

# RECORD OF PROCEEDINGS

## **MINUTES OF THE COLORADO STATE PLUMBING BOARD MEETING 1560 BROADWAY, STE 110-D, DENVER, COLORADO WEDNESDAY, AUGUST 23, 2017**

The meeting of the Board was publicly noticed according to the Division of Professions and Occupations' Policy 80-17.

### **I MEETING - CONVENE**

Board Chair Anthony Shaffer called the meeting to order at 9:03 a.m.

### **II RECOGNITION OF MEMBERS PRESENT**

Anthony J. Shaffer	Plumbing Contractor, Chair
Janice K. Snidow	Journeyman Plumber, Vice Chair
James Vernon	Local Jurisdiction Plumbing Inspector
John D. Craco	Plumbing Contractor
Noreen McMahon	Public Member
Bruce T. Schneider	General Contractor
Matt Wagy	Master Plumber
Jorge A. Delgado, Jr.	Ex Officio Member

### **MEMBERS ABSENT**

### **OTHERS PRESENT**

Mark Browne	Program Director
Kye Lehr	Chief Inspector
Cristel Shepherd	Assistant Attorney General
Dennis Rhodes	Office of Expedited Settlement
Jennifer Pankoski	Enforcement Unit Specialist

### **III APPROVAL OF MINUTES**

A motion was made, seconded and carried to approve the minutes of the June 28, 2017 meeting as amended.

### **IV REPORTS**

#### **A. Review of Report of Final Agency Actions**

#### **A. Cease and Desist Order**

Altitude Builders  
Sorensen, Dan Vand  
Johnson, Ronald W

#### **B. Stipulations**

Rousso, Matthew E.  
Greyson Plumbing  
Doctor Fix-It Plumbing Heating & Electric  
Crump, Ryan J.

#### **C. Revocations**

Denver Plumbing Pro's

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A motion was made, seconded, and carried to ratify the report.

## **B. License and Registration Report**

The Board reviewed the report of active licenses and registrations with no action taken.

## **C. SOR Audit Report**

The Board reviewed the audit report with no action taken.

## **D. Staff Comments**

### **Program Director – Mark Browne**

Mr. Browne discussed upcoming Plumbing Board vacancies, and requested that board members let him know of any possible candidates.

## **V VETERANS OCCUPATIONAL CREDENTIALING AND LICENSING PRESENTATION**

Mr. JB Brower, Veterans Policy Analyst presented for the Colorado State Plumbing Board regarding an ongoing policy implementation initiative within the Division of Professions and Occupations. Colorado HB 16-1197 directs state agencies to implement a program to streamline the granting of occupational credentials to veterans based on military training.

## **VIII COMPLAINTS**

**Business:** KB Services LLC, PC #1561

**Case No.:** 2017-2742

**Summary:** This complaint alleges that KB Services LLC (the “Company”) failed to register Josh Brooks as a plumbing apprentice and the Company also failed to verify Mr. Brooks’ hours. The Board reviewed the company’s response.

**Action:** A motion was made, seconded, and carried to dismiss this item.

**Business:** Legacy Plumbing and Renovation, Inc., PC #519

**Case No.:** 2017-2741

**Summary:** This complaint alleges that Legacy Plumbing and Renovation, Inc. (the “Company”) failed to register Josh Brooks as a plumbing apprentice and the Company also failed to verify Mr. Brooks’ hours. The Company has not responded.

**Action:** A motion was made, seconded, and carried to dismiss this item.

**Business:** O’Connor Plumbing, PC #1693

**Case No.:** 2017-2744

**Summary:** This complaint alleges that O’Connor Plumbing (the “Company”) failed to register Josh Brooks as a plumbing apprentice and the Company also failed to verify Mr. Brooks’ hours. The Board reviewed the Company’s response.

**Action:** A motion was made, seconded, and carried to dismiss this item.

**Business:** Solutions Plumbing and Mechanical LLC, PC #2647

**Case No.:** 2017-2743

**Summary:** This complaint alleges that Solutions Plumbing and Mechanical LLC (the “Company”) failed to register Josh Brooks as a plumbing apprentice and the Company also failed to verify Mr. Brooks’ hours. The Board reviewed the Company’s response.

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**Action:** A motion was made, seconded, and carried to dismiss this item.

**Business:** A Plus Plumbing & Heating LLC, PC #3632

**Case No.:** 2017-3680

**Summary:** This complaint alleges that A Plus Plumbing & Heating LLC (the "Company") failed to pull a permit prior to work starting at Baymount Inn and Suites. The Board reviewed the company's response.

**Action:** A motion was made, seconded, and carried to dismiss this item.

**Business:** AAA Plumbing Inc., PC #1135

**Case No.:** 2017-3566

**Summary:** This complaint alleges that AAA Plumbing Inc. (the "Company") failed to register Joshua Vigil, AP #18806, within 30 days of employment. The Board reviewed the company's response.

**Action:** A motion was made, seconded, and carried to refer this case to the Office of Expedited Settlement for discipline.

**Business:** Cobb Mechanical Contractors, PC #1668

**Case No.:** 2017-3527

**Summary:** This complaint alleges that Cobb Mechanical Contractors (the "Company") failed to release a record of hours completed to Lawrence Babcock AP #36229. The Board reviewed the company's response.

**Action:** A motion was made, seconded, and carried to dismiss this complaint.

**Business:** Country Plumbing & Heating Inc., PC #1319

**Case No.:** 2017-3517

**Summary:** This complaint alleges that Country Plumbing & Heating Inc. (the "Company") failed to pull the required permit and inspection prior to work starting. The Company has not responded.

**Action:** A motion was made, seconded, and carried to refer this case to the Office of Expedited Settlement for discipline.

**Business:** Eric Redwine, MP #600331

**Case No.:** 2017-3392

**Summary:** This complaint alleges that Eric Redwine failed to remove a cause for disapproval of any plumbing installation within a reasonable time at the Moore residence, per CRS 12-58-110(1)(c). The Board reviewed Mr. Redwine's response.

**Action:** A motion was made, seconded, and carried to refer this case to the Office of Investigations for additional information.

**Business:** Liberty Plumbing & Contracting, Unreg.

**Case No.:** 2017-3526

**Summary:** This complaint alleges that Liberty Plumbing & Contracting (the "Company") is advertising as a plumbing contractor without the proper registration from the Board. The Board reviewed the company's response.

**Action:** A motion was made to issue a CDO against Liberty Plumbing & Contracting for working as a contractor without the required registration.

**Business:** Skul Plumbing Inc., PC #1518

**Case No.:** 2017-4394

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**Summary:** This complaint alleges that Skul Plumbing Inc. (the "Company") is failing to verify Rodney Bruggeman's hours pursuant to Rule 3.2. The Board reviewed the company's response.

**Action:** This case was tabled for additional information.

**Business:** Patrick Condon, Expired PC #2006

**Case No.:** 2017-3209

**Summary:** This complaint alleges that Patrick Condon (the "Company") is advertising as plumbing contractor while having an expired registration. The Board reviewed the company's response.

**Action:** A motion was made, seconded, and carried to issue a CDO against PT Condon for advertising as a plumbing contractor without the expired contractor registration.

**Business:** Sure Drain Services, PC #2697

**Case No.:** 2017-3996

**Summary:** This complaint alleges that Sure Drain Services (the "Company") is failing to release records of plumbing hours to Michal Taylor, AP #20917. The Board reviewed the company's response.

**Action:** A motion was made, seconded, and carried to dismiss this item.

**Business:** Rhodes Plumbing, PC #1698

**Case No.:** 2017-3506

**Summary:** This complaint alleges that Rhodes Plumbing (the "Company") claims plumbing apprentice John Doyle began employment on June 4, 2007, but failed to register him as an apprentice with the Board until May 8, 2017; and in doing so, the Company failed to register a plumbing apprentice within 30 days of employment. The Board reviewed Ms. Julie J. Huffman, Esq., response on behalf of the Company.

**Action:** A motion was made, seconded, and carried to refer this case to the Office of Expedited Settlement for discipline.

**Business:** RK Mechanical, Inc., PC #779

**Case No.:** 2017-3305

**Summary:** This complaint alleges that RK Mechanical, Inc. (the "Company") claims plumbing apprentice Jeremy J. Romero began employment on March 4, 2011, but failed to register him as an apprentice with the Board until January 23, 2017; and in doing so, the Company failed to register a plumbing apprentice within 30 days of employment, which is the Company's third offense (Case #2012-5383 & 2013-1376). The Board reviewed Mr. Ryan J. Polk, Esq., response on behalf of the Company.

**Action:** A motion was made, seconded, and carried to refer this case to the Office of Expedited Settlement for discipline.

### IX REVIEW OF APPLICATION

**Business:** Jeremy J. Romero

**Summary:** On March 31, 2017, Jeremy Romero submitted an application for the master plumber's license by examination. The Board reviewed the Affidavits of Experience submitted with Mr. Romero's application.

**Action:** A motion was made, seconded, and carried to table Mr. Romero's application until evidence of hours is provided.

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**Business:** John C. Doyle

**Summary:** On April 28, 2017, John Doyle submitted an application for the master plumber's license by examination. The Board reviewed the Affidavits of Experience submitted with Mr. Doyle's application.

**Action:** A motion was made, seconded, and carried to table Mr. Doyle's application until evidence of hours is provided.

**Business:** Robert N. Whitworth

**Summary:** On June 7, 2017, Robert Whitworth submitted an application for the journeyman plumber's license by examination. The Board reviewed the Affidavits of Experience submitted with Mr. Whitworth's application.

**Action:** A motion was made, seconded, and carried to table Mr. Whitworth's application until evidence of percentage of maintenance vs plumbing hours is provided.

### X **COMPLIANCE MONITORING**

**Business:** Elijah J. King, JP #600408

**Case No.:** 2017-2507

**Summary:** At the June 28, 2017 meeting, the Board referred Elijah J. King's case to the Office of the Attorney General for failing to submit quarterly reports to meet the requirements of paragraph 13(b) of the August 23, 2016 Stipulation and Final Agency Order. It was later discovered that Mr. King's criminal case probation was modified to "unsupervised probation" in October 2016. Mr. King has not submitted to the Board a written request for discharge from probation, as required by paragraph 13(c) of the Stipulation.

**Action:** After Executive Session, a motion was made, seconded and carried to dismiss this case.

XI **EXECUTIVE SESSION:** At 12:05 p.m., Board Chair Anthony Shaffer moved that the Board enter into executive session for the purpose of discussing disputes that are the subject of pending or imminent court action, discussing specific claims or grievances, or receiving legal advice on specific legal questions pursuant to Colorado Revised Statutes section 24-6-402(3)(a)(II) and (III), including discussion with legal counsel regarding:

- The legal basis for potential disciplinary action and, where warranted, recommended settlement guidance for matters discussed in open session today and referred to executive session;
- The Reports of Investigation in case #2016-3115, #2017-60, #2016-5342 and #2016-5853
- The Case Status Report of the Office of Expedited Settlement; and
- The Case Status Report of the Office of the Attorney General.

The motion was seconded by Janice Snidow and unanimously carried with seven members in attendance, all seven voting. At least two-thirds of the entire membership of the Board voted in favor of the motion.

### **ACTION ON DISCIPLINARY CASES**

**Business:** JCR Mechanical,

**Case:** 2016-3115

**Summary:** In executive session, the Board reviewed a Report of Investigation prepared by the Office of Investigations regarding a complaint filed against JCR Mechanical

**Action:** A motion was made, seconded, and carried in open session, to dismiss this item.

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**Business:** Michael Greenhalgh

**Case:** 2017-60

**Summary:** In executive session, the Board reviewed a Report of Investigation prepared by the Office of Investigations regarding a complaint filed against Michael Greenhalgh.

**Action:** A motion was made, seconded, and carried in open session to refer this case to the Office of Expedited Settlement for discipline.

**Business:** Pipeworx, LLC.

**Case:** 2016-5342

**Summary:** In executive session, the Board reviewed a Report of Investigation prepared by the Office of Investigations regarding a complaint filed against Pipeworx LLC.

**Action:** A motion was made, seconded, and carried in open session to dismiss this case.

**Business:** Tapps Plumbing and Heating

**Case:** 2016-5853

**Summary:** In executive session, the Board reviewed a Report of Investigation prepared by the Office of Investigations regarding a complaint filed against Tapps Plumbing and Heating.

**Action:** A motion was made, seconded, and carried in open session to refer this case to the Office of Expedited Settlement for discipline.

## **XII** ADJOURNMENT

With all business completed, the meeting was adjourned at 1:08 p.m. The next meeting is scheduled for Wednesday, October 25, 2017, at 9:00 a.m.

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*Approved by: Anthony J. Shaffer, Chair*

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*Date: October 25, 2017*