

Texas State Board of Plumbing Examiners Board Meeting Agenda
929 E. 41st St.
Austin, TX 78751
May 12, 2021
10:00 am

VIDEOCONFERENCE AND TELEPHONE CONFERENCE CALL MEETING

Due to Governor Greg Abbott's March 13, 2020 proclamation of a state of disaster affecting all counties in Texas due to the Coronavirus (COVID-19) and the Governor's March 16, 2020 suspension of certain provisions of the Texas Open Meetings Act, this meeting will be held by videoconference call and telephone conference call, as authorized under Texas Government Code sections 551.127 and 551.125, respectively.

Members of the public will have access and a means to participate in this meeting, by two-way communication, by clicking the zoom link:
<https://us02web.zoom.us/j/82132365593?pwd=SktMNMFnMXF6TORKNm1La1pidTBpUT09>.

You may also connect via telephone at: +1-346 -248-7799.

An electronic copy of the agenda is now available at <https://tsbpe.texas.gov/> under "Open Meetings."

If you wish to simply watch the meeting live or view a recording of the meeting it can be found at: <http://adminmonitor.com/tx/tsbpe/>

Members of the public, please email dawn.saravia@tsbpe.texas.gov in advance of the meeting if you know you would like to provide public comment. You may also use the "Raise Hand" feature in Zoom to indicate that you wish to speak during the meeting. When the Board reaches the public comment item, the Chair will recognize you by name and give you an opportunity to speak.

The Board will meet at the above-stated time to consider and take appropriate action on the items listed below.

1. Call to Order – 10:00 a.m.
2. Roll Call

3. Certification of Quorum
4. Consideration of and possible approval of excuses for absent Board Members**
5. Opening Remarks, including a legislative update – Frank Denton, Board Chair
6. Executive Director’s Report – Lisa G. Hill, Executive Director
 - a. Staff additions, job postings, and staff activities
 - b. Customer service reports
 - c. Current statistics on plumber licenses and registrations
7. Examination Department Report – Lisa G. Hill, Executive Director
 - a. Administration of written examinations in locations other than Austin, including San Antonio, Corpus Christi, Dallas, Fort Worth, Houston, Lubbock, and the Valley area
 - b. Master, Journeyman, and Tradesman Plumber examinations administered and pass/fail rates for 2nd Quarter FY 2021
 - c. Pending plumber exam types and retakes
8. Financial Department Reports – Richard Herman, Director of Financial Operations
 - a. FY 2021 appropriation balances
 - b. FY 2021 2nd quarter revenues as compared to FY 2020 revenues
 - c. FY 2021 2nd quarter estimated number of plumber licenses & registration/examination fees paid as compared to FY 2020
9. Enforcement Department Report – Stephen P. Davis, Director of Enforcement
 - a. Field Department activities for 2nd quarter FY 2021

10. Enforcement Committee Activity Report – Lisa G. Hill, Executive Director

- a. Summary of complaint cases reviewed and administrative penalties imposed – 2nd Quarter FY 2021
- b. Summary of applications approved or denied for registration and/or examination – 2nd Quarter FY 2021
- c. Summary of complaint cases pending
- d. Schedule of applications for approval after revocation, concerning those individuals whose licenses or registrations were previously revoked and who are re-applying for registration as a Plumber's Apprentice or to take an examination under board rule 22 Tex. Admin. Code § 365.10**
 - i. Peters, Jason Duane (Apprentice # 114967)
- e. Summary of Cease and Desist Orders issued under § 1301.5045 of the Plumbing License Law
 - i. Fuentes, Danilo; Case No. 2021-00540
 - ii. Furst, Kenneth Paul; Case No. 2021-00043
 - iii. Harding, David; Case No. 2020-01274
 - iv. Helmer, Mark; Case No. 2021-00178
 - v. McKay, Joshua E.; Case No. 2021-00049
 - vi. Slavin, Jeremy B.; Case No. 2021-00047
- f. Board Order of Administrative Penalties paid by agreement**
- g. Agreed Final Orders
- h. SOAH Proposals for Decision regarding applicants for licensure with past criminal history
- i. SOAH Default Orders regarding administrative penalties or other disciplinary action

j. Consideration and possible approval of Default Final Orders imposing penalties under § 1301.704 of the Plumbing License Law**

- i. Armatino, Michael; 2021-00373
- ii. Asencio, Byron Armando; 2021-00459
- iii. Barnes, Harold D.; 2021-00460
- iv. Carpenter, Jeffrey W.; 2021-00358
- v. Clark, D. C. Willis; 2021-00255
- vi. Davis, Randall; 2021-00450
- vii. Dayton, James; 2021-00164
- viii. De Jesus Molina, Edgar; 2021-00614
- ix. Diaz, Rene; 2021-00350
- x. Espinoza, Cesar A.; 2021-00162
- xi. Fajkus, Chris; 2021-00465
- xii. Hernandez, Omero; 2021-00351
- xiii. Jimenez, Abraham F.; 2020-01512
- xiv. Jordan, Jonathan; 2021-00363
- xv. Marquez, Johnny; 2021-00448
- xvi. Montelongo, Eden; 2021-00370
- xvii. Mulder, Travis; 2021-00349
- xviii. Nicacio, Fabian; 2021-00456
- xix. Paz, Felix E.; 2021-00452
- xx. Personette, Scott A.; 2021-00369
- xxi. Rangel, Alex B.; 2021-00447
- xxii. Zindler, Serena; 2021-00366

k. Schedule of Default Final Orders adopted under § 1301.704**

11. Consideration and possible approval of the schedule of 2021-2022 Continuing Professional Education (CPE) Course Instructors submitted by the 2021-2022 Business or Association CPE Course Providers** – Robert Jalnos, Board Secretary

12. Consideration and possible approval of the 2021-2022 Continuing Professional Education (CPE) Individual Course Provider and Instructor applications** – Robert Jalnos, Board Secretary

- a. Applegate, David;

- b. Heuberger, William (Buddy);
- c. Murphy, Debbie;
- d. Pemberton, Guy;
- e. Pulaski, Richard;
- f. Villarreal, Dianne K.; and
- g. Wyman, Russell W.

13. Proposed rule amendments for adoption** – Helen Kelley

- a. Rule 22 Tex. Admin. Code § 363.2, relating to the requirements for applicants and licensees to submit fingerprints to allow for a review of their criminal history, as published in 46 TexReg 1585, March 12, 2021
- b. Rule 22 Tex. Admin. Code § 363.4, relating to eliminating the high school diploma or equivalent requirement for a master plumber license as published in 46 TexReg 1588, March 12, 2021
- c. Rule 22 Tex. Admin. Code § 363.8, relating to eliminating the high school diploma or equivalent requirement for a plumbing inspector license, as published in 46 TexReg 1590, March 12, 2021
- d. Rule 22 Tex. Admin Code § 367.2, relating to updates from the 2012 editions of Uniform Plumbing Code and International Plumbing Code to the 2018 editions of the Uniform Plumbing Code and International Plumbing Code, as published in 46 TexReg 1593, March 12, 2021

14. Proposed rule amendments for publication for public comment** – Helen Kelley

- a. Rule 22 Tex. Admin. Code § 365.6, Expiration of License, Registration or Endorsement

15. Discussion regarding future amendments to board rules—Frank Denton, Board Chair

- a. Title 22, Part 17, Chapter 363 of the Texas Administrative Code regarding examination and registration
- b. Title 22, Part 17, Chapter 365 of the Texas Administrative Code regarding licensing and registration

16. Public Comment – *Comments will be limited to three minutes per person*

17. Discussion regarding the date for next board meeting

18. Recommendations for future board meeting agenda items

19. Adjourn

The Texas State Board of Plumbing Examiners may go into a closed meeting after first convening in an open meeting and stating the authority under which the closed meeting will be held in accordance with section 551.101 of the Open Meetings Act.

If you need auxiliary aids or services, please contact Dawn Saravia, Executive Assistant, at (512) 936-5226, at least 72 hours prior to the meeting so that appropriate arrangements can be made.

****action item(s)**