

## MINUTES

### THE INDIANA PLUMBING COMMISSION

Meeting held  
Wednesday, January 28, 2009

Indiana Government Center-South  
402 West Washington Street, Room W072  
Indianapolis, Indiana

#### I. REVIEW OF APPLICATIONS

The Commission members reviewed applications until 9:30 a.m.

#### II. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Mr. Ciriello called the meeting to order at 10:34 a.m. in Conference Center Room W072, 402 West Washington Street, Indianapolis, Indiana and declared a quorum in accordance with IC § 25-28.5-1.

##### Members Present:

William Ciriello, Chairman  
Robert Synko, Secretary  
Matt Buczolic  
John Van Cleve

##### Members Not Present:

Owen Stephens  
Eric Ott

##### State Officials Present:

Angela Smith Jones, Board Director, Indiana Professional Licensing Agency  
Julie Alexander, Advisory Counsel, Office of the Attorney General

#### III. ADOPTION OF THE AGENDA

**Board Action:** A motion was made to adopt the amended agenda.

Buczolic/Synko  
Motion carried 4/0/0

#### IV. ADOPTION OF THE MINUTES FROM SEPTEMBER 24, 2008 MEETING OF THE COMMISSION

**Board Action:** A motion was made to adopt the minutes with changes.

Buczolic/Synko  
Motion carried 4/0/0

#### V. PERSONAL APPEARANCES

##### A. Cathie Knear (*Reinstatement of License*)

Although Ms. Knear did not appear, upon review of the file and the documents contained within, and because the November meeting was cancelled and the January commission meeting was problematic due to the severe weather conditions, the commission is not requiring a personal appearance and thus moves to reinstate the license.

Synko/Van Cleve  
Motion carried 4/0/0

**B. Keith A. Pecival (*Reinstatement of License*)**

A motion was made to reinstate the license. His absence was due to the severe weather conditions.

Buczolich/Synko  
Motion carried 4/0/0

**VI. ADMINISTRATIVE HEARINGS**

**A. In the Matter of the Application of Roger Lakes**

Cause No.: IPC 08-15

Re: Petition for Review of Denial of licensure as plumbing contractor due to examination failure

There was a miscommunication and misunderstanding between Mr. Lakes and the staff, he must still take the drawing section of the exam. The Commission does not accept the withdrawal of his petition based upon this miscommunication by IPLA staff.

**B. In the Matter of Bruce Mayer**

Cause No.: IPC 08-17

Re: Final Hearing

**(CONTINUED)**

**C. In the Matter of Steve Jenkins**

Cause No.: IPC 08-18

Re: Final Hearing

**Parties Present:**

Mr. Jenkins was not present nor was counsel present on his behalf.

The State of Indiana was represented by Myron Rahn.

**Board Members Present:**

Matt Buczolich

Bill Ciriello

Robert Synko

Jon Van Cleve

**Case Summary:** The State moved that a Notice of Proposed Default be issued.

**Board Action:** A motion was made to issue a notice of Proposed Default. During the discussion on the motion, it was noted that today there was a snow fall with a record accumulation since 2004 and thus the motion to issue a Notice of Default failed and instead on the commission's own motion the commission continues this matter.

Van Cleve/Buczolich  
Motion carried 4/0/0

**D. In the Matter of the Application of Kenneth Hartley**

Cause No.: IPC 08-16

Re: Petition for Review of Denial of licensure as journeyman plumber due to examination failure

**Board Action:** It was noted that today there was a snow fall with a record accumulation since 2004 and thus on the commission's own motion the commission continues this matter.

Van Cleve/ Buczolich  
Motion carried 4/0/0

**E. In the Matter of Timothy Holtman**

Cause No.: IPC 08-21

Re: Final Hearing

**(CONTINUED)**

**F. In the Matter of ARS Service Express**

Cause No.: IPC 08-19

Re: Final Hearing

**(CONTINUED)**

**VII. PETITIONS FOR REVIEW**

**A. Joshua D. Focht**

Mr. Focht passed the written exam May 2008, and by operation of law he no longer needs to take the exams and is eligible for licensure. The matter is moot.

**B. Benjamin Shook**

Mr. Shook passed the written exam May 2008, and by operation of law he no longer needs to take the exams and is eligible for licensure. The matter is moot.

**C. Hollie Taylor**

Ms. Taylor's petition was timely and the commission granted her petition for review and set the hearing before the full commission.

Van Cleve/ Buczulich  
Motion carried 4/0/0

**VIII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDER**

**A. In the Matter of the Application of Andrew Caudill**

Cause No.: IPC 08-14

Re: Petition for Review of Denial of licensure as journeyman plumber due to examination failure  
*(Withdrawal)*

**Board Action:** A motion was made to accept the withdrawal of the petition for review.

Van Cleve/Synko  
Motion carried 4/0/0

**IX. NOTICE OF PROPOSED DEFAULT**

**A. In the Matter of the License of Jeff Skirvin**

Cause No.: IPC 08-12

Re: Notice of Proposed Default

*(Objection filed)*

**Parties Present:**

Mr. Skirvin was not present nor was counsel present on his behalf.  
The State of Indiana was represented by Myron Rahn.

**Board Members Present:**

Matt Buczulich  
Bill Ciriello  
Robert Synko  
Jon Van Cleve

**Case Summary:** Respondent filed a timely objection and the state does not object.

**Board Action:** A motion was made to set the matter for a hearing at the next Commission meeting.

Van Cleve/Buczolich  
Motion carried 4/0/0

**X. CONSIDERATION OF ADMINISTRATIVE LAW JUDGE ORDERS**

None

**XI. EXAMINATION LICENSURE/UNLICENSED PRACTICE**

**A. Timothy Jones (Charles D. Todd) – Jones Contracting, Inc.**

**Board Action:** A motion was made to request a personal appearance for Mr. Jones to appear before the Commission at the next meeting.

Buczolich/Van Cleve  
Motion carried 4/0/0

**X. APPLICATIONS FOR APPROVAL – PLUMBING APPRENTICE SCHOOL**

None

**XI. APPLICATIONS FOR LICENSURE**

**Board Action:** A motion was made and seconded to approve all recommendations and decisions made by the Commission members on applications for licensure that were reviewed throughout the Commission meeting.

Buczolich/Van Cleve  
Motion carried 4/0/0

**XII. REVIEW OF PROBATIONARY REPORTS**

**A. Eddy Neal – Mr. Neal paid his \$200.00 fine in compliance with his probationary order.**

**XIII. DISCUSSION**

**A. Statutes and Rules**  
Re: Possible Modifications

**B. Request of Reinstatement of a Plumbing Contractor License**  
Re: Robert Coulter

He was a licensed JP and PC and reapplied to take his test and it was rejected because he did not meet the apprenticeship requirement (as he did not make note of his expired licenses.)

**C. Election of Officers**

A motion was made to keep named officers as they were for 2008:

Bill Ciriello – Chair  
Robert Synko – Secretary  
Eric Ott – Liaison

Van Cleve/ Buczolich  
Motion carried 4/0/0

**XIV. BOARD DIRECTOR'S REPORT**

**A. Outsourcing of Exam – *Status and Exam Schedule***

Mr. Ciriello recommended the staff check to see if any of the proctors would be willing to proctor the exam for free for the next few exams.

**B. State Finances**

Angela Smith Jones explained the status of the State finances and discussed the reversion requirement.

**C. Letters to Examinees (Sample to Members)**

If an applicant completed an apprenticeship, but never applied to take the test then they will have to take the practical back at a school. Be sure everyone understands that they must have passed the written and the drawing.

**XV. OLD/NEW BUSINESS**

None

**XVI. ADJOURNMENT**

There being no further business and having completed its duties, the meeting of the Indiana Plumbing Commission adjourned at 12:20 p.m.

  
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**William Ciriello – Chairman**  
**Indiana Plumbing Commission**

*J-25-09*  
\_\_\_\_\_  
**Date**

