

MINUTES

OMAHA PLUMBING BOARD

Regular Meeting – Wednesday, August 24th, 2011
9:00 am – City/County Building – 1819 Farnam Street
Jesse Lowe Conference Room – Third Floor

I. Roll Call

Members Present:

Brian A Barrett
Jeff O. Estabrook, Vice-Chairman
George E. Killian
David W. Miller, Chairman
Christopher P. Reed
Terry Salem (present @ 9:04 am)

Members Absent:

Daniel J. Wellendorf

Others Present: James Wonder, City of Omaha Planning Department

Mr. Miller called the meeting to order at 9:03 am.

II. Approval of Minutes from August 10th, 2011

Motion by Mr. Estabrook to approve the minutes from the last meeting. Second by Mr. Reed.

AYES: Barrett, Estabrook, Miller, Reed

ABSTAIN: Killian, Salem

Motion carried 4-0-2.

III. *Examination Reviews

Journeyman Plumber Examinations

Michael J Maier
421 2nd St
Murdock NE 68407

Burton Plumbing
8115 H St
Omaha NE 68127

Clarence E Robinson
16315 Madison
Omaha NE 68135

Master Plumber Examinations

Gary A Chizek
5017 Glasgow Av
Bellevue NE 68157

Mr. Rooter Plumbing
3605 S 149th St
Omaha NE 68144

Sewer Layer Examinations

Dave S Cornell
8715 Drexel Cir
Omaha NE 68127

Anderson Excavating
1920 Dorcas Street
Omaha NE 68108

IV. *Approval of apprenticeship program

11-8-80

Michael Michalak
MC Trenching Inc
4730 S 180th St
Omaha NE 68135

REQUEST: Approval of apprenticeship program.

49-244

Mr. Michalak was not present.

Motion to hold this case over to the September 14th meeting of the Plumbing Board by Mr. Estabrook. Second by Mr. Salem.

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem

Motion carried 6-0.

Mr. Michalak arrived to the meeting late.

Motion to re-open case for consideration by Mr. Reed. Second by Mr. Salem.

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem

Motion carried 6-0. Case re-opened.

Michael Michalak appeared before the Board in order to request approval of a new apprentice program. Mr. Michalak has not previously taken on apprentices before. The Board reviewed the submitted application materials. Mr. Miller reported that all appeared to be in order with the application.

Motion to approve by Mr. Reed. Second by Mr. Barrett.

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem

Motion carried 6-0.

11-8-81

Brian J Carmody
Carmody & Sons Services
641 S 150th St
Omaha NE 68154

REQUEST: Approval of apprenticeship program.

49-244

Brian J Carmody appeared before the Board in order to request approval of a new apprenticeship program. Mr. Carmody has recently started a company, and would like to take on his son as his apprentice plumber. The Board reviewed the submitted application materials. Mr. Miller reported that all appeared to be in order with the application.

Motion to approve by Mr. Reed. Second by Mr. Barrett.

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem

Motion carried 6-0.

V. *Apprenticeship Agreements

Jeremy K Carnako
713 E 7th St
Papillion NE 68046

MC Trenching Inc
4730 S 180th St
Omaha NE 68135

Michael Michalak of MC Trenching Inc and Jeremy Carnako appeared before the Board with a request to register Jeremy as an apprentice plumber. Jeremy asked for a start date of August 1, 2011. Mr. Wonder stated that Mr. Carnako, who currently holds a sewer layer license, would like to take the apprentice placement test. Mr. Salem inquired as to Mr. Carnako's experience in the plumbing field. Mr. Carnako replied that he has worked in this field for fifteen years. He stated that he his training has all taken place on the job.

Mr. Reed stated that the Board could grant Mr. Carnako a start date, and then later amend it depending upon the results of his placement examination. Mr. Wonder concurred with this statement, and suggested that the Board include the stipulation that this start date was subject to change based on the results of Mr. Carnako's placement examination.

Motion to approve Jeremy Carnako as an apprentice plumber, with a start date of August 1, 2011. The Board will reconsider this start date after receiving the results of Mr. Carnako's apprentice placement test; they may choose to modify his start date at that time. Second by Mr. Estabrook.

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem

Motion carried 6-0.

David J Carmody
10322 N St
Omaha NE 68127

Carmody & Sons Services
641 S 150th St
Omaha NE 68154

Brian J Carmody of Carmody & Sons Services and David J Carmody appeared before the Board David Carmody asked for a start date of August 1, 2011. Mr. Miller reviewed the submitted application form, noting that the ratios for this shop appear to be in order. Carmody & Sons Services submitted a payroll summary as proof of this start date.

Motion by Mr. Reed to approve David Carmody as a registered apprentice plumber with a start date of August 1, 2011. Second by Mr. Salem.

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem

Motion carried 6-0.

Aaron Grell
924 Redick Bd
Carter Lake IA 51510

Vincentini Plumbing
2308 S 16th St
Omaha NE 68108

Aaron Grell and Peter J Vincentini of Vincentini Plumbing appeared before the Board with a request to register Aaron as an apprentice plumber.

According to the file, Mr. Grell has completed his schooling at ABC Education Center. Mr. Grell explained that he was working for a shop which promised to register him as an apprentice, but failed to do so. He eventually left this company and went to work for another shop. This shop also failed to register him. Mr. Grell returned to his first employer after being told that he would be registered with the City. This did not happen. Despite this, Mr. Grell has completed school, and has filled out his time sheets as required. Mr. Grell's previous employer currently has his time sheets and refuses to release them; however, Mr. Grell was able to submit payroll summaries as proof of his employment. Mr. Grell is now working for Vincentini Plumbing and would like to get his apprenticeship in order.

The Board reviewed the submitted materials. According to the requirements of the 2010 plumbing code, Mr. Grell would be short on schooling hours. Mr. Barrett stated that these missing hours would need to be made up in order for Mr. Grell to be in compliance with the Code. Mr. Miller noted that Mr. Grell did not tally any of his hours, and would need to do so in order for the Board to consider his case.

Motion to hold this case over to the next meeting of the Board by Mr. Estabrook. Second by Mr. Barrett.

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem

Motion carried 6-0.

Following the motion, the Board decided to grant Mr. Grell a start date of August 1, 2011 – this would allow him to work legally until the Board reconvenes.

Motion to approve Aaron Grell as an apprentice plumber, with a start date of August 1, 2011. The Board will reconsider this start date after receiving an accurate account of Mr. Grell's work experience on September 14th, 2011; they may choose to modify his start date at that time. Second by Mr. Estabrook.

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem

Motion carried 6-0.

VI. Cases

11-8-83

Bob Jedlicka
16628 Ames Av
Omaha NE 68116

REQUEST: Approval of Provider.

49-215

Bob Jedlicka appeared before the Board. Mr. Jedlicka is currently approved by the Plumbing Board to teach continuing education classes. Mr. Jedlicka plans to give a class for The Waldinger Corporation, and requested that the Board approve him as a Provider so that he may host his classes at various locations as requested.

Motion to approve Bob Jedlicka as a Provider by Mr. Reed. Second by Mr. Barrett.

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem

Motion carried 6-0.

11-8-78 From 8/10/2011

Travis Freeman
3852 Farnam St
Omaha NE 68131

REQUEST: Variance of Section 49-1104, grease interceptor

Location: 6924 Maple Street
49-1104

Travis Freeman and Matt Thompson appeared before the Board. Mr. Wonder stated that the Plumbing Division can find no hardship in installing a grease interceptor at this new bar & grill as required. Mr. Wonder explained that there is ample room to place a grease interceptor outside the building. He also pointed out that the owners will be re-plumbing the bar, which will require them to tear up the floor.

The Board reviewed the submitted application and drawings. Mr. Miller concurred with Mr. Wonder's assessment of the situation, and asked the applicant to state what his hardship was. Mr. Freeman stated that when he bought this property, he was told by his architect that he could install a grease interceptor in the basement. Mr. Freeman stated that he has now been told that he must install a 750 gallon exterior grease interceptor; he added that grease interceptors do not come in this size, which means that he would have to install a 1,000 gallon interceptor. Mr. Reed contested this statement, noting that you can have a 750 gallon grease interceptor made if needed.

Mr. Freeman stated that the installation of a grease interceptor represents an extensive cost for him and his partner. If the Board requires them to install a grease interceptor, they may be forced to eliminate their kitchen and operate solely as a bar. Mr. Thompson stated that the grease interceptor is one of several unexpected costs that have come up; and having to install a grease interceptor may be enough to bring this project to a halt.

Mr. Miller stated that the Board generally does not grant waivers or variances for grease interceptors based solely on financial hardship. Mr. Estabrook stated his sympathy for the applicant, noting that he would be more inclined to side with them if they could prove that there was some structural reason why the interceptor could not be installed. However, it appears that there is no reason, other than financial, as to prevent the installation of a grease interceptor at this business as per the requirements of the Omaha Plumbing Code.

Motion to deny by Mr. Estabrook. Second by Mr. Salem.

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem

Motion carried 6-0. Request denied.

11-8-82

Mark Roseland
Backlund Plumbing
14920 Grover St
Omaha NE 68144

REQUEST: Variance of section 49-631, Unisex toilet rooms.

49-631

Mr. Roseland was not present.

Motion to hold this case over to the next meeting of the Board by Mr. Estabrook. Second by Mr. Salem

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem

Motion carried 6-0.

11-8-84

Pat Leddy
Plumbers Local 16
4801 F Street
Omaha NE 68117

REQUEST: Certification of apprentice program curriculum

49-244,246, 247

Pat Leddy appeared before the Board to request approval of Plumbers Local Union 16's apprentice program curriculum for 2011-2012. Mr. Leddy submitted copies of their proposed curriculum and a list of instructors, and requested that in addition to approving the submitted curriculum, that the Board also add David Lloyd, currently a City of Omaha Plumbing Inspector, as an additional instructor for Local 16. The Board reviewed the submitted materials and agreed to add Mr. Lloyd to this list as an instructor for Omaha Plumbing Code.

Motion to approve the submitted curriculum by Mr. Salem. Second by Mr. Estabrook.

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem

Motion carried 6-0.

VII. *Hearing for possible revocation or suspension of license(s)

11-8-85

Thomas J Walz
WP Plumbing LLC
Po Box 18
Bennington NE 68007

REQUEST: Hearing for possible revocation or suspension of license(s)

49-214

Thomas J Walz and Don E. Schincke appeared before the Board. Representing the City were Chief Plumbing Inspector James Wonder and Plumbing Inspector Robert Horan. Mr. Wonder explained the procedure for hearings of this kind and asked Mr. Horan to read the complaint against Mr. Walz.

Mr. Horan read the affidavit of complaining witness aloud to the Board (For full information, please see file):

"I, ROBERT J HORAN JR, plumbing inspector for the City of Omaha, being first duly sworn under oath, state and depose as follows:

On 7-20-2011 while responding to a complaint at 19916 Harney Street, I witnessed the following:

1. An unmarked truck with plumbing materials parked in front of 19916 Harney Street.
2. No permit on file for such address.
3. I entered the building and observed Jake Pixler and Jay Dollison installing a plumbing system. Jake Pixler was installing pvc waste piping and Jay Dollison was installing CPVC water piping. I asked who they work for and Jake stated WP Plumbing. I asked if they were licensed journeyman plumbers in the City of Omaha. Jake Pixler said yes and went to truck to get his license at which time he left. I proceeded to question Jay Dollison who said he is a registered apprentice for WP Plumbing. I instructed him to stop working and leave the premises. I also observed two violations on the plumbing system that they were installing: (1) Test tee installed at only 20 inches above floor. (2) Lavatory waste arm was installed directly off a vertical waste stack with no vent.
4. I called office to confirm the information. Jake Pixler last registered as an apprentice in 2006 and is scheduled to take Journeyman test in August 2011 listing his employer as WP Plumbing. Jay Dollison is not on file with the City of Omaha as an employee of WP Plumbing. This incident violates the following sections of the Omaha Municipal Code:

49-205	Compliance with law
49-208	Display of name on trucks
49-230	License required
49-236	Identification badges
49-241	Supervision
49-242	Registration information
49-243	Registration fees
49-244	Certification of apprenticeship programs
49-300	[Permits] Required
49-1301	Individual vents required
49-1420	Building drain cleanouts”

Mr. Horan concluded his recitation at this point. Mr. Miller asked Mr. Walz if he had anything to say regarding these charges.

Mr. Walz stated that he did not deny the charges; he added that he has always respected the plumbing inspectors, and has corrected any mistakes they may have found in the past. Mr. Walz stated that there was a permit taken out on this property; however, it was for the original house. The builder later decided to add a bar sink. Mr. Walz stated that the two gentlemen on the job site were told not to go there because they were not licensed. Mr. Walz added that this house was done by his son-in-law, Don Schincke. Mr. Walz concluded by stating that he could honestly could not watch everything that is done by WP Plumbing.

Mr. Miller stated that it appears that Mr. Walz missed out on a lot of things, citing the many violations listed in the affidavit. He stated that he could understand one or two things escaping Mr. Walz’ notice. However, Mr. Walz appears to have broken every possible rule.

Mr. Wonder interjected with a clarification on the permit for this property. He explained that Mr. Walz has two plumbing companies. Both companies have the proper documentation according to the plumbing code. However, the original permit for this property was taken out in one of Mr. Walz’ company names; the additional work was performed by his second company, WP Plumbing. This accounts for the original permit receiving a final inspection, and for the determination that the additional work was done without a permit.

Mr. Walz stated that he has operated Walz Plumbing for 36 years. In November 2010, he started a new company, WP Plumbing, for the purpose of doing work for Hearthstone Homes. The property in question was not a Hearthstone Home property; it belonged to his son-in law. Mr. Walz stated that he has delegated some of the oversight to other people in his companies, and this is how this situation occurred.

Mr. Wonder stated for the record that the Plumbing Division has not had any trouble with Walz Plumbing in the nineteen years for which he has been with the City. These charges are related only to Mr. Walz’ second company, WP Plumbing.

Mr. Schincke stated that he is the person who is actually responsible for this situation. He explained that there was a journeyman plumber assigned to the job at the property in question. Mr. Pixler and Mr. Dollison were scheduled to work in Yutan that day; when their job was cancelled, they stopped by the property. Amongst themselves, it was decided by the journeyman plumber to give Mr. Pixler and Mr. Dollison some extra work hours. At that point, the journeyman plumber left the job site for the day. Mr. Schincke said that he did not agree with this decision; however, this is what happened.

Mr. Estabrook asked Mr. Schincke if he runs WP Plumbing. Mr. Walz interjected that he is responsible for WP Plumbing.; Don Schincke works for him. He added that he has been working with Mr. Wonder and the Plumbing Division to ensure that they are doing things correctly and that they are maintaining a good shop ratio.

Mr. Estabrook asked whether Mr. Pixler has a license. Mr. Walz confirmed that Mr. Pixler does not have a license. Mr. Estabrook asked for confirmation as to whether it was Mr. Pixler who left the job site when asked for his license card. Mr. Walz confirmed this information. Mr. Estabrook asked for confirmation as to whether Mr. Dollison is a registered apprentice. Mr. Walz responded by saying that Mr. Dollison was not registered as an apprentice plumber at that time. Mr. Schincke stated that Mr. Dollison has mainly been working as a laborer, or has worked on job sites which are outside of Omaha city limits. Mr. Estabrook. Mr. Estabrook stated that someone had to send these gentlemen to the property in question. Mr. Schincke stated that Mr. Pixler and Mr. Dollison were not sent to this job site by WP Plumbing; rather, that they chose to go to the job site on their own. Mr. Estabrook asked Mr. Schincke if he knows where his guys are. Mr. Schincke objected that WP Plumbing does keep track of their employees; however, in this case, Mr. Pixler and Mr Dollison made the choice to go to the property in question rather than going home when their assigned job was cancelled.

Mr. Salem inquired about the truck named in the affidavit. He asked who owned this truck. Mr. Schincke replied that this was a company vehicle. Mr. Salem asked why there were no signs on this truck. Mr. Schincke stated that this truck was supposed to be in Yutan that day, and would therefore not have been in Omaha's jurisdiction and would not have been required to have identification on it.

Mr. Schincke stated that both plumbing companies have undergone a lot of changes since the creation of WP Plumbing. He stated that this is a continuing process and the Plumbing Division has been very helpful to them as they went through this process in order to get everything in place for the new company.

Mr. Barrett asked for confirmation of Mr. Pixler and Mr. Dollison's employment with WP Plumbing. Mr. Schincke confirmed that they are employees of WP Plumbing. Mr. Barrett asked if the vehicle that these two gentlemen were driving was one of their personal vehicles, or whether it belonged to the company. Mr. Schincke stated that this was a company vehicle.

Mr. Wonder stated for the record that the Plumbing Division has spoken to WP Plumbing in regards to the definition of what constitutes being an employee and what does not constitute being an employee of the company. He stated that the Plumbing Division has not checked with the Department of Labor in order to see whether WP Plumbing is paying unemployment insurance costs for Mr. Pixler and Mr. Dollison at this time, although it is something that the Plumbing Division can look into. Mr. Wonder stated that the ownership of the vehicle used by Mr. Pixler and Mr. Dollison is not in question; rather it is the fact that it was not marked with the name of the company that is an issue. Mr. Wonder stated that the Plumbing Division's main concern is that these two gentlemen are unlicensed; they are less concerned with whether or not they are considered to be employees of WP Plumbing, although that is still of concern.

Mr. Wonder stated that historically on a first-time offense such as this, revocation or suspension has not been the result of past hearings. Although the Board may dispose of this case in any way it chooses, and may add any terms or conditions to the disposition of this case that it feels appropriate, he offered an alternative option. Mr. Wonder suggested that the Board vote to require Mr. Walz to personally teach a mandatory eight hour continuing education class to his employees. This class would be monitored by the Plumbing Division. Mr. Wonder suggested that this class should cover Articles 1, 2, and 3, which deal licensing and permitting. Mr. Walz would also be required to go over his proposed curriculum for this class with Mr. Wonder before the class takes place. He concluded that teaching such a class may drive home to Mr. Walz and his employees what the consequences would be if this situation were ever to occur again.

Mr. Killian stated that he disagreed with Mr. Wonder on the idea of giving a continuing education class. Mr. Killian stated that typically, people learn when you hit them in the pocketbook. He suggested suspending Mr. Walz' license for thirty days. This would result in Mr. Walz not being able to work or take out permits, which would affect his bottom line. Mr. Killian stated that he has been looking at the list of violations committed by Mr. Walz' company and feels that WP Plumbing needs to play by the same rules that everyone else has to play by. Mr. Killian stated that he would respect the decision of the Board; however, he felt that if you want to grab someone's attention, you should affect their bottom line.

Mr. Miller stated that based on the information presented today, there is no supervision at WP Plumbing. He stated that he liked Mr. Wonder's suggestion of a continuing education class; he felt that this is the Board should require Mr. Walz to comply with at *least* this suggestion. Mr. Miller stated that WP Plumbing employees need to be reminded of what the rules are to work in this jurisdiction, as does the owner of the company. Mr. Miller stated that he also liked Mr. Killian's suggestion to suspend Mr. Walz' license as a wake up call.

Mr. Schincke stated that the reputation that Mr. Walz has had in Omaha prior to this incident needs to be taken into consideration. Mr. Walz does not have total disregard for the rules; otherwise, the Plumbing Division would have a history of documented problems with his father-in-law. Mr. Schincke stated that this was an isolated incident. The people involved have been reprimanded, and the company has already taken the necessary steps to ensure that this never happens again.

Mr. Miller stated that the thing that really bothers him is that after Mr. Horan caught Mr. Pixler and Mr. Dollison on the job site, Mr. Pixler left the room with the pretense of fetching his license card, and then proceeded to leave. He knew that he was doing something wrong. Mr. Miller stated that if he were an inspector, he would have been very upset when this occurred. As an employer, the repercussions of such an action by one of his employees would have been severe. Mr. Miller stated that this company, at minimum, needs to be reintroduced to Articles 1, 2, & 3 of the Omaha Plumbing Code. This information should be required to be previewed by the Plumbing Division. Mr. Miller made the suggestion that Mr. Walz could hire an outside source to teach this class; however, Mr. Miller wants to see proof that Mr. Walz is capable of passing this information on to his employees. Mr. Miller restated that he also thought that suspension of Mr. Walz' license might prove to be appropriate.

Mr. Estabrook concurred with Mr. Miller, and added the Board's thanks to Mr. Horan for the work that he does. He asked Mr. Wonder how a suspension would affect Mr. Walz' ability to work through his second company, Walz Plumbing. Mr. Wonder replied that the Board's decision to suspend or revoke Mr. Walz' license would result in Mr. Walz being unable to do work for either company during the time of his suspension or revocation. Mr. Estabrook stated that he has known Mr. Walz for a long time, and has generally found him to be a good person. Yet he stated that something needs to be done in this situation.

Mr. Killian stated that in this situation, he looks to the plumbers who sit on this Board. He inquired as to the number of similar cases that the Board has seen in the past. He stated that it is the job of this Board to police violations like this. In response to Mr. Killian, Mr. Wonder stated that there was a similar case which came before the Board a few years ago. He stated that the Board in place at that time voted to make each person involved take eight hours of continuing education.

Mr Reed stated that his understanding of this case is that it involved two unlicensed plumbers installing a sink in a house that was owned by their employer. He stated that he did not wish to belittle the charges against WP Plumbing; however, this is not the same as work having unlicensed employees on a commercial job site. Mr. Reed stated that compared to a large commercial job, this is a fairly minor offense. Mr. Miller retorted that the fact that Mr. Pixler fled from the scene, in his mind, makes this a major offense because Mr. Pixler knew he was doing something wrong. He stated that an employer has a responsibility to know who is on the job site, and to make sure that your projects adhere to the Code. Mr. Miller stated that he found it hard to believe that Mr. Pixler and Mr. Dollison were at the property in question without the knowledge of their employer. Mr. Miller stated he doesn't see this as a minor infraction.

Mr. Walz stated that he is the license holder, and is therefore responsible. He stated that he did not have control over Mr. Pixler's decision to run from Mr. Horan. He theorized that Mr. Pixler was frightened at being caught. Mr. Walz stated that this is his first offense since joining the plumbing field in 1965. He stated that he would be willing to give a class for his employees as Mr. Wonder suggested. Mr. Miller stated that he would have been frightened, as Mr. Pixler was, if he were caught working without a license. Mr. Miller stated that he does recognize Mr. Walz' previous history in considering this case; he doesn't wish to shut Mr. Walz down due to one incident. However, Mr. Miller stated that he believed that Mr. Walz needs to get control of his company. Mr. Walz needs to educate his employees on the rules and regulations outlined in the Plumbing Code, and he needs to ensure that his people are adhering to these rules. Mr. Miller restated his opinion that Mr. Walz should teach this class himself, or should be required to find someone else qualified to do so by the Board.

Mr. Salem asked Mr. Walz to explain why his journeyman plumber left the job site. Mr. Schincke reiterated their account of how the journeyman plumber assigned to this case decided along with Mr. Pixler and Mr. Dollison to allow them to take his assigned hours, since their job had been cancelled. Mr. Salem stated that the journeyman made the decision to leave the two (unlicensed) apprentices alone on the site; he added that although the Board understands that the economy is bad, it is against the Code to let unlicensed people work alone on a job site.

Mr. Barrett inquired as to why the journeyman, before choosing to leave the job site, did not lay the job out correctly for Mr. Pixler and Mr. Dollison. Mr. Schincke stated that the job was not complete at the time that Mr. Horan came into the building. Mr. Miller disputed this statement, citing some of the violations listed in the affidavit of complaint indicated that at least some of the work being done was complete at the time Mr. Horan arrived on the scene. Mr. Miller asked Mr. Horan whether the job was complete at the time he made his inspection. Mr. Horan stated that he saw a complete sink waste with no vent. Mr. Miller concluded that the work was completely roughed in at the time Mr. Horan found Mr. Pixler and Mr. Dollison at work.

Mr. Schincke stated that if the Board decided to require Mr. Walz to give a continuing education class, he would like to be involved in this process. Mr. Schincke stated that this is not the way that he would like to see his career in the plumbing field begin, nor would he like to see his father in law's reputation damaged by a poor management decision on his part. Mr. Schincke reiterated that he is responsible for this incident and not his father in law.

Mr. Miller agreed with Mr. Schincke that he does not want to see Mr. Walz' reputation marred. Mr. Miller again stated his opinion that Mr. Walz should be required to teach a class to his employees, that this class be mandatory, and that Mr. Wonder must review and approve the class materials before this class takes place. Mr. Reed agreed with Mr. Miller, stating that it would be more effective a lesson if Mr. Walz is required to teach the class, rather than to allow him to hire someone from the outside to come in and teach. He added that an audit of this class by the Plumbing Division might also be appropriate. Mr. Walz inquired as to whether Mr. Wonder could teach this class. Mr. Wonder declined; Mr. Miller stated that it would be more effective to require Mr. Walz to teach the class, if that is the route that the Board decides to take.

Motion by Mr. Killian that WP Plumbing must create and administer an eight hour continuing education class for the employees of WP Plumbing. Materials for this class, including an outline of the subjects to be covered, curriculum, and instructor information must be reviewed and approved before the class takes place by Mr. James Wonder, chief plumbing inspector, and his staff. This class is to cover Articles 1, 2, & 3 of the 2010 City of Omaha plumbing code. The Board may choose to approve this class for continuing education credit after the curriculum has been reviewed and approved by the Plumbing Division. This class must be audited by the Plumbing Division; this auditor will report its assessment of this class back to the Board. After some discussion, Mr. Killian modified his motion to include the following; that these eight hours of continuing education instruction are mandatory for employees of both Walz Plumbing and WP Plumbing; these hours WILL NOT be counted towards Walz Plumbing and WP Plumbing Employees' required number of continuing education hours for 2011 as outlined in section 49-215 of the Omaha Plumbing Code, and that this class must be taught by the owner of these companies, Mr. Thomas J Walz. Second by Mr. Salem.

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem

Motion carried 6-0.

Mr. Schincke asked if he could be allowed to teach this class with Mr. Walz. Mr. Miller stated that he would need to speak with Mr. Wonder on this subject. Mr. Walz inquired as to how soon this class needs to be given. Mr. Miller replied that this class needs to be given as soon as possible.

VIII. Discussion

- The Board discussed upcoming examinations for licensing.

IX. Adjourn

Motion to adjourn by Mr. Estabrook. Second by Mr. Salem.

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem

Motion carried 6-0. Meeting adjourned at 10:36 AM.

*** = APPLICANT MUST BE PRESENT AT MEETING**

A full, continually current agenda is available for public inspection in Room 1110 of the Omaha/Douglas Civic Center during normal business hours.

The Omaha Plumbing Board reserves the right to modify the agenda at the public meeting.

If alternative (tape) to the agenda is needed, please advise Jim Wonder. A 72-hour notice is required.

Applications for the meeting to be held at 1:30 pm on Wednesday, September 14th are due no later than 9:00am on Thursday, August 25th.

Visit the Planning Department's Site on the Internet at <http://co.douglas.ne.us/omaha/planning/boards/plumbing-board>