

**PLUMBERS' EXAMINING BOARD
MEETING MINUTES**

Meeting Date: July 7, 2023

Meeting Location: 221 State Street, Augusta and 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
Robert Hodgkin, Jr.

Members absent:

Nicholas Adams

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: Robert Hodgkin, Jr.

Second: Percy Brown, Jr.

Voted 2 in favor, none opposed. Motion carried.

III. MINUTES REVIEW AND APPROVAL

A motion was made to accept the meeting minutes from the April 10, 2023 meeting as written.

Motion: Robert Hodgkin, Jr.

Second: Percy Brown, Jr.

Voted 2 in favor, none opposed. Motion carried.

VI. COMPLAINT PRESENTATION

a. 2022-PLU-18802

A motion was made to dismiss the complaint based on no violation of Board's laws or rules and to refer the matter to the Maine Fuel Board for consideration of unlicensed practice.

Motion: Robert Hodgkin, Jr.

Second: Percy Brown, Jr.

Voted 2 in favor, none opposed. Motion carried.

b. 2023-PLU-18853

A motion was made to set for an adjudicatory hearing and offer a Consent Agreement with a warning and a \$500.00 civil penalty to be paid within 90 days for not obtaining a permit prior to undertaking a plumbing installation.

Motion: Robert Hodgkin, Jr.

Second: Percy Brown, Jr.

Voted 2 in favor, none opposed. Motion carried.

c. 2023-PLU-18996

A motion was made to set for an adjudicatory hearing and offer a Consent Agreement with a warning for not securing a permit in hand prior to undertaking a plumbing installation.

Motion: Percy Brown, Jr.

Second: Robert Hodgkin, Jr.

Voted 2 in favor, none opposed. Motion carried.

d. 2023-PLU-19046

A motion was made to dismiss the complaint based on no violation of Board's laws or rules.

Motion: Robert Hodgkin, Jr.

Second: Percy Brown, Jr.

Voted 2 in favor, none opposed. Motion carried.

e. 2023-PLU-19051

A motion was made to dismiss the complaint based on no violation of Board's laws or rules.

Motion: Robert Hodgkin, Jr.

Second: Percy Brown, Jr.

Voted 2 in favor, none opposed. Motion carried.

V. LICENSE APPLICATION PRESENTATION

a. Christopher Fugere – Journeyman License

A motion was made to direct staff to preliminarily deny the license application and offer a Consent Agreement with a warning and a \$100.00 civil penalty for failing to report a criminal conviction within 10 days, and \$250 civil penalty for a warning for misrepresenting on his application that he did not have a conviction since his last renewal, The aggregate civil penalty of \$350 shall be paid within 90 days of the last dated signature on the Consent Agreement.

Motion: Robert Hodgkin, Jr.
Second: Percy Brown, Jr.
Voted 2 in favor, none opposed. Motion carried.

b. Patrick Gauthier – Master License Renewal

A motion was made to preliminary deny the license renewal based on a potentially disqualifying criminal conviction.

Motion: Robert Hodgkin, Jr.
Second: Percy Brown, Jr.
Voted 2 in favor, none opposed. Motion carried.

c. George Madden – Master License Renewal

A motion was made to preliminary deny the license renewal based on a potentially disqualifying criminal conviction.

Motion: Robert Hodgkin, Jr.
Second: Percy Brown, Jr.
Voted 2 in favor, none opposed. Motion carried.

d. Joseph Israelson – Journeyman License

A motion was made to have the Letter of Guidance that was voted on at the last meeting to be issued, remain on file until the end of the next full renewal cycle.

Motion: Percy Brown, Jr.
Second: Robert Hodgkin, Jr.
Voted 2 in favor, none opposed. Motion carried.

VI. EXAM APPLICATION REVIEW

a. Adam Armington – Master Exam

Guidance was established directing staff in the eligibility of work experience of a journeyman-in-training licensee who has applied to take the examination to qualify for a master plumber license.

VII. REMOTE PARTICIPATION POLICY

Board staff presented a draft with updated provisions to the Board's Remote Participation Policy. A motion was made to accept the policy as written. The floor was opened for public comment on the policy changes. No comments were made.

Motion: Percy Brown, Jr.
Second: Robert Hodgkin, Jr.
Voted 2 in favor, none opposed. Motion carried.

VIII. BOARD MANAGER’S REPORT

Matthew Kaply gave the report.

IX. BOARD INSPECTOR’S REPORT

Michael Day gave the inspector’s report to the Board.

X. OPPORTUNITY FOR PUBLIC COMMENT

Larry Dempsey inquired why there were still vacancies on the Board and the status of appointments when he is aware of qualified people who have applied to be on the Board.

William Young inquired on the new subsurface wastewater disposal rules, currently in rulemaking with DHHS/CDC.

XI. ADJOURN

A motion was made to adjourn the meeting.

Motion: Percy Brown, Jr.

Second: Robert Hodgkin, Jr.

Voted 2 in favor, none opposed. Motion carried.

The meeting was adjourned at 10:27 a.m.