

**Texas State Board of Plumbing Examiners  
Board Meeting  
October 12, 2015 – 9:00 a.m.**

Location: TSBPE Office Building - 929 East 41<sup>st</sup> Street, Austin, TX 78751

Note: Parking is available in the front and rear of the building

If you need auxiliary aids or services, please contact Michael Metz at 512-936-5224, 72 hours prior to the meeting so that appropriate arrangements can be made.

The Texas State Board of Plumbing Examiners will convene in open session, deliberate and possibly take formal action on any of the following items.

1. Call to Order – 9:00 a.m.
2. Roll Call
3. Recognize staff and visitors
5. Adoption of the July 14, 2015 Board Meeting Minutes - Tab 1
6. Public Comment – Public Comment will be limited to 3 minutes
7. Enforcement Committee Report - Lisa G. Hill, Chair
  - (a) Report of meetings – Tab 2
  - (b) Review and approval of administrative penalties – Tab 3
  - (c) Consideration and possible approval of applications for individuals whose licenses or registrations were previously revoked and are re-applying for registration or examination under Board Rule Section 365.10:
    - (1) Blake A. Askins (Entity 425720) – Plumber’s Apprentice registration, A-55736, revoked on March 2, 2010 due to incarceration. Re-applying for registration as a Plumber’s Apprentice. – Tab 4
    - (2) Kevin Benjamin Beard (Entity 368341) – Journeyman Plumber license, J-32591, revoked on November 29, 2012 due to providing false information to the Board. Re-applying for Journeyman Plumber examination. – Tab 5
    - (3) Jerry W. Bridwell (Entity 386625) – Plumber’s Apprentice registration, A-15222, revoked on October 12, 2012 due to incarceration; Re-applying for registration as a Plumber’s Apprentice. – Tab 6
    - (4) Johnny R. Burnes (Entity 446099) – Plumber’s Apprentice registration, A-71821, revoked on July 18, 2011 due to incarceration. Re-applying for registration as a Plumber’s Apprentice. – Tab 7

- (5) James Phillipe Castro (Entity 415389) – Plumber’s Apprentice registration, A-44749, revoked on May 24, 2012 due to incarceration. Re-applying for registration as a Plumber’s Apprentice. – Tab 8
- (6) Anthony M. Coble (Entity #405891) – Plumber’s Apprentice registration, A-81753, revoked on July 19, 2013 due to incarceration. Re-applying for registration as a Plumber’s Apprentice. – Tab 9
- (7) Jason A. Flynn (Entity 435535) – Plumber’s Apprentice registration, A-62394, revoked on April 16, 2009 due to incarceration. Re-applying for registration as a Plumber’s Apprentice. – Tab 10
- (8) Frederico Gomez III (Entity 386682) – Journeyman Plumber License J-39234, revoked on September 25, 2012 due to incarceration. Re-applying for Journeyman Plumber examination. – Tab 11
- (9) Jacob D. Horton (Entity 655357) Plumber’s Apprentice registration, A 82744, revoked on April 4, 2013 due to incarceration. Re-applying for registration as a Plumber’s Apprentice. – Tab 12
- (10) Jeremiah W. Jester (Entity 410206) – Plumber’s Apprentice Registration, A- 77297, revoked on May 22, 2014 due to incarceration. Re-applying for registration as a Plumber’s Apprentice. – Tab 13
- (11) Robert A. Juliano (Entity 395262) – Tradesman Plumber, T-2014, revoked on December 18, 2007 due to incarceration. Re-applying for Tradesman Plumber-Limited Licensee examination. – Tab 14
- (12) Samuel D. Mink (Entity 406132) – Plumber’s Apprentice, A-37971, revoked on May 7, 2007 due to incarceration. Re-applying for registration as a Plumber’s Apprentice. – Tab 15
- (13) John Rocha Jr. (Entity 416768) – Plumber’s Apprentice, A-88163, revoked on September 16, 2013 due to incarceration. Re-applying for registration as a Plumber’s Apprentice. – Tab 16
- (14) Jesse Rodriguez (Entity 388883) – Plumber’s Apprentice, A-19749, revoked on January 3, 2008 due to incarceration. Re-applying for registration as a Plumber’s Apprentice. – Tab 17

(d) Consideration and possible action on SOAH Proposals for Decision:

- (1) Willis Aldridge; Docket No. 456-15-2179 – Tab 18
- (2) B. D. Blount; Docket No. 456-15-3429 – Tab 19
- (3) Robert C. Campbell; Docket No. 456-15-4352 – Tab 20
- (4) Felix Sifuentez; Docket No. 456-15-2765 – Tab 21

(e) Consideration and possible action on Default Orders:

- (1) Zach Hollis; Docket No. 456-15-3623 – Tab 22

- (2) Nestor Olvera; Docket No. 456-15-3624 – Tab 23
- (3) Terrance M. Proffitt; Docket No. 456-15-3731 – Tab 24

(f) Consideration and possible adoption of Agreed Final Orders:

- (1) Michael E. Akin; Case No. 2013-00818 – Tab 25
- (2) Timothy Wayne Blankenship; Case No. 2014-01524 – Tab 26
- (3) Chatish Gajadien; Case No. 2013-01168 – Tab 27
- (4) Daniel Gonzalez; Case No. 2013-00841 – Tab 28
- (5) Brian A. Gripp; Case No. 2015-02279 – Tab 29

(g) Report of Cease and Desist Orders issued under Section 1301.5045 of the Plumbing License Law: – Tab 30

- (1) Glenn Abales; Case No. 2015-02219
- (2) Shawn Douglas Byrne; Case No. 2015-02227
- (3) Mark Concha; Case No. 2015-01855
- (4) Gerardo N. Garcia de Alba; Case No. 2015-02224
- (5) Terry Dale Morgan; Case No. 2015-01851

(h) Review and possible action on annual renewal review submitted by Stewart Michael Townley; Docket No. 456-12-5268 – Tab 31

8. Continuing Professional Education (CPE) Committee Report – Carlos DeHoyos, Chair

- (a) Summary of 2014-2015 Annual CPE Provider reports – Tab 32
- (b) Consideration and possible approval of 2015-2016 CPE Course Instructor applications submitted by the following CPE Providers: – Tab 33
  - (1) A-ACES: Frank Reyes Jr.
  - (2) APHCCT: Justin Lowe
  - (3) Pioneer Educational Services, Inc.: Jay Parr
  - (4) Plumbers Continuing Education, Inc. (PCE): Kenneth Pyland
  - (5) Plumber Trainer: James Merriman
  - (6) Texas Pipe Trades: Paul Harrison and Alvin McKnight

9. Medical Gas Committee Report – Enrique Castro, Chair – Tab 34

- (a) Consideration and possible approval of request from A-Aces for Frank Reyes Jr., as a Medical Gas Endorsement training Instructor
- (b) Consideration and possible approval of request from Texas Pipe Trades for Paul Harrison as a Medical Gas Endorsement training Instructor
- (c) Consideration and possible approval of request from Texas Pipe Trades for

10. Training Committee Report – Janet Gallagher, Chair – Tab 35
  - (a) Consideration and possible approval of request from Pioneer A-Aces, for Frank Reyes Jr., as a Multipurpose Residential Fire Protection Sprinkler Specialist Endorsement training Instructor
  - (b) Consideration and possible approval of request from Pioneer Educational Services, Inc., for David Swatek as a Multipurpose Residential Fire Protection Sprinkler Specialist Endorsement Training Instructor
  
11. Rules Committee Report – Rick Guerra, Chair
  - (a) Consideration and possible action on adoption of a non-substantive rule amendment and an amendment to clarify the risk levels within the Criminal Conviction Guidelines of Texas Administrative Code, Title 22, Part 17, Chapter 363 Examination and Registration; 22 Tex. Admin. Code §363.14. Criminal Conviction Guidelines – Tab 36
  - (b) Discussion and possible recommendation for rule proposal amendments and/or new rules required for the implementation of Texas House Bill 2255, House Bill 2464 and Senate Bill 807, 84<sup>th</sup> Legislature, Regular Session (2015) – Tab 37
    - (1) Consideration and possible recommendation that amendments to 22 Tex. Admin. Code §361.1. Definitions; be published for proposal.
    - (2) Consideration and possible recommendation that amendments to 22 Tex. Admin. Code §361.8. Forms and Materials; be published for proposal.
    - (3) Consideration and possible recommendation to propose new rule 22 Tex. Admin. Code §365.17. Transfer of License; be published for proposal.
  - (c) Consideration and possible action on a petition submitted by Russell Wyman on behalf of the Texas State Association of Plumbing Inspectors, by either recommending to the Board to deny the petition or to initiate rulemaking proceedings pursuant to Subchapter B, Chapter 2001, Texas Government Code on the following: – Tab 38
    - (1) Consideration and possible recommendation that amendments to 22 Tex. Admin. Code §361.6. Fees be published for proposal.
    - (2) Consideration and possible recommendation that amendments to 22 Tex. Admin. Code §363.1. Qualifications, be published for proposal.
    - (3) Consideration and possible recommendation that amendments to 22 Tex. Admin. Code §365.4. Issuance, be published for proposal.
    - (4) Consideration and possible recommendation that amendments to rule 22 Tex. Admin. Code §367.2. Standards of Conduct, be published for proposal.

- (d) Consideration and possible action on proposal of staff recommended rule amendment and repeal to Texas Administrative Code, Title 22, Part 17, Chapter 361. – Tab 39
  - (1) Consideration and possible recommendation that 22 Tex. Admin. Code §361.9. Charges for Copies of Public Records be published for proposed repeal under Texas Government Code §2001.039, Agency Review of Existing Rules.
  - (2) Consideration and possible recommendation that amendments to 22 Tex. Admin. Code §361.11. State Vehicle Management, be published for proposal.
- 12. Examination Committee Report – Ed Thompson, Chair
- 13. Audit Committee Report – Ed Thompson, Chair
  - (a) Review of FY 2014 final audit report from Monday Rufus and Associates
- 14. Technology Committee Report – Anthony Garza, Chair
- 15. Water Supply Protection Specialist (WSPS) Committee Report – Carlos DeHoyos, Chair
  - (a) Consideration of request from A-Aces for Frank Reyes Jr., M-39920 as a Water Supply Protection Specialist Endorsement training Instructor (withdraw request )
- 16. Legislative Resource Committee Report – Julio Cerda, Chair
- 17. Personnel Committee Report – Tammy Betancourt, Chair
- 18. Assistant Attorney General’s Report – Veena Mohan
- 19. Examination Department Report – Richard L. Herman – Tab 40
- 20. Enforcement Department Report – Stephen P. Davis – Tab 41
- 21. Financial Department Report – Richard L. Herman
  - (a) Review of Annual Financial Report – Tab 42
- 22. Executive Director’s Report – Lisa G. Hill
- 23. Date, location, and time of future Board meetings
- 24. Adjourn

The Texas State Board of Plumbing Examiners may go into executive session on any agenda item as authorized by the Open Meetings Act, Texas Government Code Chapter 551.