I. Roll Call

Members Present:
Jeff O. Estabrook, Vice-Chairman
George E. Killian
David W. Miller, Chairman
Christopher P. Reed
Terry Salem
Daniel J. Wellendorf

Members Absent:
Brian A Barrett

Others Present: James Wonder, Chief Plumbing Inspector, City of Omaha Planning Department

Mr. Miller called the meeting to order at 1:31 pm.

II. Approval of Minutes from September 28th, 2011

Motion by Mr. Estabrook to approve the minutes from the last meeting. Second by Mr. Salem

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0.

III. Apprenticeship Agreements

Casey Bonham From 9/28/2011
8706 Read Street
Omaha NE 68122

Eyman Plumbing Inc
8506 S 117th St
LaVista NE 68128-5560

9/28/2011:
Casey Bonham appeared before the Board with Karli Meisinger of Eyman Plumbing Inc. Ms. Meisinger asked the Board’s permission to appear for Mr. Eyman at this meeting. The Board consented to this request.

Mr. Miller reviewed the application file. He stated that the line showing requested start date, and asked Mr. Bonham what date he would like the Board to consider. Ms. Meisinger stated that Eyman Plumbing wasn’t certain as to what date to request due to the fact that they just received the Board’s approval for an apprenticeship program, and this is why they left this part of the form blank.

Mr. Wonder asked Mr. Bonham how long he has been working for the company, and to describe the type of work he has been doing during this time. Mr. Bonham replied that he started with Eyman Plumbing February 16, 2009. He has been working as a helper; his duties included moving pipe around, helping put up hangers, and assisting the plumbers.

Mr. Estabrook inquired as to whether Mr. Bonham is in school right now. Mr. Bonham stated that he attended school at Metropolitan Community College for one year. These records were not provided to the Board.
Mr. Wonder suggested that the Board hold this case over in order to allow Mr. Bonham to obtain his school records. The Board could then possibly grant Mr. Bonham credit for his completed schooling hours. Mr. Bonham stated that this would be agreeable to him.

Ms. Meisinger asked whether Mr. Bonham is allowed to work as an apprentice until the next meeting of the Board. After some discussion, Mr. Wellendorf suggested that the Board could grant Mr. Bonham a temporary start date of September 28th, 2011. This start date would allow Mr. Bonham to work as an apprentice until the next meeting of the Board in October.

Motion by Mr. Estabrook to approve Casey Bonham as a registered apprentice with a start date of September 28th, 2011. This start date and Mr. Bonham’s school records will be reviewed at the October 12, 2011 meeting of the Board. At that time, the Board may decide to modify Mr. Bonham’s start date. Second by Mr. Salem.

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 7-0

10/12/2011:

Mr. Bonham was not present.

Motion to hold this case over to the October 26, 2011 meeting of the Board by Mr. Estabrook. Second by Mr. Salem.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0.

10/12/2011 (cont’d.):

Mr. Bonham arrived late to today’s meeting.

Motion by Mr. Estabrook to reopen this case for consideration. Second by Mr. Wellendorf.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0. Case reopened.

Casey Bonham appeared before the Board. He presented copies of his school transcripts from Metropolitan Community College to the Board as requested.

After further clarification as to the nature of Mr. Bonham’s duties with Eyman Plumbing, Mr. Wellendorf made a motion to grant Casey Bonham one year of school credit, and to modify his start date to September 1, 2010. Second by Mr. Salem.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0.
IV. *Cases*

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Requested Waiver Reason</th>
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<td>11-10-95</td>
<td>Waiver of continuing education hours due to medical condition</td>
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Ted L. Strasser appeared before the Board to request a waiver of continuing education hours as provided for in section 49-215(d) of the Omaha Plumbing Code due to a medical condition. Mr. Strasser submitted with his application a letter from his physician which supported his claim.

Mr. Wonder stated that Mr. Strasser has had his journeyman and master plumber licenses for a number of years, and has always completed his continuing education in a timely manner. He recommended that the Board approve Mr. Strasser’s request. Mr. Miller confirmed Mr. Wonder’s assessment, and commented that Mr. Strasser appears to have a medical hardship.

Mr. Killian inquired as to how this hardship affects Mr. Strasser’s ability to work as a plumber. Mr. Strasser replied that he is unable to do plumbing of any kind; however, he is the master plumber for his family’s business. Currently, his wife handles office matters and his son does most of the plumbing work for the business.

Mr. Killian respectfully asked the other Board members for their opinions regarding whether a waiver for medical hardship should be granted to a plumber who cannot physically do the job anymore, citing the need to protect the well-being of the public. Mr. Wonder responded that in this case, Mr. Strasser’s family has been operating their business in this manner for quite some time; it is only very recently that Mr. Strasser’s medical condition has worsened.

Mr. Reed stated that the Plumbing Board cannot really assess Mr. Strasser’s fitness to hold a license; rather, they can look at the work being performed by Mr. Strasser’s company to see whether permits are being taken out and work is being performed to the standards of the Code. Mr. Wonder stated that he would agree with Mr. Killian if Mr. Strasser was the plumber of record for a large company with many employees. However, this is a small, family owned and operated business.

Mr. Killian inquired whether there were plans for Mr. Strasser’s son to take over the business in the future. Mr. Strasser indicated that he would like pass his company on to his son Bill once he takes and passes the master plumber examination. Mr. Strasser stated that his desire to pass the business on is what has prompted him to maintain his licenses Mr. Wonder assured the Board that the Plumbing Division has had no problems with any of the work performed by this company.

Motion to grant requested waiver of continuing education hours for 2012 by Mr. Estabrook. Second by Mr. Salem.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0
REQUEST: Request to move four hours of continuing education credit from 2011 to 2010.

Jerald Pote appeared before the Board. Mr. Pote is missing four hours of continuing education for 2010. Mr. Miller read from the file that Mr. Pote has held a journeyman plumber license since May of 2002. With the exception of his missing hours in 2010, he has consistently completed the required number of continuing education hours as required by Code. Mr. Pote stated that he didn’t realize that he was missing hours until he submitted his application for the master plumber examination to the Board Secretary.

Mr. Pote stated that he has already completed his continuing education hours for 2011. He asked that the Board to move four of these hours to cover his 2010 shortage. Mr. Pote stated that he has already registered for one of Mr. Wonder’s upcoming CEU classes which will bring his 2011 hours back to current.

Mr. Wellendorf stated that Mr. Pote is a first time offender, and he had no issues with granting this request. Mr. Salem inquired whether the Board wished to add penalty hours. After some discussion, Mr. Reed made a motion to move four hours of continuing education credit from 2011 to 2010 as requested. No penalty hours will be assessed at this time. Second by Mr. Salem.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0

REQUEST: Waiver to allow the installation of an irrigation well.

Location: 5850 Country Squire Plaza

9/28/2011:
Karli Meisinger of Eyman Plumbing Inc and Steve Stapp, owner, appeared before the Board to request a waiver to allow the installation of an irrigation well.

Mr. Miller reviewed the case file and stated that according to an opinion received from Mark Masek of the Metropolitan Utilities District, MUD is opposed to this waiver at this time. Mr. Miller stated that MUD currently has a 16 inch main nearby which supplies water to this area. MUD requested the Board deny this request, and require the applicant to use MUD water for irrigation.

Mr. Wonder gave some background information on this area. Mr. Wonder stated that there are other wells in this area which the Board approved. He suggested that the Board lay this case over to their next meeting in order to allow him time to pull these files and research previous cases in the area.

Mr. Wonder asked the applicant where he currently gets his potable water from. Ms. Meisinger stated that Mr. Stapp has MUD water for his home. Mr. Reed asked the applicant whether his home is currently under construction. Mr. Stapp replied that his home already exists on the property.

Mr. Nickeson stated that the Health Department has not received an application from Mr. Stapp to put a well on this property. Mr. Miller restated that MUD currently opposes this waiver application. Mr. Barrett asked Mr. Stapp to identify the hardship which prevents him from using MUD water for irrigation.
Mr. Stapp added that the requested irrigation well is for the purpose of raising woody florals – dogwood, curly maple, and other plants used in landscaping and for decorative purposes. He explained that his daughter, a horticulturalist, is starting a business, and would act as his consultant in this venture. Mr. Stapp stated that extending MUD’s main for irrigation purposes would be very cost-prohibitive for him. Mr. Wonder asked the applicant whether he knew of any reason why MUD’s water would be detrimental to the plants that he intends to grow. Mr. Stapp replied that he doesn’t need chlorinated and fluoridated water for these plants. Mr. Wonder asked whether Mr. Stapp’s daughter could provide the Board with an analysis of why treated water would hurt the plants that he intends to grow, citing the fact that this could be grounds for a waiver. Ms. Meisinger replied that she and Mr. Stapp could look into this if the Board wished them to.

Motion to hold this case over to the October 12th meeting of the Board by Mr. Estabrook. Second by Mr. Salem.

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 7-0

10/12/2011:
The Board received notice that the applicant wishes to withdraw this waiver request.

Motion to file by Mr. Estabrook. Second by Mr. Salem.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0

8-8-92 From 8/13/2008, 10/7/2009 & 12/1/2010 – RENEWAL OF A PREVIOUSLY GRANTED WAIVER
Living Faith United Methodist Church
5310 South 182nd Avenue
Omaha NE 68135

REQUEST: Waiver of Articles 7, 9, and 13 of the Omaha Municipal Code.

Location: 5310 S 182 Avenue
49-Various

The Board received notice that the applicant wishes to appear before the Board at their next meeting.

Motion to hold this case over to the October 26, 2011 meeting of the Board by Mr. Wellendorf. Second by Mr. Estabrook.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0.
11-10-97
Mark Roseland
Backlund Plumbing
14920 Grover
Omaha NE 68144

REQUEST: Variance of Section 49-637, Space requirement for non-handicapped plumbing fixtures

Location: 9800 Harney Parkway
49-637

Chris Roseland of Backlund Plumbing appeared before the Board. Mr. Roseland explained that his company is currently involved in the construction of a custom home. His client would like to install a custom glass one-piece countertop that will extend from the vanity and across the toilet to the wall. Plumbing Code requires a clearance of 12” above the tank lid; this countertop will leave a clearance of approximately 2 ½”. Mr. Roseland explained that the homeowner plans to use this design element in two of the nine bathrooms in the home. He stated that the homeowner understands that the reduced clearance will require the toilet to be pulled if any repairs are needed.

Mr. Roseland added that his client would be willing to cut this countertop into two pieces (the vanity piece and a removable piece over the toilet tank) if the Board thought this necessary. He explained that his presence today was to get this matter cleared up before final inspection occurs. Mr. Wonder stated that the minimum clearance requirement was put into the code when local builders began to install this type of countertop in new residential subdivisions, which caused his office to receive complaints from homeowners. Mr. Wonder stated that he had no objection to this type of design element being installed in a custom home.

Motion to approve by Mr. Killian. Second by Mr. Wellendorf.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0.

11-10-98
Terrance S Vail
3403 S 112 St
Omaha NE 68144

REQUEST: Renewal of approval of Provider Approval of Instructors (4)
Approval of CEU Class (3 hours)
49-215

Terry Vail appeared before the Board to seek approval of continuing education hours. After consulting the file, the Board Secretary confirmed that Region 12 Backflow Prevention Association has already been approved as a Provider for 2011. Mr. Vail stated that the proposed class is basically the same as the class which the Board approved last year, commenting that he has had to make some instructor substitutions due to scheduling conflicts. The Board reviewed Mr. Vail’s proposed instructors. Mr. Estabrook stated that he plans to attend this class and will report back to the Board after the class has taken place.

Motion by Mr. Estabrook to approve Paul Signore as an instructor for backflow protection of kitchen equipment. Second by Mr. Salem.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0.

Motion by Mr. Estabrook to approve James A. Newman as an instructor for backflow protection for swimming pools, spas and underground wells. Second by Mr. Salem.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0.
Motion by Mr. Estabrook to approve Megan Shada as an instructor for backflow specialist and blood-borne pathogens. Second by Mr. Reed.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0.

Motion to approve CEU classes as submitted for a total of 3 hours of continuing education credit for master plumbers and journeyman plumbers who currently hold a Grade VI license by Mr. Reed. Second by Mr. Wellendorf.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 6-0.

V. Discussion

- The Board discussed revised Plumbing Board policies; specifically, changes to the number of times which a person may retake portions of a plumbing examination before being required to take all sections over again. A draft of these changes will be made and a copy will be given to the Board members for discussion on the October 26th meeting.

- The Board discussed the recent 2010 continuing education hours make up class. Mr. Wonder commented that approximately 30 people chose not to rectify their hours or to take the offered make up class. These people will be sent notice to appear before the Board for a hearing for possible revocation or suspension of their license(s) at a date to be determined.

- The Board discussed the recent meeting of the Code Committee. Mr. Wonder stated that he hopes to have a draft of code changes to the Board after the first of the year.

VI. Adjourn

Motion to adjourn by Mr. Wellendorf. Second by Mr. Salem.

AYES: Estabrook, Killian, Miller, Reed, Salem, Wellendorf.

Motion passed 6-0. Meeting adjourned @ 2:22pm.

* = APPLICANT MUST BE PRESENT AT MEETING

A full, continually current agenda is available for public inspection in Room 1110 of the Omaha/Douglas Civic Center during normal business hours.

The Omaha Plumbing Board reserves the right to modify the agenda at the public meeting.

If alternative (tape) to the agenda is needed, please advise Jim Wonder. A 72-hour notice is required.

Applications for the meeting to be held at 1:30 pm on Wednesday, October 26th are due no later than 9:00am on Thursday, October 13th.

Visit the Planning Department’s Site on the Internet at http://co.douglas.ne.us/omaha/planning/boards/plumbing-board