

## MINUTES

### THE INDIANA PLUMBING COMMISSION

meeting was held  
Wednesday, May 25, 2011  
at 9:00 a.m.

Indiana Government Center South  
402 West Washington Street, Conference Center Room 6  
Indianapolis, Indiana

#### REVIEW OF APPLICATIONS

Commission members reviewed applications until 9:00 a.m.

#### CALL TO ORDER & ESTABLISHMENT OF QUORUM

Owen Stephens called the meeting to order at 9:02 a.m. in Indiana Government Center South, Conference Center Room 6, 402 West Washington Street, Indianapolis, Indiana and declared a quorum in accordance with IC § 25-28.5-1.

#### **Commission Members Present:**

Owen Stephens, Chairman  
Matthew Buczolic  
William Ciriello  
Eric Ott, Liaison  
Robert Synko  
John Van Cleve

#### **State Officials Present:**

Christina Wiseley, Director, Indiana Professional Licensing Agency  
Crystal Heard, Assistant Director, Indiana Professional Licensing Agency  
Tim Grogg, Deputy Attorney General/Advisory Counsel, Office of the Attorney General

#### PERSONAL APPEARANCE

A personal appearance was made by a representative from Evansville Local 136 to discuss the issue of students working without the benefit of a plumbing apprentice license. The board decided to table the matter until the BAT agreements could be produced.

#### ADOPTION OF THE AGENDA

**Commission Action:** John Van Cleve moved to adopt the agenda. Robert Synko seconded the motion. The motion carried with a vote of 6-0-0.

**ADOPTION OF THE MINUTES FROM THE MARCH 23, 2011 MEETING OF THE COMMISSION**

**Commission Action:** William Ciriello moved to adopt the minutes from the March 23, 2011 meeting of the commission. Eric Ott seconded the motion. The motion carried with a vote of 6-0-0.

**ADMINISTRATIVE HEARINGS**

Sherrri Rutledge served as the Court Reporter on all matters before the Commission on May 25, 2011.

**1. In the Matter of Thomas Zent, Cause Number IPC 10-11**

**Case Summary:** The hearing began at 9:08a.m. Mr. Zent appeared without counsel and waived the right to counsel. Mr. Zent provided evidence to the Commission which indicates he took the required amount of continuing education and that he has remedied the deficiency which required his probationary status.

**Commission members Present:**

Owen Stephens  
Robert Synko  
Eric Ott  
William Ciriello  
John Van Cleve  
Matt Buczolich

**Witness:**

Thomas Zent

**Commission Action:**

William Ciriello moved to withdraw the probationary status on Mr. Zent's plumbing contractor license. John Van Cleve seconded the motion. The motion carried with a vote of 6-0-0.

**2. In the Matter of Hoosier Home Pros Cause Number IPC 11-02**

**Case Summary:** The hearing began at 9:26a.m. Hoosier Home Pros, Inc. failed to appear. The state requested that the board issue a notice of proposed default.

**Commission members Present:**

Owen Stephens  
Robert Synko  
Eric Ott  
William Ciriello  
John Van Cleve  
Matt Buczolich

**Witness:**

None

**Commission Action:**

John Van Cleve moved to issue a notice of proposed default to Hoosier Home Pros. Eric Ott seconded the motion. The motion carried with a vote of 6-0-0.

**3. In the Matter of Philip Reinhart Cause Number IPC 11-03**

**Case Summary:** The hearing began at 9:30 a.m. Mr. Reinhart appeared before the Commission and waived the right to counsel. Mr. Reinhart indicated that he has twenty-five years of experience in plumbing and wishes to take the examination to obtain his license. He acknowledged and provided proof that he has been working as an apprentice plumber with Koch Mechanical, Inc. since June, 1998. Discussion took place about Mr. Reinhart's unlicensed practice and the statute change regarding eligibility for the examination. It was determined that the advisory counsel would require time to research the statutes and rules in order to accurately advise the commission.

**Commission members Present:**

Owen Stephens  
Robert Synko  
Eric Ott  
William Ciriello  
John Van Cleve  
Matt Buczolich

**Witness:**

Philip Reinhart

**Commission Action:** William Ciriello moved to recess the hearing and continue deliberations at the next meeting. Eric Ott seconded the motion. The motion carried with a vote of 6-0-0.

Matthew Buczolich moved to send a letter of non-compliance to Koch Mechanical, Inc. referencing Mr. Reinhart's unlicensed practice. William Ciriello seconded the motion. The motion carried with a vote of 6-0-0.

**4. In the Matter of Ralph Senninger Cause Number IPC 09-01**

**Case Summary:** The hearing began at 9:57 a.m. Mr. Senninger failed to appear.

**Commission members Present:**

Owen Stephens  
Robert Synko  
Eric Ott  
William Ciriello  
John Van Cleve  
Matt Buczolich

**Witness:**

None

**Commission Action:**

John Van Cleve moved to issue a notice of proposed default to Ralph Senninger. Matthew Buczolich seconded the motion. The motion carried with a vote of 6-0-0.

**5. In the Matter of John Springman Cause Number IPC 09-12**

**Case Summary:** The hearing began at 10:02 a.m. Mr. Springman failed to appear.

**Commission members Present:**

Owen Stephens

Robert Synko

Eric Ott

William Ciriello

John Van Cleve

Matt Buczolich

**Witness:**

None

**Commission Action:** John Van Cleve moved to issue a notice of proposed default to Mr. Springman. Eric Ott seconded the motion. The motion carried with a vote of 6-0-0.

**PERSONAL APPEARANCES**

**1. Charles Kirby**

Mr. Kirby made a personal appearance at the request of the commission to discuss the reinstatement of his Journeyman Plumber license which expired in 1998.

**Commission Action:** William Ciriello moved to grant a probationary journeyman plumber license to Mr. Kirby with the following terms: 1) Mr. Kirby is to complete of 10 hours of continuing education within twelve months of the date of the order; 2) Mr. Kirby is to remain compliant with all Indiana Plumbing Commission statutes and rules; 3) Mr. Kirby is to remain compliant with all court orders; 4) Mr. Kirby is required to have his probation officer send a quarterly report on the status of his compliance with his criminal probation, 4) The probation shall be in effect until Mr. Kirby has met the terms of his criminal probation, which is expected to be May 30, 2014. Eric Ott seconded the motion. The motion carried with a vote of 6-0-0.

**PETITIONS FOR REVIEW**

**1. William England**

Mr. England petitioned for review of the denial of his plumber contractor license application.

**Commission Action:** John Van Cleve moved to allow the petition for review to be set for hearing. William Ciriello seconded the motion. The motion carried with a vote of 6-0-0.

### **NOTICE OF PROPOSED DEFAULT/DISMISSAL**

- 1. Larry Adams and Associates** - William Ciriello moved to accept the proposed dismissal order. Robert Synko seconded the motion. The motion carried with a vote of 6-0-0.
- 2. Joseph Smith, IV** – William Ciriello moved to accept the proposed dismissal order. Matthew Buczolic seconded the motion. The motion carried with a vote of 6-0-0.

### **CONSIDERATION OF MOTION FOR ORDER TO CEASE AND DESIST**

**Gibson's Heating & Plumbing, Inc.** – William Ciriello moved to issue an order to cease and desist the unlicensed practice of plumbing. John Van Cleve seconded the motion. The motion carried with a vote of 6-0-0.

### **APPLICATIONS FOR LICENSURE**

The following applications were approved pursuant to the Commission's action sheets

1. John L. Knight (PC)
2. Randy W. Sargent (PC)
3. Mark Greubel (PC)
4. James R. Disponett (PC)
5. Roger Vance (PC)
6. Donald Nelson (PC)
7. Ronald Veglahn (PC)
8. Nicolas Hausman (PC)
9. Joshua Johnson (PC)
10. Joseph Strasser (JP)
11. Michael Fendrick (JP)
12. Daniel R. Mueller (JP)
13. George Schmidt (JP)
14. Stephen Jett (JP)
15. Jason Kleinholz (JP)
16. Shawn Swift (JP)
17. Louis Margiotta (JP)
18. Vincent Margiotta (JP)
19. Kristopher Gautsch (JP)
20. Rory Romig, II (AP)

The following applications were tabled pursuant to the Commission's action sheets (Van Cleve/Synko 6-0-0):

1. Shaun Brandenburg (JP)
2. Joshua Gerhardstein (JP)
3. Joshua E. Kramer (JP)
4. Brian M. Caproni (JP)
5. Joseph C. Herrmann (JP)
6. Chad E. McClure (JP)
7. Matt J. McFadden (JP)
8. Nathan T. Minch (JP)
9. Christopher L. Williams (JP)
10. David M. Redding (JP)
11. Scott Sovine (JP)
12. Dustin Tate (JP)
13. Harry Miller (PA)

The following applications were denied pursuant to the Commission's action sheets (Van Cleve/Synko 6-0-0):

1. Kenneth Jenkins (PC)
2. Dewell Kirby (JP)
3. Aaron Fisher (JP)

The following reinstatement applications were considered and approved:

1. Ricky L. Wardwell – William Ciriello moved to reinstate Mr. Wardwell's plumbing contractor license. Matthew Buczolich seconded the motion. The motion carried with a vote of 6-0-0.
2. David T. Chapman – William Ciriello moved to reinstate Mr. Chapman's plumbing contractor license. Matthew Buczolich seconded the motion. The motion carried with a vote of 6-0-0.

## **DISCUSSION**

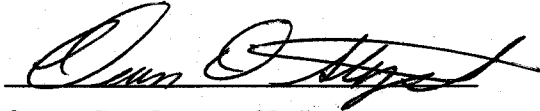
The commission unanimously agreed to continue the discussion of IC 25-28.5-1-12 – Licensing requirements; apprenticeship; nonresidents to the next meeting.

William Ciriello indicated that he would like to review the file of Ricky Nelson later in the week.

William Ciriello informed the board that the U.S. Department of Labor code for plumbing on BAC agreements is 0432 and that the U.S. Department of Labor code for pipe fitters on BAC agreements is 0414.

**I. ADJOURNMENT**

There being no further business, and having completed its duties, the meeting of the Indiana Plumbing Commission adjourned at 11:30 a.m.



**Owen Stephens – Chairman  
Indiana Plumbing Commission**

7-27-11  
**Date**