

MINUTES

THE INDIANA PLUMBING COMMISSION

**Meeting Held
Wednesday, January 27, 2010
at 8:00 a.m.**

**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 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.

Buczolich / Synko
Motion carried 5/0/0

IV. ADOPTION OF THE MINUTES FROM NOVEMBER 25, 2009 MEETING OF THE COMMISSION

Board Action: A motion was made to approve the minutes

Buczolich /Synko
Motion carried 5/0/0

V. PERSONAL APPEARANCES

A. Scott Tremaine (*reinstatement*)

Mr. Tremaine's license expired in 2002. Next month he will be certified to teach at a plumbing school.

Board Action: A motion was made to reinstate the license without penalty.

Buczolich /Van Cleave

Motion Carried 6/0/0

B. Roger Crites (*reinstatement*)

Mr. Crites' license expired in 2005. He states that he owns his own business, but does not have a contractor to operate the business.

Board Action: A motion was made to grant him a probationary license. He must complete 8 hours of CE on Indiana plumbing license law or retake the JP/PC exam, all within one year, before probationary status can be withdrawn. Ciriello/Ott
Motion carried 6/0/0

C. Ron Gibson (*reinstatement*)

Mr. Gibson was a no show.

D. Rodney Miller (*reinstatement*)

Mr. Miller's license expired in 1999.

Board Action: A motion was made to grant him a probationary license. He must complete 8 hours of CE on Indiana plumbing license law or retake the JP/PC exam, all within one year, before probationary status can be withdrawn.

Ciriello/ Buczolich
Motion carried 6/0/0

E. Michael Read (*positive response*) Richard and Jane Read (parents) represented Michael as P.O.A.

Board Action: A motion was made to have the license placed on indefinite probation until he has completed probation in the criminal matter in which he was incarcerated in Miami County.

Buczolich /Ott
Motion carried 6/0/0

F. Glenn Cockrell (*positive response*) Was a no show

Board Action: A motion was made to renew his license. Ciriello/Van Cleve
Motion carried 6/0/0

G. Nathan Moore (positive response) Anthony Wayne Bane (uncle) represented Nathan.

Nathan has been incarcerated since January 29, 2009 and is still incarcerated at this time.

Board Action: A motion was made to have his license placed on indefinite probation until the terms of criminal probation are met.

Buczolich /Ciriello
Motion carried 6/0/0

H. Robert Hamstra (*reinstatement*)

Mr. Hamstra's license expired in 2004.

Board Action: A motion was made to grant him a probationary license. He must complete 4 hours of CE on the Indiana plumbing license law or retake the JP exam, all within one year, before probationary status can be withdrawn.

Ciriello/Van Cleve

Motion carried 6/0/0

VI. ADMINISTRATIVE HEARINGS

A. In the Matter of the License of David Tippman

Cause No.: IPC 09-28

Re: Final Hearing

Parties Present:

Mr. Tippman was present without counsel
No one was present on behalf of the State.

Board Members Present:

Owen Stephens, Hearing Officer
John Van Cleave
Eric Ott
Matthew Buczulich
Robert Synko
William Ciriello

Witnesses:

Mr. Tippman

Case Summary: Mr. Tippman wants to know why he was denied admittance into the JP/PC exam.

Board Action: A motion was made to deny admittance to the JP/PC exam based upon the fact that he does not fit the qualifications under the maintenance man provision.

Ciriello/Van Cleave
Motion carried 6/0/0

B. In the Matter of Marion Gauger

Cause No.: IPC 09-25

Re: Withdrawal of Probation

Parties Present:

Mr. Gauger was present without counsel.
No one was present on behalf of the State

Board Members Present:

Owen Stephens, Hearing Officer
John Van Cleave
Eric Ott
Matthew Buczulich
Robert Synko
William Ciriello

Witnesses:

Mr. Gauger

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

Buczulich /Ott
Motion carried 6/0/0

C. In the Matter of Eddy Dean Neal

Cause No.: IPC 08-11

Re: Withdrawal of Probation

Board Action: A continuance was granted. This matter will be heard at the next meeting.

Ciriello/Van Cleve
Motion carried 6/0/0

VII. PETITIONS FOR REVIEW

- A. G. William Burt (*Timely*)
- B. Chad E. Benslay (*Timely*)

Board Action: A motion was made to approve the above listed petitions for review.

Ciriello/Van Cleve
Motion carried 6/0/0

VIII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDER

None

IX. NOTICE OF PROPOSED DEFAULT

- A. **In the Matter of the Application of Max Edward Long**
Cause No.: IPC 09-03
Re: Final Hearing

The Office of the Attorney General asked the Commission to find Edward Long in default. Case evidence was presented at the September 2009 meeting. The AG's office asked the Commission to find the plaintiff guilty on all counts. Any sanctions made will be left up to the Commission

Board Action: A motion was made to find Mr. Long in default.

Ciriello/Synko
Motion Carried 5/1/0 (Van Cleve abstained)

Board Action: A motion was made to revoke the license. Respondent is to pay the fees to the harmed party and reimburse the recovery fund for Fettig and Renquist. Respondent is to pay and the administrative costs of this proceeding.

Ciriello/ Buczolic
Motion carried 5/1/0 (Van Cleve abstained)

X. CONSIDERATION OF ADMINISTRATIVE LAW JUDGE ORDERS

None

XI. EXAMINATION LICENSURE/UNLICENSED PRACTICE

- A. John Randy Norris
Re: Enterprise Plumbing Company

Board Action: The Commission accepts the letter sent by Enterprise Plumbing. The Commission wants another letter to be sent regarding their misunderstanding of the registration requirements of apprentices in an apprenticeship program.

Van Cleve/Ciriello
6/0/0

- B. Thomas J. Shank

Re: Shank Brothers, Inc.

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

Ciriello/Van Cleve
Motion carried 6/0/0

XII. 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.

Van Cleve/CirielloJohn/Bill
Motion carried 5/0/0

XII. REVIEW OF PROBATIONARY REPORTS

None

XIII. DISCUSSION

- A. Statutes and Rules
Re: Possible Modifications
- B. Exam Status
Re: Updates

Bill Ciriello reported that there are 365 applicants whom are eligible to take the exam, but have not. ICC is willing to contact the applicants to see why they are not taking the test.

XIV. CORRESPONDENCE

XV. BOARD DIRECTOR'S REPORT

- A. The printing of Licenses

The agency will no longer be printing licenses for the professions.

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 12:53 p.m.



Owen Stephens – Chairman
Indiana Plumbing Commission

11-24-10
Date