



STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

STATE PLUMBING BOARD
Ottawa Building, Upper Level Conference Room 3
611 West Ottawa Street
Lansing, Michigan 48933

MINUTES
January 31, 2023
10:00 a.m.

MEMBERS PRESENT

Mr. Timothy Danielak, Chairperson
Mr. Mark Wiseley, Vice Chairperson
Mr. Joseph Alfonso
Mr. David DeYoung
Mr. Scott Kalchik
Mr. Paul Kurtzhals
Mr. Keith Lambert
Mr. Robert Weir

MEMBERS ABSENT

None

DEPARTMENT PERSONNEL ATTENDING

Mr. Andrew Brisbo, Bureau Director, Administration, BCC
Ms. Renee Tober, Departmental Specialist, Administration, BCC
Mr. Jon Paradine, Division Deputy Director, Inspections Division, BCC
Ms. Kelly Bean, Manager, Licensing and Compliance Section, BCC
Ms. Hillary Millen, Departmental Analyst, Administrative Section, BCC
Ms. Tracie Pack, Departmental Analyst, Administrative Section, BCC
Mr. Kyle Bierlein, Assistant Attorney General, DAG

1. CALL TO ORDER AND DETERMINATION OF QUORUM

Chairperson Danielak called the meeting to order at 10:13 a.m. A quorum was present at that time.

2. APPROVAL OF AGENDA

An amendment was made to add the nomination and election of chairperson to Item 4.

A **MOTION** was made by Board Member Wiseley and **SECONDED** by Board Member Alfonso to approve the agenda as amended. **MOTION CARRIED UNANIMOUSLY.**

3. APPROVAL OF MINUTES

A. October 22, 2022

A **MOTION** was made by Board Member Kurtzhals and **SECONDED** by Board Member Alfonso to approve the minutes of the October 22, 2022 meeting. **MOTION CARRIED UNANIMOUSLY.**

4. NOMINATION AND ELECTION OF OFFICER

A. Vice Chairperson

A **MOTION** was made by Chairperson Danielak and **SECONDED** by Board Member Alfonso to nominate and re-elect Board Member Wiseley as Vice Chairperson. (Aye: Board Members Alfonso, Danielak, DeYoung, Kalchik, Kurtzhals, Weir, Wiseley Nay: None). **MOTION CARRIED UNANIMOUSLY.**

B. Chairperson

A **MOTION** was made by Board Member Kurtzhals and **SECONDED** by Board Member Alfonso to nominate and re-elect Board Member Danielak as Chairperson. (Aye: Board Members Alfonso, Danielak, DeYoung, Kalchik, Kurtzhals, Weir, Wiseley Nay: None). **MOTION CARRIED UNANIMOUSLY.**

5. APPLICANTS APPEALING DENIAL

A. Jacob McLeod – Journey Plumber Examination and Licensure

Mr. Jacob McLeod did not appear before the Board to appeal denial of his Application for Journey Plumber Examination and Licensure.

Mr. McLeod was not present to provide testimony regarding his work experience for review to the requirements of MCL 339.6115.

Following discussion, a **MOTION** was made by Vice Chairperson Wiseley and **SECONDED** by Board Member Kurtzhals to deny Mr. McLeod's appeal due to the applicant not having three years as a licensed apprentice. **MOTION CARRIED UNANIMOUSLY.**

B. Matthew Kmiecik- Plumbing Contractor License

Mr. Kmiecik did not appear before the Board to appeal denial of his Application for Plumbing Contractor License.

Mr. Kmiecik was not present to provide testimony for his license to be reinstated without examination as stated in MCL 338.54111(4).

Following discussion, a **MOTION** was made by Board Member Kurtzhals and **SECONDED** by Board Member Alfonso to approve Mr. Kmiecik's appeal as submitted without having to re-examination. **MOTION FAILED.**

A second **MOTION** was made by Board Member Wisely and **SECONDED** by Board Member DeYoung to deny Mr. Kmiecik's appeal as he had allowed his contractor license to lapse for more than 3 years. **MOTION CARRIED.**

6. UNFINISHED BUSINESS

None.

7. NEW BUSINESS

A. Plumbing Section Report

Manager Bean provided the Board with the plumbing exam pass/fail results for the written and practical examinations. The next practical examination is scheduled for February 7, 2023.

B. Update on Backflow Preventer Testing

Deputy Director Lambert provided an update to the questions posed to Chief Myers at the Board's October 22, 2022 meeting. The bureau sought advice of the Department of the Attorney General, and it was determined a license is required for backflow preventer testing with no exception in the law. The Board entertained discussion with Ms. Cindy Maher, Michigan Plumbing and Mechanical Contractors' Association (MPMCA), regarding the process to be certified. Mr. Lambert stated BCC would accept suggestions from the Board on who it feels outreach should be made to regarding clarification of the law.

8. BUREAU QUARTERLY REPORT

Director Lambert reported on the following:

The Bureau is working with Department of the Attorney General on a combined training for board and commission members.

Renee Tober was introduced as Director Brisbo and Deputy Director Lambert's new assistant.

The Legislature has amended the Open Meetings Act requiring public meetings be recorded. The changes will take effect in March 2023.

9. PUBLIC COMMENT

Kevin Roby, Cross Connection Specialist, City of Novi spoke regarding licensing and testing for backflow preventors.

Ms. Cindy Maher, Michigan Plumbing and Mechanical Contractors' Association (MPMCA), asked questions regarding contractors and inspectors licensing. Are contractors allowed to keep their license or not? When will clarification be sent regarding licensing for backflow preventors?

10. NEXT MEETING DATE – APRIL 18, 2023

The Board is scheduled to meet next at 10:00 a.m. at 611 West Ottawa, Lansing, MI 48933 in the Upper Level Conference Room 3 on April 18, 2023.

11. ADJOURNMENT

A **MOTION** was made by Board Member Alfonso and **SECONDED** by Board Member Wiseley to adjourn the meeting at 11:02 a.m. **MOTION CARRIED UNANIMOUSLY.**