



STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

STATE PLUMBING BOARD

Virtual Zoom Meeting Pursuant to MCL 15.263 and MCL 15.263a

Web Link: <https://us02web.zoom.us/j/83792863873?pwd=YWZQUzViR3FmayswNjJMQ3crZjgrZz09>

Phone Number: 877-873-8017 (US Toll Free)

Password/Conference Code: 109987

APPROVED 04/20/2021

MINUTES - OPEN SESSION

February 2, 2021

10:00 a.m.

MEMBERS ATTENDING REMOTELY*

Mr. Joseph Alfonso, Hollard Charter Twp., Ottawa County, MI
Mr. Timothy Danielak, Saginaw Twp., Saginaw County, MI
Mr. Paul Kurtzhals, Sterling Heights, Macomb County, MI
Mr. Keith Lambert, Watertown Twp., Clinton County, MI
Mr. Mark Wiseley, Whitmore Lake, Livingston County, MI
Mr. Ernest Sarkipato, Grand Rapids, Kent County, MI
Mr. Scott Kalchik, Wixom, Oakland County, MI

MEMBERS ABSENT

Mr. David DeYoung

*Each attending member stated they were attending remotely.

DEPARTMENT PERSONNEL ATTENDING

Ms. Alesha Gensler, Deputy Director, Administration, BCC
Mr. Kevin Kalakay, Chief, Mechanical Division, BCC
Mr. Andy Neuman, Chief, Plumbing Division, BCC
Mr. Jon Paradine, Chief, Building and Permits Division, BCC
Ms. Dianne Barmes, Manager, Licensing and Compliance Division, BCC
Ms. Dawn Canfield, Departmental Analyst, Licensing and Compliance Division, BCC
Ms. Hillary Millen, Departmental Analyst, Administrative Services Division, BCC
Ms. Tracie Pack, Departmental Analyst, Administrative Services Division, BCC
Ms. Sara Leiby, Secretary, Administrative Services Division, BCC
Mr. Joseph Froehlich, Assistant Attorney General
Ms. Courtney Pendleton, Deputy Director, LARA
Mr. Bryan Modelski, Deputy Operations Officer, LARA

1. CALL TO ORDER AND DETERMINATION OF QUORUM

Chairperson Danielak called the meeting to order at 10:00 a.m. A quorum was present at that time.

2. COMMUNICATION PROCEDURES

Chairperson Danielak informed the meeting participants of the communication procedures.

3. APPROVAL OF AGENDA

A **MOTION** was made by Vice Chairperson Wisely and **SECONDED** by Board Member Sarkipato to approve the agenda. (Aye: Board Members Alfonso, Danielak, Kalchik, Kurtzhals, Lambert, Sarkipato, and Wiseley; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

4. APPROVAL OF MINUTES

A. October 27, 2020

A **MOTION** was made by Board Member Alfonso and **SECONDED** by Vice Chairperson Wisely to approve the minutes of the October 27, 2020 meeting. (Aye: Board Members Alfonso, Danielak, Kalchik, Lambert, Sarkipato, and Wiseley; Nay: None; Board Member Kurtzhals could not be heard for the roll call.) **MOTION CARRIED.**

5. NOMINATION AND ELECTION OF OFFICERS

A. Chairperson

A **MOTION** was made by Vice Chairperson Wisely and **SECONDED** by Board Member Kalchik to nominate Board Member Danielak as Chairperson. (Aye: Board Members Alfonso, Danielak, Kalchik, Kurtzhals, Lambert, Sarkipato, and Wiseley; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

B. Vice Chairperson

A **MOTION** was made by Chairperson Danielak and **SECONDED** by Board Member Kalchik to nominate Board Member Wisely as Vice Chairperson. (Aye: Board Members Alfonso, Danielak, Kalchik, Kurtzhals, Lambert, Sarkipato, and Wiseley; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

6. MEET AND GREET WITH LARA ADMINISTRATION

LARA Deputy Director Pendleton and LARA Deputy Operations Officer Modelski introduced themselves to the Commission.

7. PRESENTATION

A. Miss Dig 811

Ms. Colleen Goddard and Mr. Paul Harding of Miss Dig 811 provided a presentation regarding the educational opportunities available with their notification system per 2013 PA 174.

8. APPLICANTS APPEALING DENIAL

A. Cole G. Groot - Master Plumber Examination

Mr. Cole G. Groot appeared before the Board to appeal denial of his Application for Master Plumber Examination.

Mr. Groot provided testimony regarding his work experience for review to the requirements of MCL 339.6113.

Following discussion, a **MOTION** was made by Vice Chairperson Wiseley and **SECONDED** by Board Member Kurtzhals to deny Mr. Groot's appeal due to a lapse in licensing and the hours of experience must be concurrent. (Aye: Board Members Danielak, Kalchik, Kurtzhals, and Wiseley; Nay: None; Abstain: Board Members Alfonso, Lambert, and Sarkipato) **MOTION CARRIED.**

B. Bradley A. Kalis - Master Plumber Examination

Mr. Bradley A. Kalis' appeal of denial of his Application for Master Plumber Examination was reviewed by the Board.

Mr. Kalis was not present for the review.

Following discussion, a **MOTION** was made by Board Member Kurtzhals and **SECONDED** by Board Member Sarkipato to deny Mr. Kalis' appeal as he did not meet the licensing requirements. (Aye: Board Members Alfonso, Danielak, Kalchik, Kurtzhals, Sarkipato, and Wiseley; Nay: None; Abstain: Board Member Lambert) **MOTION CARRIED.**

9. UNFINISHED BUSINESS

A. Charles Hackley Middle School

Mr. Matthew Slagle's request for variance for Charles Hackley Middle School was presented to the Board for relief from the requirements of Section 403.2 of the 2015 Michigan Plumbing Code (MPC).

Mr. Matthew Cortez, Superintendent of Muskegon Public Schools, and Mr. Tom Sturr, Architect, Tower Pinkster, Mr. Robert Konyndyk, former State Plumbing Division Chief and International Code Council Member, and Mr. Matthew Vusich provided testimony for the review.

i. Closed Session - Consultation with Counsel

At 10:55 a.m., a **MOTION** was made by Board Member Kalchik and **SECONDED** by Board Member Kurtzhals to meet in closed session under Section 8(h) of the Open Meetings Act to consider material exempt from discussion or disclosure by state or federal statute under Section 13 (1) (g) of the Freedom of Information Act,

specifically information or records subject to attorney client privilege. (Aye: Board Members Alfonso, Danielak, Kalchik, Kurtzhals, Lambert, Sarkipato, and Wiseley; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

The Board came back into Open Session at 12:45 p.m. A roll call was completed to affirm that all the Board Members present during the Closed Session returned to the Open Session.

ii. Open Session Review

Following discussion, a **MOTION** was made by Board Member Kurtzhals and **SECONDED** by Board Member Kalchik to deny Mr. Slagle's request for variance for Charles Hackley Middle School because there is no practical difficulty that prevents code compliance with Section 403.2 of the 2015 MPC, the requested variance is a substantial deviation from Section 403.2 of the 2015 MPC, and the requested variance is general and recurrent in nature such that an amendment of the code would be more appropriate. (Aye: Board Members Danielak, Kalchik, Kurtzhals, Sarkipato, and Wiseley; Nay: Board Member Alfonso; Abstain: Board Member Lambert) **MOTION CARRIED.**

10. NEW BUSINESS

A. Plumbing Division Report

Chief Neuman provided the Board the plumbing exam pass/fail results from PSI. He also provided an update on the Part 7 Plumbing Rules.

Chairperson Danielak inquired on revising the exam questions to be consistent with the 2018 MPC and the implementation of the practical examination.

Chief Neuman responded that the division is working on logistics for the practical portion of the examination.

Board Members Kalchik and Kurtzhals will meet with Chief Neuman to review and revise the written exam questions for consistency with the 2018 MPC.

Ms. Cindy Maher, Michigan Plumbing & Mechanical Contractors' Association (MPMCA) Executive Director, stated and Chairperson Danielak confirmed that the examinations remain the same until six months after a new code becomes effective.

11. BUREAU QUARTERLY REPORT

Director Lambert reported on the following:

Mr. Dean Austin, Electrical Chief, retired on January 9, 2021. Mr. Lance Ash is the Acting Electrical Chief until the position is filled.

Mr. Jon Paradine, Building and Permits Division Chief, was admitted to the International Code Council 400 Log Standard Committee.

Mr. Pete Ingalls, Plumbing Inspector and Plan Reviewer, retired on December 31, 2020. The Bureau is in the process of filling the vacancy.

Director Lambert and Deputy Director Gensler will begin to have quarterly meetings with the Chairperson and Vice Chairperson of each of the Bureau's Boards and Commissions.

The Ski Area Safety General Rules were filed with the Office of the Great Seal and are in effect as of December 10, 2020.

The Bureau is waiting for the results of the audit that began in April of 2020.

12. PUBLIC COMMENT

Mr. Cortez expressed extreme disappointment with the Board's decision regarding agenda item 9.A. and that his students' rights are being violated based on the current code.

Mr. Konyndyk thanked the Board for hearing his comments, He also explained that the six month duration gives the instructors the ability to adjust and encouraged the addition of the practical examination.

13. NEXT MEETING DATE - APRIL 20, 2021

The Board is scheduled to meet next at 10:00 a.m. at 611 West Ottawa Street, Lansing, MI 48933 in the Upper Level Conference Room #3 on April 20, 2021.

14. ADJOURNMENT

A **MOTION** was made by Vice Chairperson Wisely and **SECONDED** by Board Member Kurtzhals to adjourn the meeting at 1:07 p.m. (Aye: Board Members Alfonso, Danielak, Kalchik, Kurtzhals, Lambert, Sarkipato, and Wiseley; Nay: None) **MOTION CARRIED UNANIMOUSLY.**