

MINUTES

THE INDIANA PLUMBING COMMISSION

**Meeting held
Wednesday, January 24, 2007**

**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. Stephens called the meeting to order at 9:32 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:

Owen D. Stephens, Chairman
Matt Buczolich
William Ciriello
Robert Synko
John Van Cleve

Members Not Present:

Eric Ott

State Officials Present:

Angela Smith Jones, Board Director, Indiana Professional Licensing Agency
Mary Kate Adams, Assistant Director, Indiana Professional Licensing Agency
Rebecca Tinsley, Case Manager, Indiana Professional Licensing Agency
James Schmidt, Advisory Counsel, Office of the Attorney General
Julie Alexander, Advisory Counsel, Office of the Attorney General

III. ADOPTION OF THE AGENDA

A motion was made to adopt the agenda.

Buczolich/Ciriello
Motion carried 5/0/0

IV. ADOPTION OF THE MINUTES FROM NOVEMBER 29, 2006 MEETING OF THE COMMISSION

A motion was made to adopt the minutes.

Van Cleve/Synko Ciriello
Motion carried 5/0/0

V. PERSONAL APPEARANCES

None.

VI. ADMINISTRATIVE HEARINGS

None.

VII. PETITIONS FOR REVIEW

- A. Ronald G. Peterson (Plumbing Contractor exam failure)
- B. Denton Winters, III (Journeyman Plumber exam failure)
- C. Michael Berryman (Journeyman Plumber exam failure)

Board Action: A motion was made to grant the petitions for review for Peterson and Winters and appoint William Ciriello as the ALJ.

Van Cleve/Buczolich
Motion carried 5/0/0

Board Action: A motion was made to deny Berryman's petition for review, because it was untimely.

Van Cleve/Ciriello
Motion carried 5/0/0

VIII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDERS

A. In the Matter of the Application of Cy Cadwalder

Cause No.: IPC 06-21

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

Board Action: A motion was made to affirm the ALJ orders dismissing the matter thus denying his application for licensure (the order needs to have the name of Jason Fish removed and Cy Cadwalder inserted).

VanCleve/Synko
Motion carried 5/0/0

B. In the Matter of the Application of Jason A. Fish

Cause No.: IPC 06-22

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

Board Action: A motion was made to affirm the ALJ orders dismissing the matter thus denying his application for licensure.

VanCleve/Synko
Motion carried 5/0/0

C. In the Matter of the Application of Anthony L. Hecker

Cause No.: IPC 06-23

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

Board Action: A motion was made to affirm the ALJ orders dismissing the matter thus denying his application for licensure.

VanCleve/Synko
Motion carried 5/0/0

D. In the Matter of the Application of Richard T. Shane

Cause No.: IPC 06-26

Re: Petition for Review of Denial to sit for the journeyman plumber examination

Board Action: A motion was made to affirm the ALJ orders denying him admission to the exam.

VanCleve/Synko
Motion carried 5/0/0

E. In the Matter of the Application of David L. Lynch

Cause No.: IPC 06-29

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

Board Action: A motion was made to accept the withdrawal of his petition.

Van Cleve/Synko
Motion carried 5/0/0

IX. EXAMINATION LICENSURE/UNLICENSED PRACTICE

A. Larry Spatt, PC88900187 – Chad Wells (petition for review 10/12/06)

Board Action: A motion was made to accept the letter of explanation from Mr. Spatt.

Ciriello/Buczolich
Motion carried 5/0/0

X. APPLICATIONS FOR APPROVAL – PLUMBING APPRENTICE SCHOOL

A. Plumbers and Pipefitters Local Union 502 Training Center

Del Melcher – Contact Person
2335 Millers Lane
Louisville, Kentucky 40216
(502) 778-3380

Board Action: A motion was made to approve Plumbers and Pipefitters Local Union 502 Training Center to be an approved apprentice school.

Buczolich/Ciriello
Motion carried 5/0/0

XI. REVIEW OF PROBATIONARY REPORTS

A. R.T. Moore Company, Inc., IPC 05-20 (12/8/06 & 1/8/07)

B. Rex Byers Heating & Cooling Systems, Inc., IPC 05-21 (12/18/06 & 1/12/07)

Board Action: A motion was made to accept the probationary reports.

Ciriello/Buczolich
Motion carried 5/0/0

C. David A. Stegemiller, IPC 04-05

This matter will be coming before the board in a hearing next month, no action was taken by the commission.

D. CC Plumbing, IPC 06-06 (1/9/2007)

CC Plumbing should still be submitting reports in accordance to the order or surrender the license to the board. The company is out of compliance with the probationary order.

Board Action: A motion was made to issue an order to show cause to CC Heating and to request the plumbing contractor make a personal appearance before the board as well.

Van Cleve/Ciriello
Motion carried 5/0/0

XII. DISCUSSION

None.

XIII. BOARD DIRECTOR'S REPORT

A. Litigation Tracking System

ASJ informed the board that the agency has a created a disciplinary tracking system which will be available from the webpage. It is not running, yet but is forthcoming.

XIV. OLD/NEW BUSINESS

A. Proposed Rules/Statute Changes
a. Fees Rule Draft

The commission reviewed the draft and commented on possible changes in light of the exam being outsourced.

B. RFP for Outsourcing Exam
Re: Review and comment

Board Action: A motion was made to appoint Bill Ciriello and Owen Stephens as the committee members to represent the commission during the contract negotiation phase.

Buczolich/Van Cleve
Motion carried 5/0/0

C. Backflow Fitters and the Plumbing Code
Re: Review of Statutory Authority (327 IAC 8-10 and IC 25-28.5 and 860 IAC 1)

IDEM's rule includes information stating that the backflow fitters are registered with IDEM. Our commission believes backflow fitters need to be plumbers with a backflow testing license—as Ciriello and Stephens have. Staff and commission counsel are to get in touch with IDEM on this issue for more clarification.

D. Election of Officers for 2007 – Chairman – Secretary - Liaison

Board Action: A motion was made to nominate Owen Stephens as Chairman.

Ciriello/Buczolich
Motion carried 5/0/0

Board Action: Motion was made to nominate Eric Ott as the Secretary.

Van Cleve/Ciriello
Motion carried 5/0/0

The Chairman appointed Bill Ciriello as the Liaison.

- E. Mr. Ciriello has presented to the County Building Commission in South Bend on the rules and regulations of the plumbing commission. It went well and he has been invited to other building commissions to do the same. The plumbing commission members support this endeavor.
- F. Julie Alexander is the new attorney for the commission.

XV. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the Indiana Plumbing Commission adjourned at 12:24 p.m.


Owen Stephens – Chairman
Indiana Plumbing Commission

3-28-07
Date

Indiana Plumbing Commission
January 24, 2006

JOURNEYMAN BY APPRENTICESHIP

	Approved	Tabled	Denied
	/	/	
	/	/	
Cherry, Scott	✓	/	/
Cottrell, Matt	/	✓	/
Deckard, Marcus	/	✓	/
DeGonia, Thomas	✓	/	/
	/	/	
	/	/	

JOURNEYMAN BY TRADE

	Approved	Tabled	Denied
Abeyta, Joseph	/	✓	/
Braun, Ben	/	✓	/
Coffey, Charles	✓	/	/
Gillahan, Shawn	✓	/	/
Grunawalt, Travis	/	/	✓
Loos, Christopher	/	✓	/
Mahoney, Kamden	✓	/	/
Martin, David A.	✓	/	/
Pike, Aaron	✓	/	/
	/	/	
Slayton, Casson L.	✓	/	/
Spence, Brent	✓	/	/
Whelan, Jonathan	/	✓	/

CONTRACTOR BY APPRENTICESHIP

	Approved	Tabled	Denied
Glass, Larry D.	✓	/	/
	/	/	
	/	/	
	/	/	

CONTRACTOR BY TRADE

Approved Tabled Denied

	/	/
Robbins, Charles	✓	/
Schuler, Eugene	✓	/
Shelley, John	✓	/
	/	/
	/	/

PLUMBING CONTRACTOR BY BUSINESS

	Approved	Tabled	Denied
Miner, Ernest	✓ /	/	/
	/	/	/
	/	/	/
	/	/	/
	/	/	/

PLUMBING TEMPORY CONTRACTOR

	Approved	Tabled	Denied
	/	/	/
	/	/	/

PREVIOUSLY PENDING INVESTIGATED JOURNEYMAN OR CONTRACTOR BY TRADE

	Approved	Tabled	Denied
	/	/	/

PLUMBING APPRENTICE

	Approved	Tabled	Denied
	/	/	/