

MINUTES

THE INDIANA PLUMBING COMMISSION

Meeting held
Wednesday, September 26, 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 9:30 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:

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

Members Not Present:

State Officials Present:

Angela Smith Jones, Board 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.

Buczolich/Synko
Motion carried 6/0/0

IV. ADOPTION OF THE MINUTES FROM JULY 25, 2007 MEETING OF THE COMMISSION

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

Synko/Ciriello
Motion carried 6/0/0

V. PERSONAL APPEARANCES

A. Gilbert Adam Pena
Re: Application for Temporary Plumbing Contractor's License

Board Action: A motion was made to deny the renewal application because it is beyond the 2 year provision as stated in the law.

Ciriello/Van Cleve
Motion carried 6/0/0

VI. ADMINISTRATIVE HEARINGS

A. In the Matter of Stone Humphrey

Administrative Cause No.: IPC 07-13

Re: Final Hearing

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
Owen Stephens

Witnesses:

Mr. Humphrey

Case Summary: Respondent practiced as a plumbing contractor without having a valid and active license. He installed plumbing in a restaurant on the south side of Indianapolis during this time when he did not hold a valid license.

Exhibit A: A copy of the proposal.

Exhibit B: A copy of the signed payment notification

Board Action: A motion was made to find Respondent guilty of Counts I, II and III and that he be required to pay legal costs and be issued a letter of reprimand.

Buczolich/Van Cleve
Motion carried 6/0/0

B. In the Matter of Ruben P. Adkins

Administrative Cause No.: IPC 07-14

Re: Final Hearing

CONTINUED

C. In the Matter of Jonathan T. Boehn

Administrative Cause No.: IPC 07-15

Re: Final Hearing

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
Robert Synko
John Van Cleve
Owen Stephens

William Ciriello (recused himself)

Witnesses:

Mr. Boehm

Case Summary: Respondent allowed an unlicensed employee to practice as a plumber on a project.

Exhibit A: A copy of the service form.

Exhibit B: A copy of the letter from Mr. Downer.

Board Action: A motion was made to find respondent not guilty of Count I and guilty of Count II. Respondent is assessed a civil penalty of \$1000 and is placed on probation with the ability to request termination of probation in 6 months.

Van Cleve/Ott

Motion carried 4/1/1(Buczolich opposed and Ciriello abstained)

VII. PETITIONS FOR REVIEW

- A. Paul John Duncan (Denied to sit for the Journeyman Plumber exam)
- B. Richard W. French (Denied to sit for the Plumbing Contractor exam)
- C. Eddy Lewis (not Jerry Rader) (Denied to sit for the Journeyman Plumber exam)
- D. Steven L. Turpen (Plumbing Contractor exam failure)

Board Action: A motion was made to grant the petitions and appoint John Van Cleve as the ALJ.

Ciriello/ Buczolich

Motion carried 6/0/0

VIII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDERS

- A. In the Matter of Joseph Klosterman
Cause No.: IPC 07-08
Re: Withdrawal of Petition for Review (Plumbing Contractor exam failure)
- B. In the Matter of Tommy Palmer
Cause No.: IPC 07-10
Re: Withdrawal of Petition for Review (Journeyman Plumber exam failure)

Board Action: A motion was made to accept the withdrawal of the petitions for review of Klosterman and Palmer.

Ciriello/Synko

Motion carried 6/0/0

- C. In the Matter of Christopher Bengel
Cause No.: IPC 07-04
Re: Petition for Review (Denied licensure as a Plumbing Contractor)

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

Van Cleve/Ott

Motion carried 6/0/0

IX. EXAMINATION LICENSURE/UNLICENSED PRACTICE

- A. Kirkhoff Plumbing (Gregory Patterson)
- B. Phillip Cummins (Richard French)
- C. Marsch Plumbing, Inc. (Mitchell D. Marsch)

- D. Andrews & Voglewede (Jason Beverly)
- E. ARS/Rescue Rooter (Eddie Lewis)
- F. Hamms & Sons, Inc. (Bryan Hoffa)
- G. Behr Custom Plumbing (Paul Duncan)
- H. Superior Enterprises, Inc. (Brian Bolinger)
- I. DePlanty Plumbing, Inc. (Wayne Betz)

Board Action: A motion was made to accept the letters and consider the matters closed.

Buczolich/Ciriello
Motion carried 6/0/0

X. APPLICATIONS FOR APPROVAL – PLUMBING APPRENTICE SCHOOL

- A. ABC of Indiana
Re: Annual Update
- B. Evansville Plumbers Training Trust Fund
Re: Annual Update
- C. Fort Wayne Area Plumbing, Htg. Cooling Contractors, Inc.
Re: Annual Update

Board Action: A motion was made that if the proper paperwork was sent in, then Mr. Ciriello could review the submission for approval.

Buczolich/Ott
Motion carried 6/0/0

- D. Local 392 JATC (Joint Apprenticeship Training Committee)
Re: Annual Update
- E. Mechanical Skills, Inc.
Re: Annual Update
- F. NWIPHCC Apprentice School
Re: Annual Update
- G. PHCC – North Central Indiana Association
Re: Annual Update
- H. Plumbers and Pipefitters Local Union 502 Training Center
Re: Annual Update
- I. Plumbers & Steamfitters Local 157 JAC
Re: Annual Update
- J. Plumbers & Steamfitters Local 166 JATC
Re: Annual Update
- K. Plumbers & Steamfitters Local 440 JATC
Re: Annual Update
- L. SEPHCC @ Prosser School of Technology
Re: Annual Update
- M. South Bend & Vicinity Plumbers & Pipefitters JATC
Re: Annual Update

N. SWIPHCC
Re: Annual Update

O. Southwestern Michigan College
Re: Annual Update

Board Action: A motion was made to approve the above listed schools with the exception of letter (C) Fort Wayne Area Plumbing, Htg. Cooling Contractors, Inc.

Ciriello/Ott
Motion carried 6/0/0

XI. APPLICATIONS FOR LICENSURE

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/Van Cleve
Motion carried 6/0/0

XII. REVIEW OF PROBATIONARY REPORTS

None

XIII. DISCUSSION

None

XIV. BOARD DIRECTOR'S REPORT

None

XV. OLD/NEW BUSINESS

- A. Proposed Rules/Statute Changes**
a. Changes for Exam and Fees Rule Draft

The Commission is in the process of adopting the fee rules and the rule changes to allow for the practical to be given at the schools.

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

The Commission is awaiting the response from IDOA.

XVI. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the Indiana Plumbing Commission adjourned at 11:59 a.m.


Owen Stephens – Chairman
Indiana Plumbing Commission

11-28-07
Date

Indiana Plumbing Commission
September 26, 2007

JOURNEYMAN BY APPRENTICESHIP

	Approved	Tabled	Denied
Bonhama, David	/	/	
Daub, Randall	/	/	
Edmonston, Curtis		/	
Gibson, Bruce	/	/	
Harris, Gary	/	/	
Myers, Joshua	/	/	
Stewart, Thomas	/	/	
Tripp, Nathan	X	/	

*Proof
APP or
letter why*

JOURNEYMAN BY TRADE

	Approved	Tabled	Denied
Batalis, Peter (Prev-tabled)		X	
Ashford, Scott	X	/	
Blair, Mack		/	X
Brown, Richard		X	
Chapman, Jason	X	/	
Cundiff, Lance	X	/	
Douglas, Charles	/	/	
Grunawalt, Travis	/	/	
Hassman, Jeremy	/	/	
Partain, Luke	/	/	
Saner, Jonathan		/	
Wirtz, Timothy	X	/	

*NO PROOF
APP
NO APP license
Ky proof*

*Proof
APP*

CONTRACTOR BY APPRENTICESHIP

	Approved	Tabled	Denied
Adams, Jacob		X	
Brill, John	X	/	
Bronson, Charles		X	

*Proof APP
letter why
no APP*

CONTRACTOR BY TRADE

	Approved	Tabled	Denied
Cashdollar, John	X	/	
Hittle, Rick	X	/	
McGrath, Roman		X	
Maynard, Steven	X	/	

Copy of license

Kavanaugh, Michael	X	/	/
Taylor, Holly	X	/	/
Wirebaugh, Scott	X	/	/

PLUMBING CONTRACTOR BY BUSINESS

	Approved	Tabled	Denied
Baird, Tyler	X /	/	/
	/	/	/
	/	/	/
	/	/	/

PLUMBING TEMPORARY CONTRACTOR

	Approved	Tabled	Denied
	/	/	/

PREVIOUSLY PENDING INVESTIGATED JOURNEYMAN OR CONTRACTOR BY TRADE

	Approved	Tabled	Denied
	/	/	/

PLUMBING APPRENTICE

	Approved	Tabled	Denied
	/	/	/