

MINUTES

THE INDIANA PLUMBING COMMISSION

**Meeting held
Wednesday, July 25, 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 9:32 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
Eric Ott
John Van Cleve

Members Not Present:

State Officials Present:

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 6/0/0

IV. ADOPTION OF THE MINUTES FROM MAY 23, 2007 MEETING OF THE COMMISSION

Board Action: A motion was made to adopt the May 23, 2007 minutes.

Buczolich/Synko
Motion carried 6/0/0

V. PERSONAL APPEARANCES

Jim R. Sexton
Re: Application for Temporary Plumbing contractor's License.

Board Action: A motion was made to **deny** his application for a temporary plumbing contractor's license due to the statutes and rules. A temporary license will be issued in six (6) month increments, not to exceed two (2) years. Mr. Sexton has exceeded the two (2) years.

Ciriello/Van Cleve
Motion carried 6/0/0

VI. ADMINISTRATIVE HEARINGS

A. State of Indiana v. R.T. Moore Co. Inc.

Administrative Cause No.: IPC 05-20
Re: Petition for Withdrawal of Probation

Parties and Counsel Present:

Jeremy Braunstein was present on behalf of the State.
Respondent was present, Douglas R. Moore for R.T. Moore Co., Inc.

Participating Board Members:

Owen D. Stephens, Hearing Officer
Matt Buczolich
Robert Synko
John Van Cleve
Eric Ott

Witnesses:

Mr. Douglas R. Moore

Case Summary: R.T. Moore Co. Inc.'s license was placed on probation for violation of the statutes and rules governing the practice of plumbing for employing two (2) unlicensed individuals who performed plumbing services on behalf of the Respondent. The Respondent complied with the Final Order issued March 21, 2006. The Respondent submitted monthly reports to the Commission and paid the \$500 civil penalty and costs of proceeding. The Respondent was issued a Letter of Reprimand. The State is not contesting the petition for withdrawal of probation.

Board Action: A motion was made to grant the petition for withdrawal of probation and return the license to active status. (William Ciriello disqualified himself.)

Buczolich/Van Cleve
Motion carried 5/1/0

A. State of Indiana v. Rex Byers

Administrative Cause No.: IPC 05-21
Re: Petition for Withdrawal of Probation

Parties and Counsel Present:

Jeremy Braunstein was present on behalf of the State.
Respondent was present, Rex Byers

Participating Board Members:

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

Witnesses:

PLM Minutes
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Mr. Rex Byers

Case Summary: : Rex Byers' license was placed on probation for violation of the statutes and rules governing the practice of plumbing for employing two (2) unlicensed individuals who performed plumbing services on behalf of the Respondent. The Respondent complied with the Final Order Accepting Proposed Findings of Fact, Conclusions of Law and Order issued March 27, 2006. The Respondent submitted monthly reports to the Commission and paid the \$500 civil penalty. The State is not contesting the petition for withdrawal of probation.

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

Van Cleve/Synko
Motion carried 6/0/0

VII. PETITIONS FOR REVIEW

- A. Joseph Abeyta (Denial to sit for the Journeyman Plumber exam)
- B. Joseph Klosterman (Plumbing Contractor exam failure)
- C. Gregory W. Piercy (Journeyman Plumber exam failure)
- D. Michael L. Berryman (Journeyman Plumber exam failure)
- E. Tommy Palmer (Journeyman Plumber exam failure)

Board Action: A motion was made to grant the petitions and appoint Bill Ciriello as the ALJ.

Van Cleve/Synko
Motion carried 6/0/0

VIII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDERS

- A. **In the Matter of the Application of Howard P. Cahill**
Cause No.: IPC 07-05
Re: Petition for Review of Denial of licensure as plumbing contractor due to examination failure (Withdrawal)

Board Action: A motion was made to accept the request to withdraw the petition for review.

Ciriello/Van Cleve
Motion carried 6/0/0

IX. EXAMINATION LICENSURE/UNLICENSED PRACTICE

None

X. APPLICATIONS FOR APPROVAL – PLUMBING APPRENTICE SCHOOL

- A. ARS of Indiana
Re: Annual Update
- B. Plumbers & Steamfitters Local 661 JAC, Inc
Re: Annual Update
- C. South Central Indiana Assoc. of Plumbing, Heating Cooling Contractors
Re: Annual Update

- D. Plumbers Local 210
Re: Annual Update

Board Action: A motion was made to approve all the schools listed above.

Van Cleve/Buczolich
Motion carried 6/0/0

XI. REVIEW OF PROBATIONARY REPORTS

- A. R.T. Moore Company, Inc.
B. Rex Byers

R.T. Moore Company, Inc and Rex Byers were both taken off probation at the July 25, 2007 Plumbing Commission Meeting.

XII. DISCUSSION

None.

XIII. BOARD DIRECTOR'S REPORT

None

XIV. OLD/NEW BUSINESS

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

No Discussion

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

Medana Davis, Staff Attorney, discussed with the Commission the RFP for outsourcing the exam. Ms. Davis and the Commission made changes. Ms. Davis will submit the changes to the Commission for their review.

XV. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the Indiana Plumbing Commission adjourned at 12:30 p.m.


Owen Stephens – Chairman
Indiana Plumbing Commission

9-26-07
Date

Indiana Plumbing Commission
July 25, 2007

JOURNEYMAN BY APPRENTICESHIP

	Approved	Tabled	Denied
	/	/	
Jump, Justin	X	/	
Lowe, Paul	X	/	
Winkler, Douglas	X	/	

JOURNEYMAN BY TRADE

	Approved	Tabled	Denied
Baldwin, George	X	/	
Betz, Wayne	/	/	X
Bolinger, Brian	/	/	X
Drake, Keith	X	/	
Duncan, Paul	/	/	X
French, Richard	/	/	X
Hoffa, Bryan	/	X	
Johnson, Brandon	/	/	X
Lewis, Eddy	/	/	X
Lawless, Ronald	/	/	X
Marsch, Mitchell	/	/	X
Meinking, Michael	/	/	
Patterson, Gregory	/	/	
Peterson, Richard, JR.	/	/	
Rosendahl, Gregory	/	/	
Rullman, Jeff	/	/	
Schwarz, Ron	/	/	
Soden, Shawn	/	/	
Smith, Christopher	/	X	
Spicer, Vincent	/	X	
Stewart, William	X	/	
Waters, Jeff	X	/	

NEAPP.
 Prodigy or apprentice
 Complete Sect
 Complete sec

CONTRACTOR BY APPRENTICESHIP

	Approved	Tabled	Denied
	/	/	
	/	/	
	/	/	

CONTRACTOR BY TRADE

	Approved	Tabled	Denied
Bischoff, Justin (Prev-tabled)	X	/	/
Beverly, Jason		/	X
Christy, Richard	X	/	/
Dabija, Joe	X	/	/
Hunt, Justin	X	/	/
Jones, Jeffrey	X	/	/
Wilkie, Jason	X	/	/

PLUMBING CONTRACTOR BY BUSINESS

	Approved	Tabled	Denied
Davis, Justin	X	/	/
Lewis, Timothy W.	X	/	/
Musgrave, William	X		
Pena, Gilbert		X	/
Schuler, James	X	/	/

more exp.

PLUMBING TEMPORARY CONTRACTOR

	Approved	Tabled	Denied
Pena's Plumbing		X	

Personal appeal

PREVIOUSLY PENDING INVESTIGATED JOURNEYMAN OR CONTRACTOR BY TRADE

	Approved	Tabled	Denied
		/	/

PLUMBING APPRENTICE

	Approved	Tabled	Denied