutes. The motion carried unanimously.

DIVISION BUSINESS

Financial Update: The Quarter 2 financials have been completed, and Quarter 3 will be finalized by April 15th. Financial Officer Wendy Gutierrez presented the report to the Board and explained the discrepancy in the Quarter 1 financials was due to one-time payments not being distributed evenly across all four quarters.

Plumbing Program Update: Executive Officer (EO) Jeremy Kirk highlighted the meetings held with Eastern Idaho Apprenticeship programs over the past year. Education Program Supervisor (EPS) Melissa Ferguson presented exam statistics, comparing the passing rates of individuals who take the Division's in-house exam versus those who test through the Professional Skills Institute (PSI). EPS Ferguson is collaborating with Kathleen Huttner from PSI to redesign the current exam and will provide updates on the progress at future Board meetings.

Notice of Violation (NOV) Report: EO Kirk presented the year-to-date NOV report. Bureau Chief (BC) Amy Lorenzo outlined the Division's plan to restructure the approach to NOV reports with Investigator Bryan Mulleneaux focusing on the gross violations and Technical Records Specialist 2 Tara Hinderliter working on the administrative cases regarding onsite work. Vice-Chairman Bob King expressed concern about the process to stop contractors from pulling homeowner permits and the hiring of unlicensed individuals.

Since the State can only advise the jurisdictions, BC Lorenzo is working with Legal Counsel (LC) Gus Tate to figure out how to address possible cooperation between jurisdictions and the State.

BOARD BUSINESS

Matt Gardner Topic Discussion: Chairman Gardner addressed confusion about what was said at the last meeting about the Ejector Discharge Pipe Guidance document. The maximum fixture load is 35 units on a 3” horizontal line and will need administrative approval if it exceeds 50 Gallons per Minute.

Ejector Discharge Pipe Guidance Document: This was addressed in the above item titled “Matt Gardner Topic Discussion”.

Public Comment: Darcy Neidigh from DeBest Plumbing inquired about the Division's shift to paper license cards, expressing concern that paper would be difficult to maintain in a rough work environment, especially since licensees are required to carry the card while working. BC Lorenzo explained that the Division is working with a new contractor to reintroduce plastic license cards. In the meantime, BC Lorenzo encourages licensees to take a screenshot or photo of their card to store on their phones. For individuals without phones, she advised keeping the license in their vehicle, as this still meets the requirement for the license to be in the immediate vicinity of the worksite.

Ms. Neidigh also requested the NOV report include repeat offenders, however, it does not need to include names or license numbers. Chairman Gardner agreed and would also like a more detailed breakdown in the future.

In addition to her previous request, Ms. Neidigh raised concern about the transparency promised to the public when the Division of Building Safety (DBS) was integrated into the Division of Occupational and Professional Licenses (DOPL). She noted that there is less transparency now as they no longer have access to board meeting documents prior to the meetings, unlike the practice under DBS. LC Tate clarified that there is no legal requirement preventing DOPL from disclosing this information before the meetings, but the Board would need to provide direction to DOPL staff to reconsider the current approach. Due to the complexity of posting documents for all 45 Boards ahead of each meeting, BC Lorenzo proposed including all public documents in the meeting minutes, which would be shared with the public after the meeting. This ensures that Board Members have reviewed and approved the documents.

Mark Hosick with Southwest Joint Apprenticeship and Training Committee reiterated the license card concerns as stated above. He also pointed out that licensees see their license as a badge of sorts and the new cards should include a picture of the licensed individuals.

Mr. Hosick also brought up the need for the Compliance Officer to be a separate role from the Inspector position. Additionally, he raised concern about the growing number of individuals who are not holding an Apprentice Registration while attending Apprenticeship Programs. EO Kirk discussed the responsibility an individual has when engaging in licensed work to register when and where it is needed.

Mr. Hosick also highlighted the need for the Compliance Officer role to be separate from the Inspector position. Additionally, he raised concerns about the increasing number of individuals attending Apprenticeship Programs without holding an Apprentice Registration.

John Nielsen with the City of Nampa reiterated the need for the Compliance Officer role, stating that Compliance Officers end up doing inspections. Board Member John Kierce suggested that with the increasing number of permits putting extra tasks and pressure on inspectors, separating the two roles might be beneficial with the workload for inspectors. BC Lorenzo explained that the Division is working on initiatives, including a split position to reduce the number of inspectors dealing with compliance cases. Ms. Neidigh expressed that with the role of inspectors handling compliance only targets individuals and companies who are going through the proper permitting process, putting the larger concerns of unlicensed workers and non-permitted projects lower on the Division's radar.

EXECUTIVE SESSION – DISCIPLINE

A motion was made and seconded that the board enter Executive Session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Public Records Act, Idaho Code § 74-106(9). The purpose of the executive session is to discuss documents relating to the fitness of a licensee to retain a license or registration. Roll call: Chairman Gardner-aye; Vice Chairman King-aye; Board Member Kierce-aye; and Board Member Harmon-aye. The motion carried unanimously.

A motion was made and seconded to leave Executive Session. The motion carried unanimously.

A motion was made and seconded for the contract prosecutor to proceed with resolving the case per the Board's direction in Executive Session. The motion carried unanimously.

ADJOURNMENT

There being no further business, Chairman Gardner adjourned the meeting at 12:38 PM.

03/27/2025al