

THE INDIANA PLUMBING COMMISSION

Meeting Minutes

March 31, 2021 at 8:00 a.m.

**** HELD THROUGH TELEPHONIC AND VIDEO CONFERENCING****

JOIN VIA TELEPHONE AT: 1-240-454-0887

MEETING CODE: 610915440

OR BY VIDEO AT: <https://IndianaEnhanced.Webex.com/join/PLAWebex>

CALL TO ORDER & ESTABLISHMENT OF QUORUM

8:00 a.m.

Bill – video, Kurt – phone, john van cleve – phone , james johnson at 8:00a.m.

Adam Harvey, advisory counsel

Rae Harman

Absent member – Eric Ott

ADOPTION OF THE AGENDA amended – JV/KM 4-0-0, Motion carried.

ADOPTION OF THE MINUTES KM/JJ 4-0-0, Motion carried.

REPORT FROM THE OFFICE OF THE ATTORNEY GENERAL

Kiely Keesler, 28 – CC and 8 - litigation

CONSIDERATION/DELIBERATION IN CAUSE NUMBER: 2020 IPC 0006

A. MOTION TO DISMISS RESPONDENT SUMMERS, PLUMBING, HEATING & COOLING, INC.

A motion was made to accept the motion to dismiss JJ/KM 4-0-0, Motion carried.

B. PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

A motion to accept the PFOFCOLAO – JV/KM 4-0-0, Motion carried.

ADMINISTRATIVE HEARING – court reporter: Margie Addington

A. In the Matter of: Michael Broner and M.A. Broner Co. Plumbing

Cause Number: 2021 IPC 0003

Re: Order to Show Cause

DAG: Kelsey McKnight

Respondent: Michael Broner participated via telephone and waived his right to counsel.

Witness: Rae Harman

State opening: Unlicensed practice – in 2019 he was working as plumber and continues to work as a plumber, the state would ask that a cease and desist order be issued to Michael Broner and MA Broner co plumbing.

Marie Bechert – Case Analyst, - charlotte smith filed the consumer complaint. State's exhibit A: consumer complaint , entered and admitted. Respondent provided – toilet repair, respondent did zero work. State's exhibit B: receipt provided by complainant, entered and admitted. State's

exhibit C – Respondent’s response. Entered and admitted into evidence. Respondent did admit to being at the complaintant’s house, accepting payment, and reimbursed payment \$125.00. On Jan 22nd, 2021 he reported that he was still doing plumbing work.

Called Michael Broner : do you still do plumbing work, Yes still helping out others like his father and another guy. Is there a reason you don’t have a license, I tried but failed the test.

Abandoned application – March 9, 2009

Mr. Broner doesn’t have a case, and he is not denying those allegations.

State’s closing – respondents have engaged in unlicensed plumbing, respondent has stated it is true, the State would request to issue a Cease and Desist order.

Respondent – no closing statement

A motion was made by Member Van Cleve and seconded by Member Meade to issue a Cease and Desist Order to both Respondents: Michael Broner and M.A. Broner Co. Plumbing. and the \$5.00 fee (health records) and costs of proceedings. 4-0-0, Motion carried.

B. In the Matter of: Englert’s Home Comfort Center

Cause Number: 2021 IPC 0002

Re: Motion to Dismiss Complaint With Prejudice – filed 3/29/2021

Re: Order to Show Cause

A motion was made by Member Johnson and seconded by Member Meade to accept the Motion to Dismiss Complaint with Prejudice.

4-0-0, Motion carried.

PERSONAL APPEARANCES

1. Tyler Cornell – Initial application

Tyler Cornell failed to participate. A motion was ma

Table – ask for explanation from sponsor for dates of enrollement and personal appearance at May meeting. Correspondence to sponsor.

JJ/JV 4-0-0, Motion carried.

2. Jerry Hearth Jr. – Initial Application

Jerry Hearth Jr. participated via telephone to answer questions and concerns with his initial application. He had a positive response and no approved apprentice program. He speaks about failing twice and working for a plumbing company for experience. He failed the exam in 2003. Kurt asked did you at anytime did you serve in apprentice program – no. He got his experience on the job, when law allowed. Member Johnson wanted to know what he has been doing since 2010- he has been a machinest, automotive jobs. Then he started working for DEEM plumbing for a year, temporary service he was plumbing laborer. Van Cleve – are you currently employed – yes, Steve’s roofing. Bill – when you were doing plumbing were you doing any managing or trade, just trade. Bill speaks about law changing in 2005, which requires completion of an apprentice program or an exemption. The new application must require applicant to meet current requirements.

A motion was made by Member Meade and seconded by Member Van Cleve to deny this application due to not meeting current requirements. IC 25-28.5-1-12.
4-0-0, Motion carried.

3. Kenneth Willard – Reinstatement

Kenneth Willard participated via telephone. He has been expired since 2015. He has been doing machine work. He had a tax hold which is why he was unable to renew. You were working a maintenance man for friend's company.

A motion was made by Member Van Cleve and seconded by Member Meade to reinstate his JP license without conditions.

4-0-0, Motion carried.

APPLICATION REVIEW

A motion was made by Member Van Cleve and seconded by Member Meade to approve the recommendations. 4-0-0, Motion carried.

1. Russell Pruitt – Plumbing Contractor- approved

A motion was made by Member Van Cleve and seconded by Member Meade to approve this application.

2. Michael Hoffman – Plumbing Contractor- approved

A motion was made by Member Van Cleve and seconded by Member Meade to approve this application.

3. Jackson Stewart – Plumbing Contractor – approved

A motion was made by Member Van Cleve and seconded by Member Meade to approve this application.

4. Michael Liszka – Plumbing Contractor- approved

A motion was made by Member Van Cleve and seconded by Member Meade to approve this application.

5. Robert Delco – Temporary Plumbing Contractor – Deny

A motion was made by Member Van Cleve and seconded by Member Meade to deny this application.

6. Donald Helms – Plumbing Contractor – table

A motion was made by Member Van Cleve and seconded by Member Meade to table this application.

7. Noah Phillips – Plumbing Contractor- approved w/ warning letter to employer

A motion was made by Member Van Cleve and seconded by Member Meade to approve this application.

8. Meguel Longoria – Journeyman Plumber- approved

A motion was made by Member Van Cleve and seconded by Member Meade to approve this application.

9. Zachary Landis – Journeyman Plumber- approved

A motion was made by Member Van Cleve and seconded by Member Meade to approve this application.

10. Patrick Shank – Journeyman Plumber - table

11. Arthur Doak – Journeyman Plumber- table

12. John Robertson – Apprentice Plumber - table

13. Dustin Parrett– Apprentice Plumber - approved

ADJOURNMENT JV/JJ 4-0-0, Motion carried.



William Ciriello, Chair