

ANNUAL BOARD MEETING OF THE STATE PLUMBING BOARD OF LOUISIANA

BATON ROUGE, LOUISIANA

August 6, 2009

The Annual Board Meeting of the State Plumbing Board of Louisiana was called to order by Secretary/Treasurer, Rickey Fabra, at 10:08 a.m.

The following persons were in attendance:

| BOARD MEMBERS | ADVISORY BOARD | STAFF | GUESTS |
|----------------------|-----------------------|-----------------|-------------------------------|
| Jim Finley | Jay Huckabee | John Barker | Louis Robein - Attorney (Bd.) |
| Linden Raimer | | Christina Hymel | Leon Molinario - PHCC |
| Rickey Fabra | | Terry Moore | Jim Scott – Aramark |
| Jerry Payne | | Bill Landrum | Ed Guillory – Home Depot |
| Wendell Guillot | | Henry Catania | JC Matt |
| Keith Bienvenu | | Ronald Rhodes | Curtis Lefevre |
| | | Chris Bodet | August Gallo – Gallo Mech. |
| | | Steve Porter | Janel Ellis – NITC |
| | | Corky Dwight | Jerry McManus - NITC |
| | | Carl Barnum | Sal Giardina - PHCC |
| | | Blaine Matte | Ray Tolar – Care Services |
| | | | Jamal Jones – PMC |
| | | | Henry Heier – MCA of LA |
| | | | Michael McDuff – LSLBC |
| | | | Don Worth – MIE Services |
| | | | Al Smith – Sears |
| | | | Nancy Picard – RUSPC |

INVOCATION: *Jerry Payne*
Moment of silence for Mr. Johnny Gypin

PLEDGE OF ALLEGIANCE

ROLL CALL: *Christina Hymel*

INTRODUCTION OF SPECIAL GUESTS

NONE

ELECTION OF OFFICERS

a.) Election of Officers

Mr. Jerry Payne reported that the nomination committee met and has recommended the following board members for office:

- Jim Finley – Chairman
- Linden Raimer – Vice-Chairman
- Rickey Fabra – Secretary/Treasurer

Mr. Rickey Fabra asked if there were any other nominations. Hearing none, the nominations were accepted. Mr. Rickey Fabra introduced the officers and passed the meeting over to Mr. Jim Finley to run.

APPLICATION COMMITTEE

Personal Appearances:

a.) Curtis Lefevre

Mr. Lefevre is applying to take an oral journeyman exam. He does not have higher than a sixth grade education and has nine years of plumbing experience. Mr. Barker stated that in the administrative code it states that the applicant must have no higher than a fourth grade education and ten years of experience. Mr. Lefevre stated he did not know it was ten years but he is here just trying to do the right thing. He said he can read but he does not comprehend the information well.

After discussion, the board agreed to make an exception in this particular case only. The board will allow Mr. Lefevre to take the oral journeyman exam with nine years of experience and no higher than a sixth grade education.

MOTION: to make an exception, in this particular case only, to allow Mr. Lefevre to take the oral journeyman exam

MOTION: RICKEY FABRA

SECOND: LINDEN RAIMER

MOTION: CARRIED

ENFORCEMENT

a.) Introduction of new enforcement officers

Christina Hymel introduced two new enforcement officers to the board. Mr. Ronald Rhodes, in Region D, began in March. And Mr. Blaine Matte, in Region I, began in June.

b.) Informal Hearing Report

Christina Hymel reported that three hearings were held. The first hearing concerned a master plumber using unlicensed personnel. The plumber was cited numerous times

before for this particular violation. The plumber stated that several of his employees recently took the journeyman exam or were waiting to take the October exam. The Enforcement Committee decide since he was taking the appropriate steps to correct his actions that a fine would be issued and he was warned that if he was cited again for the same violation he would have to appear for a formal hearing. He paid his fine in full. The second hearing was for a journeyman plumber allegedly working as a master without proper license. The Enforcement Committee found that there was not sufficient evidence to implicate the plumber. The complainant was made aware of this and she stated she would try to find sufficient documentation. The third hearing was also a journeyman allegedly working as a master. The complainant provided sufficient documentation proving the journeyman was in violation however, the plumber did not show up for the hearing. The Enforcement Committee decided to cite the plumber and issue the appropriate fees. The office will contact the plumber and let him know the findings.

OTHER GUESTS

a.) Michael McDuff, Executive Director of the Louisiana State Licensing Board for Contractors

Mr. John Barker introduced Mr. Michael McDuff, Executive Director of the Louisiana State Licensing Board for Contractors, and read a letter sent to him by Mr. McDuff. In the letter Mr. McDuff discussed Act 725 and wanted to make sure he and Mr. Barker were on the same page. He also stated in the letter that he agreed with Mr. Barker and that both boards would benefit from working together, despite the previous relationship of the boards. Mr. McDuff then introduced himself and gave a brief history of his background in the industry and discussed Act 725.

b.) August Gallo, Gallo Mechanical, LLC

Mr. McDuff introduced Mr. August Gallo to the board. Mr. Gallo stated he holds a Mechanical seat on the Louisiana State Licensing Board for Contractors. He stated his goal is to have the Contractors Board and the Plumbing Board come together and work side by side. He also briefly talked about Act 725.

c.) Henry Heier, Mechanical Contractors Association

Mr. Henry Heier introduced himself to the board as an inactive master plumber and gave a brief history of his involvement with Mechanical Contractors Association. He stated that they are “committed to the spirit of cooperation and harmony and advancement of public safety and sanitary conditions. And also the welfare of plumbers, masters, journeyman, and apprentices.” He stated his support of the Plumbing Board.

d.) NITC

Jerry McManus introduced himself and Janel Ellis to the board. Janel passed out handouts of the drawing booklet and comments from examiners. Janel explained that the examiners are having trouble with the drawings because they are too small and unclear. She did say that the pass percentage has been going up with every exam. She said that NITC has a certified instructor that is willing to improve the drawings and clean them up.

Mr. Finley stated that NITC is the expert on this and if they feel the drawings should be redone than he agrees with improving the drawings. Mr. McManus said he understands that confidentiality is a concern and NITC has a confidentiality agreement that can be signed before this is done. Mr. Barker reiterated that confidentiality must be top priority.

SPECIAL REQUEST

a.) Jamel Jones

Mr. Jamel Jones appeared to discuss the grading of the practical portion of the Journeyman exam he took on July 18th. Mr. Jones stated that the copper tee he had was defective and he couldn't sweat the joints properly. He said if he had a tee that fit properly he would have passed this portion of the exam. Mr. Finley stated he was the board member for that exam and he doesn't remember Mr. Jones asking for help or stated that there was a problem. Mr. Jones said he told the examiner. Mr. Fabra said his opinion is that part of the craftsmanship is calling attention to defective materials and asking for another fitting if he felt that one was defective. He said that is part of being a journeyman and part of the practical portion of the exam. Mr. Fabra felt that Mr. Jones should retest the entire practical portion again. Mr. Finley asked for Mr. Jones to clarify exactly what he was asking the board to do. Mr. Jones stated that he wanted the board to let him retest the copper portion only. Mr. Linden Raimer agreed with Mr. Fabra.

MOTION: to deny Mr. Jones the opportunity to retake only the copper part of the practical exam
MOTION: LINDEN RAIMER
SECOND: RICKEY FABRA
MOTION: CARRIED

TRAINING PROGRAM APPROVAL

NONE

COMMITTEE REPORTS

NONE

PREVIOUS MINUTES

(May 14, 2009)

MOTION: to accept the May 14, 2009 minutes as presented
MOTION: WENDELL GUILLOT
SECOND: LINDEN RAIMER
MOTION: CARRIED

FINANCIAL REPORT

MOTION: to accept the financial report as presented by Rickey Fabra
MOTION: LINDEN RAIMER
SECOND: WENDELL GUILLOT
MOTION: CARRIED

ADVISORY REPORT

Mr. Finley brought up that this is a non-functioning entity that needs to get started again. Mr. Payne stated that it was discussed at the last PHCC board meeting that the new president will re-appoint the advisory board members. Mr. Fabra said that the unions will be doing the same. Mr. Bienvenu asked the board if the advisory board could make conference calls instead of having a meeting. Mr. Finley said that will be up to the advisory board to make that decision and also suggested that there is a training session for the advisory board members to understand their duties. All were in agreement.

INDIVIDUAL MEMBER'S REPORT

NONE

ENFORCEMENT OFFICERS' REPORT

The enforcement officers each gave their individual report. (See attached)

EXECUTIVE DIRECTOR'S REPORT

Mr. John Barker introduced Mr. Don Worth with MIE Services and Mr. Jake Causey with Louisiana Department of Health and Hospitals. Mr. Barker briefed the board on the past legislative session saying that our biggest issue was a bill that mimicked our law in criminalizing contracting without a license. The Plumbing Board tried to add the ability to fine unlicensed people doing plumbing work but, we had stiff opposition from the home builders. Mr. Barker said he thinks it's a sign of what's to come.

Next in the legislative session there was House Concurrent Resolution 114 that was introduced by Representative Ponti. HCR 114 is a resolution to compare the Louisiana State Plumbing Code to the International Plumbing Code. When the resolution was on the Senate side, the industry was able to add an amendment to allow the Health and Welfare Committee in on the study. But Representative Ponti let that resolution die and at the end of the legislative session came in on the House side with HCR 114. Mr. Barker feels that the Plumbing Board should look into the Plumbing Code being a health, welfare and sanitary issue and not a commerce issue. Mr. Raimer stated that he thought the Plumbing Board was under health and welfare. Mr. Barker stated that the Plumbing Code is under health and welfare and the Department of Health and Hospitals, as in they promulgate the Plumbing Code, but when an issue arises that needs to go to legislation the Plumbing Board falls under the Commerce Committee. Mr. Raimer agreed that we should

fall under the Health and Welfare Committee. Mr. Jake Causey agreed and said typically all DHH issues go to Health and Welfare Committee but as previously stated plumbing goes to the Commerce Committee. Mr. Causey said it has always been DHH's contention that the Plumbing Code is more a health code than a building code. Mr. Causey also stated anything we can do to steer plumbing to Health and Welfare would be a good move. All were in favor of this.

Mr. Barker wanted to reiterate what Ms. Janel Ellis stated about the test scores improving. And he would like to attribute that to his staff and the hard work they do in checking vouchers and verifying that people are qualified to take the exams.

Mr. Barker said since this is the annual meeting the board needs to appoint the standing committees for Continuing Professional Education, Exams, and Budget. Mr. Finley said we will address the standing committees under new business.

EXAM REPORTS

1.) JOURNEYMAN EXAMINATIONS

- a.) **June 10, 2009 (Special) - John Barker – *no problems***
- b.) **June 25, 2009 (Special) - John Barker – *no problems***
- c.) **July 11, 2009 - John Barker – *no problems***
- d.) **July 18, 2009 – Jim Finley – *no problems***
- e.) **July 25, 2009 – John Barker – *no problems***

2.) MASTER EXAMINATIONS

- a.) **July 13, 2009 (Special) - John Barker – *no problems***
- b.) **August 1, 2009 – Rickey Fabra – *no problems***

NEW BUSINESS

a.) Standing Committee Appointments

Standing Committee appointments were as follows:

Budget Committee-

Chairman, James Finley

Vice-Chairman, Linden Raimer

Secretary/Treasurer, Rickey Fabra

Continuing Professional Education Committee-

Wendell Guillot

Jerry Payne

DJ Berger

Exam Committee-
Jerry Payne
Keith Bienvenu
Rickey Fabra
Alden Aiola

OLD BUSINESS

a.) Voucher System

Mr. Finley stated that the voucher system is something the board needs to get away from because the law does state that you have to be an indentured apprentice or have 8,000 hours to sit for the journeyman exam. He feels it's time for the board to require anyone coming to take the plumbing exam come from an indentured apprenticeship training program. Wendell questioned whether or not there are enough apprenticeship programs statewide. Mr. Finley said hopefully moving in this direction, colleges and other facilities will come on board with apprenticeship programs. Jerry said PHCC has a home study program and hopefully smaller colleges will pick up classes. Mr. Terry Moore stated that a law did just pass to start implementing trades into the high schools. Mr. Raimer asked what the time frame on this would be. Mr. Bienvenu made a motion to implement requirement of approved indentured training programs January 2016. And Mr. Heier asked the board to engage the state apprenticeship council in implementing this. All were in favor of this.

MOTION: to implement requirement of approved indentured training programs starting January 2016

MOTION: KEITH BIENVENU

SECOND: LINDEN RAIMER

MOTION: CARRIED

b.) Residential Fire Sprinkler Systems

Keith wanted to let the board know that according to the State Fire Marshal the Plumbing Board will be involved in making rules and regulations for residential fire sprinkler systems.

TENTATIVE DATE FOR THE NOVEMBER 2009 QUARTERLY BOARD MEETING

November 5, 2009 is the tentative date of the Quarterly Board Meeting of the State Plumbing Board of Louisiana.

AUDIT

MOTION: to begin audit procedures for year end June 30, 2009
MOTION: KEITH BIENVENU
SECOND: WENDELL GUILLOT
MOTION: CARRIED

ADJOURNMENT

MOTION: to adjourn the Annual Board Meeting of the State Plumbing Board of Louisiana

MOTION: LINDEN RAIMER
SECOND: WENDELL GUILLOT
MOTION: CARRIED

Respectfully Submitted,

James C. Finley, Chairman

Rickey Fabra, Secretary / Treasurer