

# QUARTERLY BOARD MEETING OF THE STATE PLUMBING BOARD OF LOUISIANA

**BATON ROUGE, LOUISIANA**

**September 13, 2012**

**The Quarterly Board Meeting of the State Plumbing Board of Louisiana was called to order by Chairman, James Finley, at 10:12 a.m.**

**The following persons were in attendance:**

<b>BOARD MEMBERS</b>	<b>ADVISORY BOARD</b>	<b>STAFF</b>	<b>GUESTS</b>
Jim Finley	Ray Tolar	John Barker	Bob Urann – RUSPC
Rickey Fabra	Dirk Payne	Katie Ramagos	D.J. Berger – N.I.T.C.
Keith Bienvenu	Terry Smith	Lindsey Mayer	Dana Colombo – N.I.T.C.
Kelly Craft		John Neal	J.C . Matt
Gerald LaCour		Cliff Slaughter	Ed Guillory – Home Depot
Larry Reiling		Glen Gremillion	Keli Williams - PHCC
Jerry Payne		Carl Barnum	Amanda Laughlin - DHH
		Blaine Matte	Jeremy Harris – DHH
		Chris Bodet	Henry Heier- MCA
		Pat Olivier	Gene Marten
		Bob Hogan	Mitch LeBas – Backflow Prevention Services
		Steve Porter	John Mata - IAPMO
			Al Smith – Sears
			James Andrus

**INVOCATION:** *Keith Bienvenu*

**PLEDGE OF ALLEGIANCE:** *Jim Finley*

**ROLL CALL:** *Lindsey Mayer*

## **EXECUTIVE SESSION**

Chairman, Jim Finley, explain that the Board needs to break for Executive Session to discuss the Master Plumber exam on August 4' 2012. He also stated that Executive Director, John Barker, and SPBLA attorney, Bob Urann be present.

**MOTION: to go into executive session****MOTION: RICKEY FABRA****SECOND: Kelly Craft****MOTION: CARRIED**

Board Member, Keith Bienvenu, made a request that PHCC be added to the agenda under "Special Requests." Mr. Jim Finley approved the request. SPBLA Board Members, John Barker and Bob Urann broke for Executive Session at 10:13 AM. Mr. Finley calls the meeting back to order at 10:30 AM.

**PRESENTATIONS***None***APPLICATION COMMITTEE***None***ENFORCEMENT*****a.) Informal Hearings***

***Strategic Plumbing-*** Mr. Saucier and Mr. Fred met with the Enforcement Committee, which consists of Executive Director, John Barker, Enforcement Officer, Carl Barnum and Keosha Williams, on August 21, 2012. Strategic Plumbing was cited by Carl Barnum on June 26, 2012 for leaving two unlicensed helpers unsupervised on the job. The fine was paid in full on August 8, 2012. Mr. Fred, the owner of Strategic Plumbing, wanted to meet with our Executive Director to show him that he was making the corrective steps so that his company would not get any further violations.

***Albert Miller-*** Enforcement Officer, Glen Gremillion, cited Mr. Miller for working without a license. He had previous citations for similar violations. Mr. Miller had a hearing scheduled for August 21, 2012. He did not show up for this hearing. He signed for the certified mail notifying him for the hearing. Lindsey Mayer advised the Board that we will handle this citation accordingly.

***Tracy Boone-*** Carl Barnum cited Mr. Boone for use of unlicensed personnel on May 31, 2012 and July 5, 2012. Mr. Boone came in for an informal hearing on August 23, 2012. He informed the Enforcement Committee that William Lee was originally hired for the jobs. Mr. Barker informed Mr. Boone that William Lee did not have a 2012 Master Plumber License. Mr. Boone was not aware that Mr. Lee's license was not

current. Mr. Boone stated that he wasn't going to allow Mr. Lee to continue working for his company. Mr. Barker told Mr. Boone that in order to close this case he would need to pay the \$500.00 fine. Mr. Boone agreed to pay the fine and no longer has an outstanding balance with the State Plumbing Board. Mr. Barker warned Mr. Boone that any future violations of the same nature could result in further disciplinary action by the Board.

***b.) K.G. Ponthieux***

Lindsey Mayer informed the Board that K.G. Ponthieux had an ad that was advertising that he did plumbing work. Keosha Williams sent him a letter stating that he was in violation of the law and that he needed to pay the appropriate fines. Mr. Ponthieux refused the fines and said that he would like to appear before the Board about the violation. He did not show up for the Board meeting. Mr. Finley suggested that we send a stronger letter and handle this matter administratively.

## **GUESTS**

***a.) Don Worth***

Lindsey Mayer explained to the Board that Don Worth was scheduled to appear before the Board and give a presentation on Medical Gas. He called the State Plumbing Board office that morning and advised the staff that he would not be able to make the meeting because of a family emergency.

***c.) Department of Health and Hospitals***

Amanda with DHH informed the Board that after three years of revising the Plumbing Code, that a letter of intent was published on August 20, 2012. She stated that they would be holding their Public Hearing on September 25<sup>th</sup> if anyone was interested in attending. She also informed the Board that they were hoping to have the new code published by the end of the 2012 year. She stated that they are hoping to have the new rule published by February 2013. She also thanked all parties included in revising this code.

## **SPECIAL REQUESTS**

***a.) James Andrus***

Katie Ramagos informed the Board that James Andrus was appearing before the Board because he has not renewed since 2005. The office received his renewal form and payment in November of 2009 but because he had not completed his Continuing Education and completed the renewal form properly, the administrative staff mailed everything back to him. Katie explained that the office had not heard anything for Mr. Andrus and when the staff told him he needed to be retested for lack of renewal for at least four consecutive years, he requested to come before the Board. Mr. Andrus stated that he completed the CPE hours and he believes that when he mailed everything back to the office, it may have gotten lost in the mail. He stated that he would have liked someone from the office should have called him about this matter. Mr. Finley informed Mr. Andrus that we can not waiver the policy

involving this matter and that it is the applicant's responsibility to follow up on applications and renewals submitted to the Office.

**MOTION: to allow Mr. Andrus to be retested on the code.**

**MOTION: RICKEY FABRA  
SECOND: KEITH BIENVENUE  
MOTION: CARRIED**

***b.) Administrative Staff***

Lindsey Mayer requested that the Water Supply Protection Specialist Continuing Education providers print the expiration date on the CPE certificate because there is a lot of confusion about when endorsement holders are supposed to take the class. Mr. Finley suggests that the office can handle this matter administratively.

***c.) Plumbing, Heating and Cooling Contractors***

Terry Smith requested approval for additional topics for Continuing Education. The topic that they would like approved for Master Plumber Continuing Education is using your own financial statements to better their business. He also requested that the Board approve the topic of Flat Rate for Journeyman Continuing Education. Mr. Smith also stated that the Propane Association wanted to partner with them to educate plumbers about propane certification. He informed the Board that the Propane association wanted to put a table in the lobby when PHCC holds continuing education classes. Ricky Fabra asked Terry Smith if he could provide them with any background information so that the Continuing Education Committee can review the topics further. Mr. Finley suggested that the Committee meet about this matter and report back ASAP.

**MOTION: that this matter be turned over to the Continuing Education Committee**

**MOTION: RICKY FABRA  
SECOND: LARRY REILING**

Keith Bienvenu asked the Board if this matter would take until the next Board meeting for action because PHCC is trying to get these topics together before the deadline for submission of booklets for approval. He also states that if they have to wait until the next Board Meeting it will push PHCC back. Mr. Finley asked Mr. Bienvenu why a request for these topics was not done earlier. Mr. Bienvenu explained that it was an oversight on their part. D.J. Berger explains that Keith Bienvenu did call him and his suggestion to Mr. Bienvenu was that they could add additional information to the CPE classes as long as all required topics were covered. Mr. Finley explains that there is a Committee this matter needs to go through.

**MOTION: CARRIED**

## **COMMITTEE REPORTS**

*NONE*

## **PREVIOUS MINUTES**

(May 24, 2012)

**MOTION:** to accept the May 24, 2012 minutes as presented  
**MOTION:** RICKY FABRA  
**SECOND:** LARRY REILING  
**MOTION:** CARRIED

## **FINANCIAL REPORT**

**MOTION:** to accept the financial report as presented by Rickey Fabra  
**MOTION:** KEITH BIENVENU  
**SECOND:** KELLY CRAFT  
**MOTION:** CARRIED

*Amended Budget-* Katie Ramagos informed the Board that at the November meeting the budget was discussed but there was never a motion made to approve it. She read the amended budget to the Board.

**MOTION:** to approve amended budget  
**MOTION:** KELLY CRAFT  
**SECOND:** KEITH BIENVENU  
**MOTION:** CARRIED

## **ADVISORY REPORT**

NONE

## **INDIVIDUAL MEMBER'S REPORT**

*a.) Jim Finley*

Mr. Finley informed the budget that he is requesting to put a Committee in place to meet about future plans for the Plumbing Board. Mr. Finley stated that he would like

John Barker, Kelly Craft, Larry Reiling, Henry Heier, and D.J. Berger to serve on the Committee. He also stated that he would like Kelly Craft to be the chairman and contact person for the Committee.

***b.) Ricky Fabra***

Mr. Fabra informed the Board that there was a situation that was presented to him where an individual that held a Medical Gas license did not renew for four consecutive years. The individual took it upon himself to recertify and go through the application process again. The Administrative Office told the individual that he owed the back fees for the years that he did not renew his Medical Gas license. Mr. Fabra suggested that the Plumbing Board office follow the same policy that plumbing licenses follow which states that after four consecutive years of not renewing, license holders need to be retested. The Board was in agreement on this matter and Mr. Finley stated that this matter can be dealt with administratively.

## **ENFORCEMENT OFFICERS' REPORT**

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

## **EXECUTIVE DIRECTOR'S REPORT**

Mr. Barker read a letter to the Board from Governor Bobby Jindal's secretary stating that Act 217 had been signed by the Governor. SPBLA attorney Bob Urann informed the Board that the act states that the Board is required to extend licenses to all Military trained applicants if they hold licenses in other jurisdictions or has equivalent experience and does not have any disciplinary action against them. Mr. Barker announced that the Enforcement Officers will be meeting immediately preceding the Board Meeting. They will be meeting about upcoming combined efforts to crack down on enforcement across the state. John Barker then stated that Bob Urann had papers regarding the donations made by PHCC and the Pipe Trades to the Plumbing Board. Mr. Barker requested that representatives for these associations remain present after the Board Meeting to sign documents regarding this matter. Mr. Barker introduced two new employees in the Administrative Office, Dustine Tullier and Keosha Williams. He requested that the Board appoint a set date for the August Board meeting due to Enforcement hearings. He suggested that the date for the August meeting to be the second week in August. The reason for this set date is that the Administrative Office would like to start holding Formal Hearings on that date because the full Board will be there and SPBLA attorney will be present. This change in Enforcement will alleviate lack of payment from violators. Violators will be required to be present for a formal hearing if the issue is not solved with an informal hearing. This will also cut down on violations remaining outstanding for over a year. Mr. Barker requested that he and DHH educate plumbing officials on the new Louisiana State Plumbing Code. Katie Ramagos gave an overview on the findings of the audit. There were three findings that have been corrected.

**MOTION: to accept Executive Director's report**  
**MOTION: KEITH BIENVENU**  
**SECOND: KELLY CRAFT**  
**MOTION: CARRIED**

## **EXAM REPORTS**

### **1.) JOURNEYMAN EXAMINATIONS**

- a.) May 29, 2012 (Special) – John Barker – *no problems*
- b.) May 31, 2012 (Special) – John Barker – *no problems*
- c.) July 14, 2012 – Keith Bienvenu – *no problems*
- d.) July 21, 2012 – Gerald LaCour – *no problems*
- e.) July 28, 2012 – John Barker – *no problems*
- f.) August 8, 2012 (special) – John Barker – *no problems*

### **2.) MASTER EXAMINATIONS**

- a.) July 17, 2012 (special) – John Barker – *no problems*
- b.) August 4, 2012 - Parker Perot – *issues discussed in executive session*

## **OLD BUSINESS**

Mr. Finley recognized the fact that the August Board Meeting was moved from August to September because of Hurricane Isaac.

## **NEW BUSINESS**

a.) *Louis Schwall*- Louis Schwall with Computer Network Consultants informed the Board that the Administrative Office is in need of new computers. He reviewed the total cost for new equipment and stated that the office's computers are well beyond the life expectancy of the machines. He informed the Board that the office is in need of a new server. Keith Bienvenu asked if it would be both hardware and software. Mr. Schwall confirmed that it would be both hardware and software. Mr. Finley asked if the computer upgrade had been budgeted for. Katie Ramagos confirmed that it is in the budget.

**MOTION: accept proposal for computer upgrade**  
**MOTION: RICKY FABRA**  
**SECOND: KELLY CRAFT**  
**MOTION: CARRIED**

## **TENTATIVE DATE FOR THE NEXT QUARTERLY BOARD MEETING**

**December 13, 2012** is the tentative date of the next Quarterly Board Meeting of the State Plumbing Board of Louisiana.

## **EXECUTIVE SESSION**

Mr. Finley requested for a motion to go into Executive Session

**MOTION: KELLY CRAFT**  
**SECOND: RICKY FABRA**  
**MOTION: CARRIED**

The Board went into Executive Session at 11:29 AM. Mr. Jim Finley called the meeting back to order at 11:39 AM.

## **ADJOURNMENT**

**MOTION:** to adjourn the Quarterly Board Meeting of the State Plumbing Board of Louisiana at 11:39 AM

**MOTION: RICKEY FABRA**  
**SECOND: KEITH BIENVENU**  
**MOTION: CARRIED**

**Respectfully Submitted,**

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**Kelly Craft, Vice-Chairman**

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**Rickey Fabra, Secretary/ Treasurer**