

QUARTERLY BOARD MEETING OF THE STATE PLUMBING BOARD OF LOUISIANA

BATON ROUGE, LOUISIANA

November 5, 2009

The Quarterly Board Meeting of the State Plumbing Board of Louisiana was called to order by Vice Chairman, Linden Raimer, at 10:07 a.m.

The following persons were in attendance:

| BOARD MEMBERS | ADVISORY BOARD | STAFF | GUESTS |
|----------------------|-----------------------|-----------------|---|
| Linden Raimer | | John Barker | Nancy Picard – RUSPC |
| Rickey Fabra | | Christina Hymel | Leon Molinario |
| Jerry Payne | | Terry Moore | Jim Scott – Aramark |
| Keith Bienvenu | | Bill Landrum | Ed Guillory – Home Depot |
| | | Henry Catania | JC Matt |
| | | Carl Barnum | Henry Heier – MCA of LA |
| | | Chris Bodet | Bart Mormino |
| | | Steve Porter | Kelly Craft – Local 106 |
| | | Blaine Matte | Mitchell LeBas – Backflow Prevention Services |
| | | Katie Ramagos | Heather Gremillion - PHCC |
| | | | James Bergeron |
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INVOCATION: *Jerry Payne*

PLEDGE OF ALLEGIANCE

ROLL CALL: *Christina Hymel*

PRESENTATIONS

NONE

APPLICATION COMMITTEE

Personal Appearances:

a.) James Bergeron

Mr. Bergeron was scheduled to appear before the Board seeking approval to take the Journeyman Plumber exam; however, he did not appear for the meeting. Mr. Bergeron's applications and vouchers state that he has been working in the plumbing trade for his family's business since the age of seven (7).

After discussion, the board agreed to allow Mr. Bergeron to take the Journeyman Plumber exam due to the fact that he had three (3) licensed plumbers vouch for his experience.

MOTION: to allow James Bergeron to take the Journeyman Plumber exam

MOTION: RICKEY FABRA

SECOND: KEITH BIENVENU

MOTION: CARRIED

ENFORCEMENT

NONE

GUESTS

a.) Kelly Craft, Local 106

Mr. John Barker introduced Mr. Kelly Craft. Mr. Craft has been nominated to the Board by the Pipe Trades Association to fill the vacancy that was previously held by Mr. John Thomas. Mr. Barker also mentioned that the Board is currently awaiting a nomination from the Pipe Trades to fill the vacancy previously held by Mr. Johnny Gypin.

SPECIAL REQUESTS

NONE

TRAINING PROGRAM APPROVAL

a.) Continuing Professional Education (CPE) for 2010

Mr. Raimer stated that the board received applications from PHCC, Louisiana Pipe Trades and Backflow Prevention Services to be providers for CPE for the 2010 calendar year. Mr. Raimer informed these three (3) organizations that the SPBLA administrative staff would review the applications and inform them of their approval/denial.

COMMITTEE REPORTS

NONE

PREVIOUS MINUTES

(August 6, 2009)

MOTION: to accept the August 6, 2009 minutes as presented
MOTION: RICKEY FABRA
SECOND: JERRY PAYNE
MOTION: CARRIED

FINANCIAL REPORT

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

ADVISORY REPORT

Mr. Raimer informed the board and the guests at the meeting that a list is being compiled of those on the Advisory Committee. Once the committee is formed, it can review the structure of the committee and make any necessary changes. Those interested in being a part of the Advisory Committee should contact Mr. John Barker and leave your contact information.

INDIVIDUAL MEMBER'S REPORT

NONE

ENFORCEMENT OFFICERS' REPORT

The enforcement officers each gave their individual report. (See attached)
Mr. Raimer commended the enforcement officers for doing a fantastic job. He said that they are the backbone of enforcement for the SPBLA and thanked them for all of their hard work.

EXECUTIVE DIRECTOR'S REPORT

Mr. John Barker reiterated Mr. Raimer's remarks regarding the enforcement officers by stating that the enforcement fees that have been collected have drastically improved in the last few years. Mr. Barker stated that his first year here, total enforcement fees collected for that year were about \$5,000.00. Last year that total rose to \$22,000.00 and this year the total already exceeds that at \$30,000.00. He again thanked the enforcement officers for doing such a great job.

Mr. Barker gave a brief overview of the past legislative session. A house concurrent resolution was introduced by Representative Ponti. This resolution was 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 have an amendment added to allow the Health and Welfare Committee in on the study. However, when the resolution was sent back to the House to revote,

Representative Ponti let that resolution die. Mr. Barker and the Plumbing Board strongly felt that the Plumbing Code is a health, welfare and sanitary issue and not a commerce issue. However, all SPBLA issues and code issues are always part of the Commerce Committee, a committee that Representative Ponti is a part of. Mr. Barker stated that Board specific issues may fall under the Commerce Committee but code specific issues should come under the Health and Welfare Committees. Therefore, a Senator filed a senate resolution to compare the codes and to include the Health and Welfare committees in the discussions. This resolution passed.

Mr. Barker again informed the Board that the proper paperwork for Mr. Kelly Craft's nomination to the Board had all been submitted to the Governor's office. Mr. Barker spoke with a representative at the Governor's office and was told that once the proper documents were received for the nominee for Mr. Gypin's replacement they would review Mr. Craft's nomination at the same time. Earlier in the week Mr. Barker spoke with Lance Albin with Local 60 and he stated that they are currently discussing possible nominees.

Mr. Barker met with Glen Gautreaux, legal counsel for the Department of Health and Hospitals (DHH) Engineering Services, Jake Causey and Sidney Becnel to discuss forming a committee to revise the Louisiana State Plumbing Code. Senator Marionneaux recommended that a revised code be published by the spring of 2010. A code revision committee was formed and has held 2 meetings. The committee is comprised of those listed above and several other DHH employees.

Mr. Barker had an enforcement meeting with Ron LeClerc of Re-Bath of Baton Rouge and Craig Blanchard, Chief Plumbing Inspector for East Baton Rouge Parish. There have been several issues with Mr. LeClerc in regards to the scope of the work he has performed. Mr. LeClerc has since taken and passed the Journeyman exam and now awaits the next Master exam.

Mr. Barker met with Representative Kay Katz, Chairperson for the House Health and Welfare committee, to discuss having all code issues be a part of the Health and Welfare Committees. If issues related to the code cannot be a part of these committees, Mr. Barker suggested that these committees should at least be included with the Commerce committees. Representative Katz strongly agreed.

Mr. Barker recently attended the IAPMO Conference in San Diego, California. Rickey Fabra and Local 60 afforded Mr. Barker the opportunity to attend the conference. Mr. Barker stated that the experience was very enlightening, the workshops were very thorough and that the conference was second to none. He met several great contacts from places throughout the country. Mr. Barker expressed his gratitude to Mr. Fabra and Local 60.

The Plumbing-Heating-Cooling Contractors (PHCC) association recently held its National Convention in New Orleans, Louisiana. PHCC provided a complimentary booth to the SPBLA. Mr. Barker stated that the booth was a huge success and that he made wonderful contacts that will be beneficial to the Board. He thanked PHCC for the opportunity they granted the Board with the booth.

Mr. Henry Heier spoke briefly on the upcoming legislative session. Mr. Heier stated that the biggest problem that the plumbing industry faces is that people outside of the industry want to

control the happenings inside the industry. He informed the Board that the proponents to House Bill 601 from 2007 will be returning in 2010 to repeal the Louisiana State Plumbing Code. The only difference this time is that their legislative efforts seem to be focused on the code and not abolishing the Board as it was in 2007. Mr. Heier spoke about the Pro Plumbing Team that has been distributing pamphlets (*see attached*) to essential agencies/organizations informing them of what the code fight is actually about. Mr. Heier also informed the Board that the Louisiana State Uniform Construction Code Council (LSUCCC) will be discussing the plumbing code at its next meeting even though Act 12 of the 2005 Special Session exempts their agency from discussing matters of plumbing and sanitary conditions. However, the plumbing code is an item on the agenda and is actually a continuation of an item on a previous agenda. The LSUCCC plans to commission a study of its own on the plumbing code despite reassurance from Dr. Francois with DHH that due diligence is being practiced by sanitarians and the Department of Health. This concluded Mr. Heier's presentation and he thanked the Board for allowing him the opportunity to speak on the matter.

EXAM REPORTS

1.) JOURNEYMAN EXAMINATIONS

- a.) **September 24, 2009 (Special) - John Barker – *no problems***
- b.) **October 3, 2009 - John Barker – *no problems***
- c.) **October 17, 2009 - Keith Bienvenu – *no problems***
- d.) **October 24, 2009 – Keith Bienvenu – *no problems***

2.) MASTER EXAMINATIONS

- a.) **September 15, 2009 (Special) - Rickey Fabra – *no problems***

NEW BUSINESS

a.) Raises for John Barker and Katie Ramagos

The 4% merit increases for Mr. Barker and Miss Ramagos needed to be confirmed.

MOTION: to confirm Mr. Barker's 4% merit increase effective July 2009 and Miss Ramagos' 4% merit increase effective December 2009

MOTION: JERRY PAYNE

SECOND: RICKEY FABRA

MOTION: CARRIED

b.) Complaint received from the Governor's Office

Ms. Nancy Picard, the representative from the Board's legal firm, mentioned a complaint that was received from the Governor's office regarding allegations of misconduct. Due to the nature of the complaint, Ms. Picard recommended that the matter be discussed in Executive Session. Mr. Raimer agreed and stated he would like to discuss one other issue before entering into Executive Session.

c.) *Mr. Barker's cell phone expenses*

Mr. Raimer stated that he feels the Board should compensate Mr. Barker for a portion of his cell phone bill since his phone is largely used for SPBLA business. Mr. Raimer suggested that the Board approve a \$75 per month allowance to assist Mr. Barker with his cell phone bill. Ms. Picard stated that legally this should not pose a problem provided records are kept documenting the nature of the cell phone usage.

MOTION: to approve a \$75 per month allowance to assist Mr. Barker with his cell phone bill

MOTION: KEITH BIENVENU

SECOND: RICKEY FABRA

MOTION: CARRIED

James Bergeron was supposed to appear before the Board at the beginning of the meeting; however, he was not present at the time. Mr. Bergeron did show up at this point during the meeting. The Board told him that they had approved his application to take the Journeyman exam and asked him to be mindful of the time if he is ever asked to appear before the Board again.

EXECUTIVE SESSION

MOTION: to enter into Executive Session at 10:43am

MOTION: RICKEY FABRA

MOTION: JERRY PAYNE

MOTION: CARRIED

MOTION: to reconvene from Executive Session at 10:59am

MOTION: RICKEY FABRA

MOTION: JERRY PAYNE

MOTION: CARRIED

MOTION: the matter discussed in Executive Session is out of the realm of the State Plumbing Board of Louisiana and a letter stating these findings will be sent to the Governor's Office

MOTION: KEITH BIENVENU

MOTION: JERRY PAYNE

MOTION: CARRIED

**TENTATIVE DATE FOR THE DECEMBER 2009
SPECIAL BOARD MEETING**

December 17, 2009 is the tentative date of the Special Board Meeting of the State Plumbing Board of Louisiana.

Mr. Raimer presented a plaque to Mr. JC Matt for his service to the SPBLA. Mr. Matt was a plumbing inspector from 1969-1996, he was appointed to the SPBLA by Governor Edwards in 1975, his last year on the Board was 1987 and shortly after that he became an examiner for the Journeyman Plumber exam. Mr. Matt accepted the plaque and thanked the Board. He stated that he will continue to work as an examiner even though he is retired. Mr. Matt stated he “would like to give back to the industry what it has given me”.

ADJOURNMENT

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

MOTION: RICKEY FABRA

SECOND: JERRY PAYNE

MOTION: CARRIED

Respectfully Submitted,

James C. Finley, Chairman

Rickey Fabra, Secretary / Treasurer