

ANNUAL BOARD MEETING OF THE STATE PLUMBING BOARD OF LOUISIANA

BATON ROUGE, LOUISIANA

August 19, 2010

The Annual 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	Carl Bourgeois	John Barker	Louis Robein – RUSPC
Jerry Payne	Terry Smith	Christina Hymel	Leon Molinario
Kelly Craft	Ray Tolar	Katie Ramagos	DJ Berger – Local 60
Keith Bienvenu	Dirk Payne	Corky Dwight	Roy Shane – Shreveport Pipe Trades
Gerald LaCour	Don Turner	Pat Olivier	Al Smith - Sears
Rickey Fabra	Richard Paulk	Glen Gremillion	David Cloteaux
Larry Reiling	Kerry Brouillette	Chris Bodet	Michael Hale – Local 141
		Steve Porter	Mitch LeBas – Backflow Prevention Services
		Blaine Matte	Tim Curry – Local 198
		Terry Moore	Heather Gremillion - PHCC
			Sal Giardina
			Blaine Heltz – St. John Parish
			Robert Depew – Baton Rouge DPW
			Fred Robillard – Reliable Plumbing
			JC Matt
			Linden Raimer
			Jim Scott - Aramark
			Mathieu Besse – The Pipe Doctor, LLC
			Steve Yost - CPA
			Henry Heier - MCA

INVOCATION: *Jerry Payne*

Moment of silence for the son of Enforcement Officer Blaine Matte who passed away

PLEDGE OF ALLEGIANCE

ROLL CALL: *Christina Hymel*

PRESENTATIONS

Mr. Linden Raimer was presented with a plaque for his time and service to the Board. Mr. Finley thanked him for everything he has done for the Board and the industry. Mr. Raimer thanked the Board and expressed that he greatly enjoyed his time spent on the Board.

APPLICATION COMMITTEE

NONE

GUESTS

NONE

ENFORCEMENT

NONE

SPECIAL REQUESTS

NONE

TRAINING PROGRAM APPROVAL

NONE

COMMITTEE REPORTS

a.) Continuing Professional Education (CPE) Committee

The CPE committee met on August 19, 2010 to discuss various topics. DJ Berger presented the committee's findings to the Board. The committee made the following recommendations:

- 1.) The committee offered the following topics for approval for the 2011 CPE year:

Master & Journeyman Plumbers:

Two hours on the Act, Rules, Current Industry Practices, Codes and Other Board Approved Topics

- SPBLA Board and Staff, Louisiana State Plumbing Licensing Law and SPBLA Rules & Regulations
 - Organizational Chart and Responsibilities Board, Director, Office Staff & Enforcement Officers
 - The Louisiana Register Vol. 30 No. 9 September 20, 2004
 - The Louisiana Administrative Code Title 46, Professional &

Occupational Standards Part LV: Plumbers

- Proper Plumbing Repair Techniques
 - Plumbing Service and Repairs
 - Plumber Customer Relations
 - Diagnosis and Repair
 - Thermal Expansion and Water Hammer

Two hours of Health, Consumer & Environmental Protection

- Green Plumbing Systems
 - Something new each year and/or updating information on past topics
- LEED Certification – Understanding Requirements
- Water Conservation Methods for Homeowners and Business
- Lead Paint and Asbestos (Laws that govern removal/ new regulations)
- Drugs & Alcohol in the Workplace

Master Plumbers:

Two hours on Business Topics

- Customer Relations in the Office
- Business Administration

2.) The committee will explore developing a correspondence test through a third party provider, particularly NITC, for those that miss the CPE class instead of requiring the CPE providers to offer numerous late classes the following year. The committee will report back to the Board its findings.

- MOTION: to accept the 2011 CPE topics as presented**
- MOTION: RICKEY FABRE**
- MOTION: JERRY PAYNE**
- MOTION: CARRIED**

PREVIOUS MINUTES

(May 20, 2010)

- MOTION: to accept the May 20, 2010 minutes as presented**
- MOTION: KELLY CRAFT**
- SECOND: KEITH BIENVENU**
- MOTION: CARRIED**

FINANCIAL REPORT

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

ADVISORY REPORT

a.) Approval of Advisory Board Duties

- 1.) Advisory Committee members shall have access to all meetings and records of the Board.
- 2.) Members shall have the privilege of discussing Board business at any and all meetings.
- 3.) Members shall advise the Board upon the Board's activities.
- 4.) Encourage members to serve as examiners for the Journeyman and Master Exams.
- 5.) Members shall serve as special enforcement officers **as requested by the Board's administrative office.**
- 6.) Advisory Committee Special Enforcement Officer duties include:
 - a. Conduct inspections and investigations of plumbing work and activities of employing entities as instructed by the Board;
 - b. Document and report all findings to the Board's administrative office
 - c. Provide evidence to findings in an administrative or legal proceeding initiated under the plumbing law by the Board.

Mr. Finley stated that he thought that this list of duties should and will be an ongoing list. Mr. Fabra agreed stating that changes may need to be made in the future, either by adding or removing duties.

MOTION: to accept the recommendations for the Advisory Board duties as presented

MOTION: KEITH BIENVENU

MOTION: RICKEY FABRA

MOTION: CARRIED

INDIVIDUAL MEMBER'S REPORT

Mr. Linden Raimer thanked Mr. Barker for the wonderful job he and his staff have done.

Mr. Finley stated that NITC, the third party agency that developed the Journeyman and Master plumber exams, has reapplied for the ANSE accreditation. ANSE hired a company out of Florida that in turns selects people throughout the country, including Mr. Raimer and himself, to develop the criteria for the new test. This is currently in the process. Several industry people have been selected to review what has been done. At the conclusion of the review, a bank of questions will be made. Then it will be the State Plumbing Board's responsibility to select what is or is not important for our particular area.

ENFORCEMENT OFFICERS' REPORT

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

EXECUTIVE DIRECTOR'S REPORT

Mr. John Barker asked the Board and Mr. Robein for clarification on the registering of apprentices requirement. Mr. Barker stated that the Administrative Code does not require that applicants for the Journeyman be indentured apprentices. At the previous Board meeting, it was suggested that letter be mailed out with the 2011 renewals explaining this requirement and Mr. Barker does not want the wrong information sent out. Mr. Finley suggested directing the question to Mr. Robein because this same question was brought up a few years ago and that at that time, the Board was accepting that it was not following the law the way it was written and there was no problem going to the mandatory requirement of apprenticeship training. However, he stated that that decision was made two years ago and that Mr. Robein should review it again. The Board recommended that Mr. Robein draft a letter to be mailed out with information regarding this requirement. Mr. Finley recommended pushing back the requirement date. Mr. Fabra seconded Mr. Finley's recommendation.

MOTION: to set the requirement date for six (6) years from when the notices are sent out

MOTION: KEITH BIENVENU

MOTION: RICKEY FABRA

MOTION: CARRIED

Mr. Barker asked Mr. Robein to research the ethics of those serving on the Board and being paid to provide continuing education. Mr. Barker stated that he does not believe it is a problem; however, he does think that those Board members probably need to disclose that information. Mr. Fabra stated that he felt that those Board members should simply excuse themselves from voting on issues concerning continuing education that are a conflict of interest. Mr. Robein added that they need to include this in their annual statement.

Mr. Barker informed the Board he has been approached by individuals/companies interested in making donations to the SPBLA. He asked Mr. Robein to please look into the legality of the Board accepting donations, monetary and otherwise.

Mr. Barker and Mr. Steve Yost previously spoke regarding an interest bearing account. Mr. Barker informed the Board that they will be looking into putting some money into an interest bearing account, possibly a savings account, and transferring the money as needed.

Mr. Barker discussed the topic of a gas fitter license. There is currently no statewide gas license, other than medical gas. Mr. Barker met with Mr. John Alario, Jr., Executive Director of the LP Gas Commission, and he informed Mr. Barker that provided the Board pursues the license through a safety avenue, neither Mr. Alario nor his staff will have any objections. Mr. Barker will also meet with Mr. Butch Browning, the Louisiana State Fire Marshal, regarding the same topic. He will inform the Board of the outcome of that meeting.

EXAM REPORTS

1.) JOURNEYMAN EXAMINATIONS

- a.) July 10, 2010 – Gerald LaCour – *no problems*
- b.) July 17, 2010 – John Barker – *no problems*
- c.) July 24, 2010 – Gerald LaCour – *no problems*
- d.) August 17, 2010 (*Special*) – John Barker – *no problems*

2.) MASTER EXAMINATIONS

- a.) June 17, 2010 (*Special*) - Rickey Fabra – *no problems*
- b.) August 7, 2010 – Jerry Payne – *no problems*

OTHER BUSINESS

a.) *Attorney General's Opinion on Act 725*

Mr. Jerry Payne stated that the Board had previously requested that Mr. Robein obtain an Attorney General's opinion regarding Act 725, and he asked for an update on the status of the request. Mr. Robein said he had contacted Mr. Finley and asked that this topic be delayed until this Board meeting so that it could be discussed in Executive Session.

- MOTION: to enter into Executive Session at 10:38am**
- MOTION: KEITH BIENVENU**
- MOTION: RICKEY FABRA**
- MOTION: CARRIED**

Reconvene the annual board meeting at 10:49am

Mr. Robein stated that since our revised statutes state that the Board recognizes the current authority/jurisdiction of the Louisiana State Licensing Board for Contractors, and theirs does the same for the State Plumbing Board, it is his recommendation that the Board not challenge it. It was a well thought out legislative compromise between these two agencies responsible for the regulation of plumbing.

- MOTION: to rescind the request for the Attorney General opinion because it is not in the best interest of the Board**
- MOTION: KEITH BEINVENU**
- MOTION: RICKEY FABRA**
- MOTION: CARRIED 6 – YAY 1 – NAY (Jerry Payne)**

- b.) Mr. Keith Bienvenu stated that the Board had previously discussed the transaction charge that the Louisiana State Licensing Board for Contractors assesses. He asked Mr. Robein if he has found any information regarding this. Mr. Robein stated that he has not found anything giving the LSLBC the authority to assess and raise their own fees. He attempted to contact that Board's legal counsel but has done so to no avail

because they are currently transitioning to new counsel. Mr. Finley therefore suggested that a committee be appointed to research this further. Those appointed to this committee are as follows:

Rickey Fabra – Chairman
Jerry Payne
Carl Bourgeois
Katie Ramagos

TENTATIVE DATE FOR THE NEXT QUARTERLY BOARD MEETING

November 18, 2010 is the tentative date of the next Quarterly Board Meeting of the State Plumbing Board of Louisiana.

ADJOURNMENT

MOTION: to adjourn the Annual Board Meeting of the State Plumbing Board of Louisiana at 10:59am

MOTION: RICKEY FABRA

SECOND: KELLY CRAFT

MOTION: CARRIED

Respectfully Submitted,

James C. Finley, Chairman

Rickey Fabra, Secretary/ Treasurer