

**PLUMBERS' EXAMINING BOARD
MEETING MINUTES**

Meeting Date: February 13, 2023
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: 9:02 a.m.

I. CALL TO ORDER

Members present:

Percy Brown, Jr., Chairman
Nicholas Adams
Robert Hodgkin, Jr.

Members absent:

None

Staff Present:

Matthew Kaply, Board Manager
Matthew Fournier, Planning and Research Associate II
Michael Day, State Plumbing Inspector

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

Absent: Robert Hodgkin Jr.

Voted 2 in favor, none opposed, 1 absent. Motion carried.

III. ELECTION OF OFFICER

A motion was made to nominate Percy Brown for Board Chair.

Motion: Nicholas Adams

Second: Percy Brown

Absent: Robert Hodgkin Jr.

Voted 2 in favor, none opposed, 1 absent. Motion carried.

IV. CONSENT AGREEMENT PRESENTATION

Meeting Minutes: February 13, 2023

Hearing Officer Rebekah Smith presented a consent agreement to the Board. The Consent Agreement was for case 2022-PLU-18148 and the respondent admitted to the facts of the complaint and agreed to civil penalty and conditions of probation. A motion was made to approve the consent agree with the discipline presented and approving to the Chair to sign.

Motion: Nicholas Adams

Second: Percy Brown

Absent: Robert Hodgkin Jr.

Voted 2 in favor, none opposed, 1 absent. Motion carried.

V. MINUTES REVIEW AND APPROVAL

A motion was made to approve the minutes of the December 12, 2022 meeting.

Motion: Nicholas Adams

Second: Robert Hodgkin Jr.

Voted 3 in favor, none opposed. Motion carried.

VI. DELEGATION OF AUTHORITY ORDER

A motion was approving the delegation of authority allowing the Board Manager to administratively close complaints where the respondent is deceased.

Motion: Nicholas Adams

Second: Robert Hodgkin Jr.

Voted 3 in favor, none opposed. Motion carried.

VII. COMPLAINT PRESENTATION

a. 2022-PLU-18532

A motion was made to offer a consent agreement with civil penalties for each of the three UPC violations for an aggregate civil penalty of \$1,000.00 to be paid no later than 90 days of the fully executed consent agreement.

Motion: Nicholas Adams

Second: Robert Hodgkin Jr.

Voted 3 in favor, none opposed. Motion carried.

b. 2022-PLU-18648

A motion was made to offer a consent agreement with civil penalties for each of the four violations for an aggregate civil penalty of \$1,500. 00 to be paid no later than 90 days of the fully executed consent agreement.

Motion: Nicholas Adams

Second: Robert Hodgkin Jr.

Voted 3 in favor, none opposed. Motion carried.

c. 2022-PLU-18713

A motion was made to dismiss the complaint for lack of any violations.

Motion: Nicholas Adams

Second: Robert Hodgkin Jr.

Voted 3 in favor, none opposed. Motion carried.

d. 2022-PLU-18744

A motion was made to dismiss the complaint and due to a lack of violation to the Board's laws and rules and refer to the Attorney General's office for either civil or criminal prosecution.

Motion: Nicholas Adams

Second: Robert Hodgkin Jr.

Voted 3 in favor, none opposed. Motion carried.

e. 2022-PLU-18763

A motion was made to offer a consent agreement for the aiding and abetting unlicensed practice and failing to provide adequate supervision, with a civil penalty of \$500.00 for each violation to be paid 90 days of the fully executed consent agreement.

Motion: Nicholas Adams

Second: Robert Hodgkin Jr.

Voted 3 in favor, none opposed. Motion carried.

VIII. LICENSE APPLICATION PRESENTATION

a. *Licensure by Endorsement- Massachusetts Journeyman and Master Plumber License*

A motion was made to that Massachusetts master plumber licensing requirements are substantially equivalent to Maine's and Massachusetts journeyman plumber licensing requirements are substantially equivalent to Maine's. The Board approves licensure by endorsement for Massachusetts master and journeyman plumber license,

Motion: Nicholas Adams

Second: Robert Hodgkin Jr.

Voted 3 in favor, none opposed. Motion carried.

IX. LICENSE APPLICATION PRESENTATION

a. *Joseph Brunelle – Trainee Plumber License*

A motion was made to preliminarily deny the license and offer a consent agreement for failing to disclose his criminal conviction on his renewal application and failing to timely report the criminal conviction, and issue a warning,

Motion: Nicholas Adams

Second: Robert Hodgkin Jr.

Voted 3 in favor, none opposed. Motion carried.

Motion: Percy Brown

X. BOARD MANAGER'S REPORT

Matthew Kaply gave the report.

XI. BOARD INSPECTOR'S REPORT

Michael Day gave the Inspector's report to the Board.

IX. OPPORTUNITY FOR PUBLIC COMMENT

Gary Gauthier of the ICC suggested to the Board about considering requiring continuing education on renewing licenses.

X. ADJOURN

A motion was made to adjourn the meeting at 11:06 a.m.

Motion: Nicholas Adams

Second: Robert Hodgkin Jr.

Voted 3 in favor, none opposed. Motion carried.