



COLORADO

Department of
Regulatory Agencies

Division of Professions and Occupations

STATE PLUMBING BOARD AGENDA

February 28, 2018

Pursuant to statute, a portion of this meeting will be closed to the public.

The agenda is subject to change. If changes occur, a revised agenda will be available at the meeting.

CONVENE

The meeting of the State Plumbing Board was convened in the Civic Center Plaza Building, 1560 Broadway, Conference Room 1250C, Denver, Colorado 80202, at 9:02 AM, by Anthony Shaffer, Board Chair.

Present, in addition to, Anthony Shaffer, Board Chair, Plumbing Contractor, were Board Members: Matt Wagy, Master Plumber, Vice Chair; Noreen McMahon, Public Member, Secretary; Catherine Duniho, Journeyman Plumber; Glen Ratliff, Local Jurisdiction Plumbing Inspector; John D. Craco, Plumbing Contractor; Bruce T. Schneider, General Contractor; and Jorge A. Delgado, Jr., Ex-Officio Member

Staff present:

Mark Browne, Program Director; Cheryl Ruiz-Lucero, Assistant Program Director; Cristel Shepherd, Assistant Attorney General; Dennis Rhodes, Office of Expedited Settlement; and Amy Balay, SWOT Team Manager.

APPROVAL OF MINUTES

A motion was made, seconded, and carried to approve the minutes of the December 20, 2017 meeting as amended.

REPORTS AND DISCUSSION ITEMS

Review of Report of Final Agency Actions and License and Registration Report

Occupational Licensing Policy Consortium Update

Director of External Affairs Mr. Nathan Batchelder briefed the Board on the Occupational Licensing Policy and Practice Learning Consortium.

Program Director Report

- Mr. Mark Browne introduced Amy Balay, SWOT Team manager and explained her purpose to make the plumbing Board more consistent with other Boards within DORA.
- Chief Inspector Kye Lehr teaching a class at the ICC Meeting.
- Mr. Kye Lehr, Chief Inspector, is retiring on April 30, 2018.
- Plumbing inspector Bob Agosti retiring and other inspector position openings.
- The new format of meetings and documents in the Board packet is to make the meetings more efficient.
- Legislative Session updates and the role of the plumbing Board members.

DORA is dedicated to preserving the integrity of the marketplace and is committed to promoting a fair and competitive business environment in Colorado. Consumer protection is our mission.

ANNUAL DESIGNATION

It was the unanimous decision of the Board to designate the Welcome Center of the Division of Professions & Occupations, at 1560 Broadway, Denver, CO 80202, as the posting location of the board's public notices.

NEW BUSINESS

Agenda Item #1 Western Summit Constructors, Inc PC# 1131 Case #2017-2718

The Board reviewed the complaint, and additional information.

A motion was made, seconded, and carried to dismiss the case as being without merit. A second motion was made, seconded, and carried to initiate a case and issue a Cease and Desist Order to Joe Giron.

Agenda Item #2a A Plus Plumbing and Heating PC# 3632 Case #2018-239

The Board reviewed the complaint, and additional information.

A motion was made, seconded, and carried to refer the case for disciplinary settlement, and the Board provided guidance.

Agenda Item #2b Hensley, Clifford MP# 189590 Case #2018-233

The Board reviewed the complaint, and additional information.

A motion was made, seconded, and carried to refer the case for disciplinary settlement, and the Board provided guidance.

Agenda Item #3 Blochowicz, Todd Unlicensed Case #2018-287

The Board reviewed the complaint, and additional information.

A motion was made, seconded, and carried to dismiss the case as being without merit.

Agenda Item #4 Bradley, Joshua MP #600178 Case #2018-228

The Board reviewed the complaint, and additional information.

A motion was made, seconded, and carried to dismiss the case as being without merit.

Agenda Item #5 Central Mechanical Inc. PC#1347 Case #2017-7254

The Board reviewed the complaint, and additional information.

A motion was made, seconded, and carried to refer the case for disciplinary settlement, and the Board provided guidance.

Agenda Item #6a Clark, Justin M AP#35128 Case #2018-234

The Board reviewed the complaint, and additional information.

A motion was made, seconded, and carried to dismiss the case as being without merit.

Agenda Item #6b Clark, Justin M AP#35128 Application

The Board reviewed the complaint, and additional information.

A motion was made, seconded, and carried to dismiss the case as being without merit.

Agenda Item #7 DJ Service Plumbing Unregistered Case #2017-7218

The Board reviewed the complaint, and additional information.

A motion was made, seconded, and carried to issue a Cease and Desist Order.

Agenda Item #8 Economy Services LLP PC #859 Case #2018-681

The Board reviewed the complaint, and additional information.

A motion was made, seconded, and carried to refer the case for disciplinary settlement, and the Board provided guidance.

Agenda Item #9a Evolution Sewer & Drain Inc. Unregistered Case #2017-7251

The Board reviewed the complaint, response, and additional information.

RECONSIDERATION ITEMS

Agenda Item #18 Above and Beyond Plumbing & Heating Unreg Case #2017-6404

The Board reviewed the complaint, response, and additional information.

A motion was made, seconded, and carried to refer the case to the Office of Investigations.

RATIFICATIONS

Agenda Item #19 Approval of applications

Review of Report of Final Agency Actions and License and Registration Report

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

APPLICATIONS

Agenda Item #20 Wright, Isaac J RP Pending Application

The Board reviewed Applicant's statement, and additional information.

A motion was made, seconded, and carried to approve Mr. Wright's application.

REINSTATEMENTS

Agenda Item #21 Brewer, Shannon RP#385028 Case #2018-248

The Board reviewed Applicant's statement, and additional information.

A motion was made, seconded, and carried to approve Ms. Brewer for the exam to reinstate.

Agenda Item #22 Cook, Richard MP#179916 Case# 2017-7351

The Board reviewed Applicant's statement, and additional information.

A motion was made, seconded, and carried to approve Mr. Cook for the exam to reinstate.

Agenda Item #23 Rutledge Plumbing and Heating PC#2984 Case #2018-204

The Board reviewed the complaint, and additional information.

A motion was made, seconded, and carried to refer the case for disciplinary settlement, and the Board provided guidance.

MOTION TO MOVE INTO EXECUTIVE SESSION

At 1:49 PM, Board Chair, Anthony Shaffer, asked for a motion that the Board enter into executive session for the purpose of discussing with counsel disputes that are the subject of pending or imminent court action, discussing specific claims or grievances, and receiving legal advice on specific legal questions, pursuant to Colorado Revised Statutes section 24-6-402(3)(a)(II).

The legal basis for potential disciplinary action, and where warranted, recommended settlement guidance and/or legal advice/guidance:

- 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 #2017-2718
- The Case Status Report of the Office of Expedited Settlement; and
- The Case Status Report of the Office of the Attorney General.

There was a motion, which was seconded. The vote was unanimous with at least two-thirds of the membership of the Board approving the motion to go into executive session and none opposing.

By unanimous agreement, the Board exited executive session at 2:44 PM and reconvened in open session.

OPEN SESSION

Board motions made in open session for matters referred to executive session are noted above, if applicable.

ADJOURN

The Board formally adjourned the meeting at 2:48 PM. The Board will reconvene on Wednesday, April 25, 2018, at the Civic Center Plaza Building, 1560 Broadway, Denver, CO 80202, at approximately 9:00 AM.

As Board Chair/Vice-Chair, I attest that these minutes of the open public meeting of the Colorado State Plumbing Board substantially reflect the substance of the discussions and actions taken related to matters under the authority of the Board, pursuant to Colorado Revised Statutes section 12-58-104, and in compliance with Colorado Revised Statutes section 24-6-402.

Board Chair

Vice Chair