

QUARTERLY BOARD MEETING OF THE STATE PLUMBING BOARD OF LOUISIANA

BATON ROUGE, LOUISIANA

February 23, 2010

The Quarterly Board Meeting of the State Plumbing Board of Louisiana was called to order by Chairman, James Finley, at 10:06 a.m.

The following persons were in attendance:

BOARD MEMBERS	ADVISORY BOARD	STAFF	GUESTS
James Finley		John Barker	Louis Robein – RUSPC
Rickey Fabra		Christina Hymel	Leon Molinario
Wendell Guillot		Terry Moore	DJ Berger – Local 60
Keith Bienvenu		Bill Landrum	Ed Guillory – Home Depot
		Pat Olivier	JC Matt
		Carl Barnum	David Cloteaux
		Chris Bodet	Alden Aiola – Gallo Mechanical
		Steve Porter	Kelly Craft – Local 106
		Blaine Matte	Brooks Meyers – Home Depot
		Katie Ramagos	Heather Gremillion - PHCC
		Corky Dwight	Craig Blanchard – City of Baton Rouge
			James Smith – Carrollton Plumbing
			Representative Erich Ponti
			Fred Robillard

INVOCATION: *Keith Bienvenu*

PLEDGE OF ALLEGIANCE

ROLL CALL: *Christina Hymel*

PRESENTATIONS

NONE

APPLICATION COMMITTEE

NONE

GUESTS

a.) Representative Erich Ponti

Representative Ponti appeared before the board to suggest possibly establishing a Residential Plumbing license. He explained that other states have a similar license and that Colorado is the state whose setup it closest to the State Plumbing Board of Louisiana. According to Representative Ponti, Colorado only requires one year of experience to obtain the Residential Plumbing license and suggested that in Louisiana we require two to two and a half years experience. He further explained that this license would be strictly for residential work, including sewer, water, gas (natural or propane) or anything that has to do with a residence. He also stated that plumbers that are already licensed through the State Plumbing Board of Louisiana would be grandfathered in and would not have to take the exam to obtain the Residential Plumbing license, they would simply need to pay the appropriate fees, consequently generating funds for the Board. Representative Ponti affirmed that the State Plumbing Board would set the parameters for the requirements to obtain the license for those not already licensed. For instance, one would be restricted to performing plumbing work on residential structures as defined by law, not hospitals, restaurants, etc. Representative Ponti stated that he wanted to bring this up to the Board for its input and if it was better to meet at a later date to discuss the issue further, he was certainly up to that.

Mr. Finley thanked Representative Ponti for approaching the Board with the proposal and stated that the Board should discuss the matter amongst its members and then meet again with Representative Ponti. He stated that he felt that the issue had merit and that the Board would take it under consideration. Mr. Finley said that he would save the matter for later in the meeting, the Board would act on it and be in touch with Representative Ponti. Representative Ponti said that he can get a copy of Colorado's law to see the comparison because this would not be creating something new. Mr. Finley again thanked Representative Ponti for presenting the issue to the Board.

ENFORCEMENT

a.) Introduction of new Enforcement Officer

Christina Hymel introduced the new Enforcement Officer for Region C, Mr. Pat Olivier. Mr. Olivier is scheduled to begin working March 1.

b.) Informal Hearing Report

1. Thomas Wainwright

Christina Hymel explained to the Board that Mr. Craig Blanchard (City Inspector for Baton Rouge) contacted her to inform her of sub-standard work that was performed by Mr. Thomas Wainwright. An informal hearing was scheduled for Mr. Wainwright to discuss the matter; however, Mr. Wainwright did not appear for the informal hearing and did not contact Mrs. Hymel to resolve the issue. It was the decision of the Enforcement Committee to have Mr. Wainwright appear before the Board for a decision on what disciplinary action should be taken, if any. Mr. Wainwright explained to the Board the customer had asked him to do

the work the way it was done, even though it was below the code standards. Mr. Wainwright understood that he was incorrect in performing the plumbing work the way he did. The Board informed him that any future incidences of sub-standard work on Mr. Wainwright's part will result in a disciplinary letter of reprimand.

MOTION: The Board will take further disciplinary action against Mr. Thomas Wainwright if he is cited again for sub-standard plumbing work.

MOTION: RICKEY FABRA

SECOND: KEITH BIENVENU

MOTION: CARRIED

SPECIAL REQUESTS

a.) James Smith

Mr. Smith appeared before the Board to discuss the continuing education affidavit that he submitted with the renewal for his 2010 active master plumber license. On the affidavit Mr. Smith marked that he should be exempt for "medical reasons" and attached a note from his doctor. This note stated that he suffers from chronic low back pain and limited ambulatory mobility which limits the amount of time he can sit or stand. The administrative staff informed Mr. Smith that by completing the affidavit of exemption he could not renew his master license as active, he would have to renew as inactive. The Board explained to Mr. Smith that the providers will work with him as best they can as far as the accommodations are concerned and that he is allowed to get up from his seat and stand or walk around as needed. Mr. Smith asked the Board if he could bring his own chair to the class to sit in since it is the most comfortable for him. The Board advised him that he can certainly bring his own chair to the class if that is better for him. Mr. Smith said he would bring his own chair to the next class he attends.

b.) Wilton Pino

Mr. Pino did not appear for the meeting; however, the Board still needed to make a decision regarding Mr. Pino's appeal to renew his license and not have to re-test. Mr. Pino has not held a valid plumbing license since 2005. He submitted a renewal form to renew for 2009 but did not include the fees for 2006, 2007 & 2008. Our office sent a letter to Mr. Pino informing him that he owed these fees but he never responded. Mr. Pino attempted to renew his license again for 2010 but since he has not renewed for 4 consecutive years he must re-test. Mr. Pino does not believe he should have to re-test and therefore appealed this before the board. The Board decided that Mr. Pino would have to re-test in order to renew his plumbing license.

MOTION: To require Mr. Wilton Pino to retake the plumbing examination in order to renew his plumbing license.

MOTION: KEITH BIENVENU

SECOND: RICKEY FABRA

MOTION: CARRIED

TRAINING PROGRAM APPROVAL

a.) Bac-Flo Unlimited

Applying to be an approved program provider for the Water Supply Protection Specialist (WSPS) endorsement. The Board reviewed the application and Mr. Barker stated that the application was complete and met the minimum criteria. The Board approved Bac-Flo Unlimited as a program provider for WSPS.

MOTION: To approve Bac-Flo Unlimited to be a program provider for the WSPS endorsement

MOTION: RICKEY FABRA

MOTION: WENDELL GUILLOT

COMMITTEE REPORTS

a.) Continuing Professional Education (CPE) Committee

The CPE committee met on February 23, 2009 to discuss various topics. DJ Berger presented the committee's findings to the Board. The committee recommended that CPE providers not be required to offer the classes from the previous year past June 30. After June 30 the class would no longer be available and those that did not take it would not be allowed to renew their license for that year. Mr. Berger reported that the committee needed legal interpretation on whether or not medical gas and water supply protection specialist (WSPS) continuing education has to be offered every year or only every three years and if the holders of the license/endorsement need to show proof of having attended every year or every three years. Lastly, the committee recommended that the Board not make any exceptions to the affidavit of exemption for continuing education in regard to master plumbers. Currently a master plumber that submits a continuing education affidavit in lieu of attending a continuing education class, may not renew that license as active, it would have to be renewed as inactive. The committee does not think that any exceptions should be made because the law does not currently provide for any exceptions. Due to the overwhelming questions and concerns with CPE, the Board decided to have the attorney meet with the CPE committee to discuss it further. The committee will report again at the May board meeting.

PREVIOUS MINUTES

(December 17, 2009)

MOTION: to accept the December 17, 2009 minutes as presented

MOTION: RICKEY FABRA

SECOND: WENDELL GUILLOT

MOTION: CARRIED

FINANCIAL REPORT

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

ADVISORY REPORT

NONE

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 informed the Board about World Plumbing Day which was declared by the World Plumbing Council to be March 11 each year. Mr. Barker petitioned the Board to acknowledge World Plumbing Day on March 11 and to request that Governor Jindal do the same with a formal proclamation. He also suggested that the Board ask Secretary Alan Levine with the Department of Health and Hospitals to join in petitioning the Governor.

MOTION: to petition Governor Jindal to proclaim March 11 as World Plumbing Day in the state of Louisiana
MOTION: RICKEY FABRA
SECOND: WENDELL GUILLOT
MOTION: CARRIED

Mr. Louis Robein also suggested that the Secretary of Labor be included with the proclamation as well.

One of the former enforcement officers, Lloyd Bordelon, and the Enforcement Coordinator, Christina Hymel, were subpoenaed for a case filed by someone that had previously filed a complaint with the Board. The complaint was before Mrs. Hymel was an employee of the State Plumbing Board and Mr. Bordelon is no longer an employee so therefore Mr. Barker requested that Mr. Robein review the subpoenas to see if there was any way he could help. Mr. Robein stated that if the subpoena was for records only, that you did not have to appear, but that he would need to look into it further. Mr. Barker stated that he would be in contact with Mr. Robein to handle this situation.

Mr. Barker explained to the Board that he had someone, Glen Gremillion, he would like to hire to be an enforcement officer for Region D; however, he is currently living in Alexandria (Region E). Mr. Gremillion is building a house in Sulphur, which is inside Region D, but will not be moving for up to 6 months. Therefore, Mr. Barker asked if the Board would approve reimbursing Mr. Gremillion for his mileage from his house in Region E to Region D, the area in which he would be hired to work. Mr. Finley stated that he did not feel that that would be a problem. Mr. Robein stated that the Board should approve it for now and reassess the situation at the May board meeting.

Jake Causey with the Department of Health and Hospitals, Office of Public Health addressed the Board regarding the Cross-Connection Control class hosted by the University of Southern California that was held at the Board's office. Mr. Causey thanked the Board for allowing USC to use the Board's facilities to hold the class and stated that the class was a success again as it had been in the previous year.

EXAM REPORTS

1.) JOURNEYMAN EXAMINATIONS

- a.) **January 9, 2010 – Jerry Payne – *no problems***
- b.) **January 16, 2010 -**
- c.) **January 23, 2010 - Keith Bienvenu – *no problems***

2.) MASTER EXAMINATIONS

- a.) **November 7, 2009 -**
- b.) **December 16, 2009 (Special) - Rickey Fabra - *no problems***

NEW BUSINESS

a.) 2010 Legislation

Mr. Barker requested the Board's input on pursuing a fee increase this legislative session. He inquired about whether the Board would like to compose a bill solely to increase fees or if they would like to add it to another bill or if they think that it should not be done this year. Mr. Bienvenu stated that he felt that the issue does need to be addressed and that the Board needed to be proactive, not reactive. A Legislative Committee was formed to discuss what action the Board should take. Committee members are Rickey Fabra, Keith Bienvenu and John Barker.

b.) Continuing Education Committee

Mr. Finley requested that Christina Hymel and Keith Bienvenu both be added to the Continuing Education Committee.

Mr. Finley suggested that meeting notices, agendas, etc. be distributed through electronic mail instead of through the postal service. This change would reduce costs on postage, envelopes and paper and would also save the staff time.

Mr. Finley presented a plaque to Mr. Bill Landrum for his many years of service to the Board as an Enforcement Officer. Mr. Landrum retired at the end of February 2010.

Mr. Bienvenu mentioned that the Louisiana State Licensing Board for Contractors charges a "processing fee" for every application and renewal. He asked that Mr. Robein look into this fee to see if the Board is able to assess this fee as well.

Mr. Parker Perot inquired about Act 725 from the 2008 Legislative Session and what the Board's opinion is on the Act. Mr. Finley, along with the other Board members, stated that the Board typically does not take a stance on bills of this sort and therefore has no opinion on the matter.

TENTATIVE DATE FOR THE MAY 2010 **QUARTERLY BOARD MEETING**

May 20, 2010 is the tentative date of the Special Board Meeting of the State Plumbing Board of Louisiana.

ADJOURNMENT

MOTION: to adjourn the Quarterly Board Meeting of the State Plumbing Board of Louisiana at 11:03am

MOTION: RICKEY FABRA

SECOND: WENDELL GUILLOT

MOTION: CARRIED

Respectfully Submitted,

James C. Finley, Chairman

Rickey Fabra, Secretary / Treasurer