

MINUTES

THE INDIANA PLUMBING COMMISSION

Meeting held
Wednesday, May 26, 2010

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 9:33 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 Cleve
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
James Schmidt, 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 6/0/0

IV. ADOPTION OF THE MINUTES FROM MARCH 26, 2010 MEETING OF THE COMMISSION

Board Action: A motion was made to approve the minutes as amended.

Synko/Buczolich
Motion carried 6/0/0

V. PERSONAL APPEARANCES

A. Robert Knaebel (*reinstatement*)

Mr. Knaebel appeared to request the reinstatement of his license. His JP license expired in 2005. He has not worked during this time of his lapsed license, but he remained abreast of the industry by doing field inspections and estimating.

Board action: A motion was made to reinstate the license upon payment of applicable fees.

Ciriello/Van Cleve
Motion carried 6/0/0

B. Robert Strough (*reinstatement*)

He appeared before the commission to request the reinstatement of his license. His PC license expired in 2005. He has 60 years of active experience and the Commission sees this as a mitigating circumstance. There has not been any action taken against his license and it has been a short amount of time since his license has been expired.

Board action: A motion was made to reinstate the license upon payment of applicable fees.

Ott/Buczolich
Motion carried 6/0/0

C. Paul Zurbuch (*reinstatement*)

Mr. Zurbuch did not appear before the Commission.

D. David DeWitt (*reinstatement*)

Mr. DeWitt appeared to request the reinstatement of his license. His JP license expired in 2003. He is an employee for Henning's Plumbing and Heating. The fact that he called in 2006 to have his license reinstated/renewed when there was no option to do so at the time and his being proactive about his license is a mitigating circumstance.

Board action: A motion was made to reinstate the license on indefinite probation. He is required to complete 8 hours of continuing education or he must pass the JP exam, within one year.

Buczolich/Ott
Motion carried 6/0/0

E. George Moore (*reinstatement*)

He appeared before the commission to request the reinstatement of his license. His JP license expired in 2001. He attempted to renew/reinstate his license over the years, but was unable to do so based upon the laws at the time. He is an active military plumber and has plumbed for the military during this time. (From 2003 – 2005 was in Afghanistan).

Board action: A motion was made to reinstate the license upon payment of applicable fees.

Van Cleve/Ott
Motion carried 6/0/0

F. Brian P. McGinnis (temporary license)

Mr. McGinnis applied for a temporary plumbing license, upon the death of Mr. McCarty. He was asked to appear to explain the details. McGinnis Plumbing is incorporated in Illinois, but was never licensed in Indiana. Mr. McCarty was a licensed PC in Indiana, but did not register his plumbing corporation. McGinnis Plumbing must do the following:

1. He (Brian) must apply to have a plumbing contractor's license and thus take the plumbing contractor's license exam.
2. Once he passes that exam he can apply for a corporate license.
3. Or he could hire someone licensed in Indiana as a contractor and register the corporation under them.

The commission cannot grant a temporary plumbing license for a corporation that does not or ever existed.

G. Scott Brumley (*reinstatement*)

Mr. Brumley submitted a reinstatement application with fees and appeared before the board.

Board action: A motion was made to reinstate upon payment of required fees.

Ciriello/Ott
Motion carried 6/0/0

H. Thomas Zent (*reinstatement*)

He appeared to have his license reinstated. His license expired in 2003, because he got a job in sales. In 2006, he went back into the trade and signed on with a union in Northern Indiana. He has been pipe fitting since 2006 but has not been plumbing.

Board action: A motion was made to reinstate the license on probation and require that he complete 8 hours of CE within one year or pass the exam.

Buczolich/Synko
Motion carried 6/0/0

VI. **ADMINISTRATIVE HEARINGS**

A. **In the Matter of William Thompson**

Cause No.: IPC 09-11

Re: Withdrawal of Probation

Mr. Thompson appeared without counsel
Withdrawal of Probation therefore no one from state present

Members Present:

Owen Stephens (Hearing Officer)

Eric Ott

Robert Synko

Matt Buczolich

Bill Ciriello

John Van Cleve

Case Summary: He was placed on probation for the reinstatement of his license. He is present to have probation terminated. He completed the required C.E.

Board Action: A motion was made to terminate probation.

Ciriello/Synko
Motion carried 6/0/0

VII. **PETITIONS FOR REVIEW**

A. John McGreehan

Mr. McGreehan submitted proof of licensure in Michigan with his petition for review. Based upon this newly received information the commission now grants him admission to the test.

Board action: A motion was made to grant him admission to the test and the petition for review is now moot.

Ciriello/Buczolich
Motion carried 6/0/0

VIII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDER

A. In the Matter of the License of Max Edward Long

Cause No.: IPC 09-03
Re: Order Determining Costs

Board action: A motion was made to approve the costs submitted by the IPLA and the AG's office in the amounts stated.

Synko/Ott
Motion carried 6/0/0

IX. NOTICE OF PROPOSED DEFAULT/DISMISSAL

A. In the Matter of G. William Burt

Cause No.: IPC 09-14
Re: Notice of Proposed Dismissal

Board action: A motion was made to dismiss the matter.

Van Cleve/Ott
Motion carried 6/0/0

X. CONSIDERATION OF ADMINISTRATIVE LAW JUDGE ORDERS

XI. EXAMINATION LICENSURE/UNLICENSED PRACTICE

X. APPLICATIONS FOR APPROVAL – PLUMBING APPRENTICE SCHOOL

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.

Van Cleve/Synko
Motion carried 6/0/0

XII. REVIEW OF PROBATIONARY REPORTS

XIII. DISCUSSION

A. Statutes and Rules
Re: Possible Modifications

B. John Norman
Re: Report from Investigator

The Commission reviewed the memo submitted by Larry Harvey. Based upon that report, Mr. Norman is not doing any plumbing.

- C. GTM Mechanicals
Re: Order from St. Joseph Court

Pending matter presented to the Commission as an FYI. Note: the company is not nor was it licensed in Indiana.

- D. Code Process

The selected Model Code Committee is holding meetings to modify the current code. Bill is the Commission representative. They are working on the 2011 Indiana Plumbing Code established by the Fire and Safety Commission. Robert Synko is the representative for the State Department of Health.

XIV. CORRESPONDENCE

XV. BOARD DIRECTOR'S REPORT

None

XVI. OLD/NEW BUSINESS

XVII. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the Indiana Plumbing Commission adjourned at 1:10 p.m.



Owen Stephens – Chairman
Indiana Plumbing Commission

7-28-10

Date