

MINUTES

THE INDIANA PLUMBING COMMISSION

**Meeting held
Wednesday, March 28, 2007**

**Indiana Government Center-South
402 West Washington Street, Room W072
Indianapolis, Indiana**

I. REVIEW OF APPLICATIONS 8:00 a.m.

The Commission members reviewed applications until 9:30 a.m.

II. CALL TO ORDER & ESTABLISHMENT OF QUORUM 9:30 a.m.

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
Julie Alexander, Advisory Counsel, Office of the Attorney General

III. ADOPTION OF THE AGENDA

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

Ciriello/Van Cleve
Motion carried 4/0/0

IV. ADOPTION OF THE MINUTES FROM JANUARY 24, 2007 MEETING OF THE COMMISSION

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

Buczolich/Van Cleve
Motion carried 4/0/0

V. PERSONAL APPEARANCES

None.

VI. ADMINISTRATIVE HEARINGS

- A. State of Indiana v. David A. Stegemiller, License No. PC10600389**
Administrative Cause No.: IPC 04-05 and IPC 06-27
Re: Petition for Withdrawal of Probation

Parties and Counsel Present:

Tanisha Willoughby was present on behalf of the State.
Respondent was present with counsel, Frank Hogan.

Participating Board Members:

Owen D. Stephens, Hearing Officer
Matt Buczovich
William Ciriello
Robert Synko
John Van Cleve

Witnesses:

Mr. Stegemiller

Case Summary: Mr. Stegemiller's journeyman's license was placed on probation for practicing plumbing as a plumbing contractor when he was not licensed as such. The State is not contesting the petition for withdrawal of probation.

Respondent's Exhibit 1: Letter from Mr. Stegemiller about his work history since the Cease and Desist Order

Board Action: A motion was made to grant the petition for termination of probation and return the license to active status.

Ciriello/Van Cleve
Motion carried 5/0/0

VII. PETITIONS FOR REVIEW

- A. Robert Coulter (Plumbing Contractor exam failure)**

Board Action: A motion was made to grant his petition for review and grant a hearing before the full board.

Van Cleve/Synko
Motion carried 5/0/0

VIII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDERS

- A. In the Matter of the Application of Bryan E. Alexander**
Cause No.: IPC 06-28
Re: Petition for Review of Denial to sit for the journeyman plumber examination

Board Action: A motion was made to affirm the ALJ proposed order.

Ciriello/Synko
Motion carried 5/0/0

- B. In the Matter of the Application of John P. Conrad, III**
Cause No.: IPC 06-25

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 request to withdraw the petition for review.

Van Cleve/Synko
Motion carried 5/0/0

C. In the Matter of the Application of William Lucas

Cause No.: IPC 06-14

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

Board Action: A motion was made to affirm the ALJ proposed order.

Van Cleve/Buczolich
Motion carried 5/0/0

D. In the Matter of the Application of Ronald G. Peterson

Cause No.: IPC 07-01

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 request for withdrawal of the petition for review.

Ciriello/Van Cleve
Motion carried 5/0/0

E. In the Matter of the Application of Joshua A. Tompkins

Cause No.: IPC 06-30

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

Board Action: A motion was made to affirm the ALJ proposed order.

Ciriello/ Buczolich
Motion carried 5/0/0

F. In the Matter of the Application of Chad Wells

Cause No.: IPC 06-31

Re: Petition for Review of Denial to sit for the plumbing contractor examination

Board Action: A motion was made to affirm the ALJ proposed order.

Ciriello/Synko
Motion carried 5/0/0

G. In the Matter of the Application of Denton Winters, III

Cause No.: IPC 07-02

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

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

Ciriello/Van Cleve
Motion carried 5/0/0

IX. EXAMINATION LICENSURE/UNLICENSED PRACTICE

A. Robert E. Huston, PC81065229 – Travis Grunawalt (denied)

Mr. Hutson of Superior Enterprises Inc. responded satisfactorily.

Board Action: A motion was made to accept the letter and call the matter closed.

Ciriello/Van Cleve
Motion carried 5/0/0

X. APPLICATIONS FOR APPROVAL – PLUMBING APPRENTICE SCHOOL

None

XI. REVIEW OF PROBATIONARY REPORTS

- A. R.T. Moore Company, Inc., IPC 05-20 (2/26/06 & 3/12/07 and request for withdrawal of Probation)

The probationary report is accepted.

Board Action: A motion was made to grant the petition for withdrawal and schedule this matter for a hearing before the board at the May meeting.

Ciriello/Van Cleve
Motion carried 5/0/0

- B. Rex Byers Heating & Cooling Systems, Inc.

The staff will investigate, as the Commission believes they are no longer on probation.

- C. David A. Stegemiller, IPC 04-05

As of today he is no longer on probation.

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

The order to show cause is still on and the hearing will be forthcoming.

XII. DISCUSSION

None.

XIII. BOARD DIRECTOR'S REPORT

- A. Litigation Tracking System

Staff reported that the litigation tracking system was up and available for public access at the January meeting.

XIV. OLD/NEW BUSINESS

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

The applications will need to be updated as well.

The commission needs to consider a rule change to recognize BAT prior credit recommendations.

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

The only issue is the requirement to have the independent entity administering the exam one time per year at the apprentice schools. The Commission would like to make each entity submit a proposal stating any additional costs to them to do a one time once per year blitz in May/June rotating around to the different schools administering the exam as such. The Commission would like a minimum of 8 testing cites to be in the RFP if we are not going to require them to outsource to the schools.

C. Backflow Filters and the Plumbing Code

Re: Review of Statutory Authority (327 IAC 8-10 and IC 25-28.5 and 860 IAC 1)

Invite IDEM to our next meeting to discuss this issue.

XV. ADJOURNMENT

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

Eric H - Secretary

Indiana Plumbing Commission

5-23-07
Date

Next Scheduled Meeting:

Wednesday, May 23, 2007
Indiana Government Center-South
Room W064

Indiana Plumbing Commission
March 28, 2007

JOURNEYMAN BY APPRENTICESHIP

	Approved	Tabled	Denied
Armstrong, Danny	✓ /	/	
Jim, Morris	✓ /	/	
Mansfield, Jason	✓ /	/	
	/	/	

JOURNEYMAN BY TRADE

	Approved	Tabled	Denied
Abeyta, Joseph (prev.tabled)	/	/	✓
Tingle, Donald R. (prev.tabled)	/	/	✓
Whelan, Jonathan (prev.tabled)	✓ /	/	
Adduci, Donald	✓ /	/	
Bissett, Drake	/	/	✓
Blake, William	✓ /	/	
Braun, Ben	✓ /	/	
Brown, Sonny Dale	✓ /	/	
Cahill, Howard	✓ /	/	
Curtis, Nick	✓ /	/	
Dowdy, Derrik	✓ /	/	
Fair, Jason	✓ /	/	
Friend, Mark	✓ /	/	
Gejer, Thomas A.	✓ /	/	
Hayden, George	/	✓ /	
Leon, Timothy D.	✓ /	/	
Lewis, Fleet	/	/	✓
Messer, Gary W.	✓ /	/	
Moulton, Sean	✓ /	/	
Naumer, Edmund R.	✓ /	/	
Robertson, Jason	✓ /	/	
Scott, Thomas	✓ /	/	
Ullrich, Kevin D.	✓ /	/	
Wells, Fred	✓ /	/	

CONTRACTOR BY APPRENTICESHIP

	Approved	Tabled	Denied
Feist, Christopher	✓ /	/	
O'Hara, Michael	/	✓ /	

CONTRACTOR BY TRADE

	Approved	Tabled	Denied
Baskett, Ted	✓	/	/
Bealmear, Chris	✓	/	/
Karg, Jan M.		/ ✓	/
Lukie, David	✓	/	/
Miron, William R.	✓	/	/
Pitcher, Jay		/ ✓	/
Strouder, Justin		/	/ ✓
		/	/
		/	/

PLUMBING CONTRACTOR BY BUSINESS

	Approved	Tabled	Denied
Acevedo, Jimmy	✓	/	/
Gallagher, Joseph D.	✓	/	/
Gallegos, Alfred J.	✓	/	/
Harrold, Matthew D.	✓	/	/
Laker, Bradley	✓	/	/
McCormack, Gerald A.	✓	/	/
Rice, Kevin	✓	/	/
Russell, Steven T.	✓	/	/
Zenthofer, Andrew A.	✓	/	/
	/	/	/

PLUMBING TEMPORY CONTRACTOR

	Approved	Tabled	Denied
	/	/	/
	/	/	/

PREVIOUSLY PENDING INVESTIGATED JOURNEYMAN OR CONTRACTOR BY TRADE

	Approved	Tabled	Denied
	/	/	/

PLUMBING APPRENTICE

	Approved	Tabled	Denied
Stine, Steve	/	/	/ ✓