

**PLUMBERS' EXAMINING BOARD
MEETING MINUTES**

Meeting Date: December 12, 2022
Meeting Location: This meeting occurred virtually pursuant to Section 2 (a.) (ii) of the Board's Remote Participation Policy adopted by the Board on October 4, 2021.

Time Meeting Scheduled to Begin: 9:00 a.m.

Time Meeting Began: 9:01 a.m.

I. CALL TO ORDER

Members present:

Percy Brown, Jr., Chairman
Nicholas Adams

Members absent:

Robert Hodgkin, Jr.

Staff Present:

Matthew Kaply, Board Manager
Matthew Fournier, Planning and Research Associate II
Peter Holmes, Executive Director of Manufactured Housing

AAG Present:

Elizabeth "Betsy" Stivers

II. AGENDA MODIFICATIONS AND APPROVAL

A motion was made to approve the agenda as written.

Motion: Nicholas Adams
Second: Percy Brown
Motion Carried

III. MINUTES REVIEW AND APPROVAL

A motion was made to approve the minutes of the October 3, 2022 meeting.

Motion: Nicholas Adams
Second: Percy Brown
Motion Carried

IV. COMPLAINT PRESENTATION

a. 2021-PLU-17867

A motion was made to dismiss and forward the unlicensed practice matter to the Maine Attorney General's office.

Motion: Nicholas Adams
Second: Percy Brown
Motion Carried

b. 2022-PLU-18437

A motion was made to move to adjudicatory hearing.

Motion: Nicholas Adams
Second: Percy Brown
Motion Carried

c. 2022-PLU-18465

A motion was made to dismiss.

Motion: Nicholas Adams
Second: Percy Brown
Motion Carried

d. 2022-PLU-18532

A motion was made to table until the next meeting.

Motion: Nicholas Adams
Second: Percy Brown
Motion Carried

e. 2022-PLU-18558

A motion was made to offer a consent agreement for the practice of fraud, deceit, or misrepresentation, for the overarching requirement of workmanship, and for 15 violations of the UPC. To offer sanctions of a reprimand, a civil penalty of \$500 for the deceit, a civil penalty of \$200 per each of the 15 UPC violations, voluntary surrender master licensee and an agreement to refrain from applying for a higher level of license for one year from the effective date of the consent agreement, and permission to apply for a trainee license only.

Motion: Nicholas Adams
Second: Percy Brown
Motion Carried

f. 2022-PLU-18582

A motion was made to offer a consent agreement for aiding and abetting unlicensed practice, failing to supervise trainees, and failure to get a plumbing permit. A recommended \$1,500 penalty for each of 3 violations, and if not accepted by the licensee, move to an adjudicatory hearing.

Motion: Nicholas Adams
Second: Percy Brown
Motion Carried

g. 2022-PLU-18556

A motion was made to offer a warning for violation of 10 M.R.S. § 8003-G(2)(B) with a \$100.00 civil penalty.

Motion: Nicholas Adams

Second: Percy Brown

Motion Carried

V. CONSENT AGREEMENT PRESENTATION

a. Robert Gay – Master Plumber License

A motion was made to uphold the preliminary denial and continue to adjudicatory hearing.

Motion: Nicholas Adams

Second: Percy Brown

Motion Carried

VI. PRESENTATION OF APPLICATIONS FOR EXAM

a. Gene Benardo – Master Plumber Exam

A motion was made to preliminary deny the master exam but offer approval for the journeyman exam.

Motion: Nicholas Adams

Second: Percy Brown

Motion Carried

b. Dana Blanche – Master Plumber Exam

A motion was made to preliminary denial the master exam due to the lack of supporting documents.

Motion: Percy Brown

Second: Nicholas Adams

Motion Carried

VII. PRESENTATION OF APPLICATIONS FOR LICENSE

a. Joshua Allen - Journeyman Plumber

A motion was made to grant the license.

Motion: Nicholas Adams

Second: Percy Brown

Motion Carried

b. Jarrod Jamieson – Journeyman-In- Plumber

A motion was made to table.

Motion: Nicholas Adams
Second: Percy Brown
Motion Carried

VIII. BOARD MANAGER'S REPORT

Matthew Kaply gave the report. There was increase of applications since the last meeting. The Gardiner Annex where all OPOR offices are located, will be under repair. Most staff will be working remotely. There will be some satellite offices in Augusta, as well as board room space, should a physical location be needed for future Board meetings.

IX. OPPORTUNITY FOR PUBLIC COMMENT

None.

X. ADJOURN

A motion was made to adjourn the meeting at 11:02 a.m.

Motion: Nicholas Adams
Second: Percy Brown
Motion Carried