

## MINUTES

### THE INDIANA PLUMBING COMMISSION

Meeting held  
Wednesday, March 24, 2010

Indiana Government Center-South  
402 West Washington Street, Room W064  
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 9:33 a.m. in Indiana Government Center South, 402 W. Washington Street, Indianapolis, Indiana and declared a quorum in accordance with IC § 25-28.5-1.

##### Members Present

Owen Stephens, Chairman  
John Van Cleave  
Eric Ott  
Matthew Buczolich  
Robert Synko  
William Ciriello

##### State Officials Present:

Crystal Heard, Assistant Director, Indiana Professional Licensing Agency  
Rebecca Tinsley, Case Manager, 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 agenda as amended.

Synko/Buczolich  
Motion carried 5/0/0

#### IV. ADOPTION OF THE MINUTES FROM JANUARY 27, 2010 MEETING OF THE COMMISSION

**Board Action:** A motion was made to approve the minutes

Buczolich/Ciriello  
Motion carried 5/0/0

#### V. PERSONAL APPEARANCES

##### A. Shawn Spring (*positive response*)

Mr. Spring's Aunt Sheila Walters came in to represent him. Mr. Spring submitted a letter to the board in his defense. He has been plumbing since 1991 and has been licensed since 1998. He still has 6 years to serve on his sentence. He has been incarcerated for 3 years.

**Board action:** A motion was made to renew the license.

Buczolich/Ciriello  
Buczolich withdrew his motion.

**Board action:** A motion was made to renew the license.

Ciriello/  
Motion died for lack of a second.

**Board action:** A motion was made to renew the license on indefinite probation. He may petition for withdrawal of probation pending satisfactory completion of his prison term and compliance with his criminal probationary terms.

Ott/ Buczolich  
4/1/0 (Ciriello opposed)

**B. Wallace Borchelt (*reinstatement*)**

**Board Action:** A motion was made to deny the reinstatement pending receipt of continuing education by the Commission.

Ciriello/Buczolich  
Motion carried 5/0/0

**VI. ADMINISTRATIVE HEARINGS**

**A. In the Matter of Jonathan Boehm**

Cause No.: IPC 07-15  
Re: Withdrawal of Probation

**Members Present:**

Owen Stephens (Hearing Officer)  
Eric Ott  
Robert Synko  
Matt Buczolich  
Bill Ciriello (recused himself)

**Board Action:** A motion was made to withdraw the license from probation.

Buczolich/Synko  
Motion carried 4/0/1 (Ciriello abstained)

**B. In the Matter of G. William Burt**

Cause No.: IPC 09-14  
Re: Denial of licensure

**Members Present:**

Owen Stephens (Hearing Officer)  
Eric Ott  
Robert Synko  
Matt Buczolich  
Bill Ciriello

**Board Action:** A motion was made to issue a notice of proposed dismissal.

Buczolich/Ciriello  
Motion carried 5/0/0

**C. In the Matter of Chad Benslay**

Cause No.: IPC 10-02  
Re: Denial of licensure

**Members Present:**

Owen Stephens  
Eric Ott  
Robert Synko  
Matt Buczolic  
Bill Ciriello

**Case Summary:** He wants to take the journeyman plumber exam although he has not completed an apprenticeship program.

**Board Action:** A motion was made to uphold the denial that was originally issued by the Commission on 11/25/2009.

Ciriello/Synko  
Motion carried 5/0/0

**VII. PETITIONS FOR REVIEW**

None

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

**A. In the Matter of the License of John Brill**

Cause No.: IPC 09-22  
Re: Proposed Findings of Fact, Conclusions of Law and Order

**Board Action:** A motion was made to accept the Proposed Settlement.

Ciriello/Synko  
Motion carried 4/0/1 (Stephens abstained)

**IX. NOTICE OF PROPOSED DEFAULT**

None

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

None

**XI. EXAMINATION LICENSURE/UNLICENSED PRACTICE**

None

**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/Ciriello  
Motion carried 5/0/0

**XII. REVIEW OF PROBATIONARY REPORTS**

None

**XIII. DISCUSSION**

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

**B. John Norman**  
Re: Objection to Order

The Commission directed staff to file a complaint against Mr. Norman with Larry Harvey of the PLA Compliance Division and have Mr. Harvey investigate.

**C. Letter from Russ Chaney**  
Re: Plumbing Code

The board reviewed the letter. No action was taken by the Commission.

**D. SB 356**  
Re: Cease and Desist Language

The effective date is July 1, 2010. There is a question about the true authority which the board holds. It looks as if it is still under the purview of the AG's office. It does not give the Commission the authority it had hoped or wanted.

**E. Solar Hot water Heating Systems**  
Re: Correspondence

Bill wrote a brief response to this letter. Angela and Julie will meet to craft a proper response in accordance with the law after reviewing the details.

**XIV. CORRESPONDENCE**

**XV. BOARD DIRECTOR'S REPORT**

None

**XVI. OLD/NEW BUSINESS**

**A. State not Printing the License any longer**

The State not printing licenses and providing pocket cards is an issue for the Commission. The code specifically states the Journeyman Plumber and Plumbing Contractor must carry their licenses on them; therefore this new policy is confusing plumbers and inspectors. This is a violation of the law and inspectors do not carry computers to verify licenses on the spot of an inspection.

**B. Notification of Expiration of License**

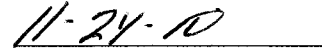
Renewal notices will only come by email. Licensees are responsible for knowing when their licenses expire.

**XVII. ADJOURNMENT**

There being no further business and having completed its duties, the meeting of the Indiana Plumbing Commission adjourned at 12:36 p.m.



Owen Stephens – Chairman  
Indiana Plumbing Commission



Date