

MINUTES

THE INDIANA PLUMBING COMMISSION

Meeting held
Wednesday, May 23, 2007

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. Ott called the meeting to order at 9:39 a.m. in Conference Center Room W064, 402 West Washington Street, Indianapolis, Indiana and declared a quorum in accordance with IC § 25-28.5-1.

Members Present:

Eric Ott
Matt Buczolich
William Ciriello
Robert Synko
John Van Cleve

Members Not Present:

Owen D. Stephens, Chairman

State Officials Present:

Angela Smith Jones, Board Director, Indiana Professional Licensing Agency
Mary Kate Adams, Assistant Director, Indiana Professional Licensing Agency
Sylvia Grinstead, 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.

Van Cleve/Buczolich
Motion carried 5/0/0

IV. ADOPTION OF THE MINUTES FROM MARCH 28, 2007 MEETING OF THE COMMISSION

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

Van Cleve /Buczolich
Motion carried 5/0/0

V. PERSONAL APPEARANCES

None.

VI. ADMINISTRATIVE HEARINGS

A. State of Indiana v. C.C. Plumbing, Heating, Cooling, Inc.

Administrative Cause No.: IPC 06-06

Re: Order to Show Cause

Parties and Counsel Present:

Jeremy Braunstein was present on behalf of the State.

Respondent was present without counsel.

Participating Board Members:

Eric Ott

Matt Buczolich

William Ciriello

Robert Synko

John Van Cleve

Witnesses:

Cicilia Conrad

Mr. Reiling

Case Summary: CC Plumbing has not been compliant with the probationary order. Ms. Conrad stated that CC Plumbing has been out of business for almost one year.

Board Action: A motion was made to accept the voluntary surrender of CC Plumbing and Ms. Conrad may not reapply for licensure for 5 years and if she does reapply for a license she would be responsible for all costs owed to the State prior to being reinstated. If a written document voluntarily surrendering the license is not received by the Commission by ten days from today, May 23, 2007, then the license is hereby revoked. The costs of today's proceedings are the responsibility of CC Plumbing.

Ciriello/Van Cleve
Motion carried 5/0/0

B. State of Indiana v. Robert Coulter, Applicant

Administrative Cause No.: IPC 07-03

Re: Denial of Licensure as a Plumbing Contractor

Parties and Counsel Present:

The State was not present.

Respondent was present without counsel.

Participating Board Members:

Eric Ott

Matt Buczolich

William Ciriello

Robert Synko

John Van Cleve

Witnesses:

Mr. Coulter

Case Summary: Mr. Coulter asked many questions of the board. They discussed the fact that the code book has been amended and that the book is available in a different format. Mr. Coulter stated that upon review he recognized he did not review the amended portions of the code book.

Board Action: A motion was made to order him to comply with the law and to reapply to retake the tests.

Buczolich/Van Cleve
Motion carried 5/0/0

VII. PETITIONS FOR REVIEW

- A. Steven A. Spahr (Journeyman Plumber exam failure)
- B. Christopher Benge (Plumbing Contractor exam failure)
- C. Howard Cahill (Plumbing PC by Trade)

Board Action: A motion was made to grant the petitions and appoint Bill Ciriello as the ALJ.

Van Cleve/Synko
Motion carried 5/0/0

VIII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDERS

None

IX. EXAMINATION LICENSURE/UNLICENSED PRACTICE

None

X. APPLICATIONS FOR APPROVAL – PLUMBING APPRENTICE SCHOOL

None

XI. APPLICATIONS

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

Buczolich/Synko
Motion carried 5/0/0

XII. REVIEW OF PROBATIONARY REPORTS

- A. R.T. Moore Company, Inc., IPC 05-20 (04/10/07 & 5/10/07)

Board Action: A motion was made to accept the report.

Ciriello/Synko
Motion carried 5/0/0

- B. Rex Byers Heating & Cooling Systems, Inc., IPC 05-21 (Petition for Withdrawal of Probation)

Board Action: A motion was made to grant the hearing for withdrawal of probation.

Ciriello/Synko
Motion carried 5/0/0

- C. CC Plumbing, IPC 06-06

CC Plumbing appeared before the board for the administrative hearing.

XIII. DISCUSSION

- A. Rex Byers Heating & Cooling Systems, Inc., IPC 05-21
Re: Petition for Withdrawal of Probation

XIV. BOARD DIRECTOR'S REPORT

No report was given.

XV. OLD/NEW BUSINESS

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

Staff discussed the format changes recommended for the fee rules.

- B. RFP for Outsourcing Exam
Re: Update and comment

Board Action: A motion was made to release the RFP to the potential vendors.

Ciriello/Synko
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)

Angela informed the commission that IDEM's legal counsel was unavailable to meet today, however, he agreed to meet with Angela to discuss the issues at a later date. Angela will coordinate a meeting.

- D. LSA Document #07-61
Re: Readoption of Rule

Board Action: After having considered the costs and requirements imposed on small businesses pursuant to IC 4-22-2.5-3.1(c) a motion was made to readopt the rules as in LSA Document #07-61. A motion was made to readopt the rules after taking.

Synko/Van Cleve
Motion carried 4/1/0

XVI. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the Indiana Plumbing Commission adjourned at 11:43 a.m.


Owen Stephens – Chairman
Indiana Plumbing Commission

7-25-07
Date

**Indiana Plumbing Commission
May 23, 2007**

JOURNEYMAN BY APPRENTICESHIP

	Approved	Tabled	Denied
Davies, Jack	/	✓ /	
Feldman, Craig	/	✓ /	
Lindsey, Kyle S.	✓ /	/	

JOURNEYMAN BY TRADE

	Approved	Tabled	Denied
Batalis, Peter	/	✓ /	
Crawford, Joshua	✓ /	/	
Foran, Edward	✓ /	/	
Gibson, Alva P.	✓ /	/	
Gross, Vernon	/	/	
Hibbett, William T.	✓ /	/	✓
Martin, Tony	✓ /	/	
McGinnis, Brian P.	✓ /	/	
McGinnis, Michael S.	✓ /	/	
Price, Zakry D.	/	/	✓

CONTRACTOR BY APPRENTICESHIP

	Approved	Tabled	Denied
Manning, Jason L.	✓ /	/	
Milon, Dewayne	✓ /	/	
Spear, Jared L.	/	/	

CONTRACTOR BY TRADE

	Approved	Tabled	Denied
Banning, Ray	✓ /	/ /	
Bischoff, Justin	/	✓ /	
Bonner, Russell	✓ /	/ /	
Caudill, Andrew	✓ /	/ /	
Freyler, James	✓ /	/ /	
Jackman, Linc	✓ /	/ /	
Pena, Gilbert	/	/ /	✓
Pena, Isaac	/	/ /	✓
Spicer, Gregory	✓ /	/ /	
Wentz, Roy	✓ /	/ /	
Williams, Joseph	✓ /	/ /	
Wood, Charles	✓ /	/ /	

PLUMBING CONTRACTOR BY BUSINESS

	Approved	Tabled	Denied
Montgomery, Samuel L.	✓ / /	/ /	/ /
Pavey, Michael B.	✓ / /	/ /	/ /
	/ /	/ /	/ /

PLUMBING TEMPORARY CONTRACTOR

	Approved	Tabled	Denied
Smith, Brent(Two Guys Plumbing)renewal	✓ / /	/ /	/ /
Robinson, Nathan(B.E.Robinson Plumbing)	✓ / /	/ /	/ /
Sexton, Jim (Greenfield Plbg.)	/ /	✓ / /	/ /

PREVIOUSLY PENDING INVESTIGATED JOURNEYMAN OR CONTRACTOR BY TRADE

	Approved	Tabled	Denied
	/ /	/ /	/ /

PLUMBING APPRENTICE

	Approved	Tabled	Denied
	/ /	/ /	/ /