

MINUTES
UTAH
CONSTRUCTION SERVICES COMMISSION
MEETING

October 30, 2013

Room 474 Room– 9:00 AM
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 9:10 AM

ADJOURNED: 12:15 PM

Bureau Manager:
Board Secretary:

Dan S Jones
Ann Naegelin

Board Members Present

Jerry Preston, Chairman
Chris Martineau,
Sean Conlon, Plumber Board Chair
Robert Campbell
Joseph Ligori

Board Members Absent

Larry Gillett, Burglar Alarm Board, excused
Kevin Clubb, Electrical Board Chair, excused
James Haslam

Guests:

Will Pierce, DATC
Ross Ford, UHBA
Taz Biesinger, UHBA
Mike Moffatt, UTCLC
Steven Bryce Bateman, First Class & Stone LLC
Joe Tams, Tams Drywall
Julian Alexander, Domestic Contracting of Utah
Jason Toone, Sundown Construction
Sid Crookston,
Aaron Bergmann, attorney for Sid Crookston

DOPL Staff Present:

Mark Steinagel, Division Director
Ray Walker, Regulatory and Compliance Officer
April Ellis, Bureau Manager
Stephen Duncombe, Bureau Manager
David Furlong, Chief Investigator
Gordon Summers, Investigations
Bowen Call, Auditor
Stephanie Wells, Auditor

Neena Bowen, Compliance Specialist
Danielle Healy, Licensing Tech

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

Approval of September 25, 2013 Commission Minutes

Investigation Update

DISCUSSION ITEMS:

Proposed Rules

- Experience for step up or adding a classification
- Reciprocity of Louisiana B100 exam equivalent

Ogden Weber Tech College
Request for Approval of Training Program for Student Exemption

R & M Pools & Spas LLC
Order of Dismissal

DECISIONS AND RECOMMENDATIONS

Mr. Conlon made a motion to approve the minutes from the September 25, 2013 meeting. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Mr. Furlong gave an investigations update. Item was noted with no action taken.

Mr. Summers urged the associations and schools to remind their members that it is time to renew their contractor licenses.

The Commission discussed possible changes to the rules for experience requirements. A work group meeting will be scheduled for November 7, 2013 to continue this discussion electronic meeting.

The Commission discussed accepting the Louisiana Building Construction examination for the B100 general building exam in Utah. Mr. Campbell made a motion to accept the Louisiana general building exam for the Utah B100 exam. Mr. Ligori seconded the motion. Motion passed by unanimous vote.

Mr. Martineau made a motion to approve the request from Ogden Weber Tech College to accept their program under the student exemption. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Mr. Jones reviewed the Order of Dismissal. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Ironwood Custom Builders Inc
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Justin Higley Construction Inc
Order Reinstating License

Mr. Jones reviewed the Order Reinstating License. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

M.N.M. Homes Inc
Dismissal of Agency Action

Mr. Jones reviewed the Dismissal of Agency Action. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Unistrut International Corp
Order of Dismissal

Mr. Jones reviewed the Order of Dismissal. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Nelson Contractors Inc
Order of Dismissal

Mr. Jones reviewed the Order of Dismissal. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Lowell A Draper
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Creative Possibilities
Order Reinstating License

Mr. Jones reviewed the Order Reinstating License. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Trevor Leon Bradford
Order Reinstating License

Mr. Jones reviewed the Order Reinstating License. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Tylor J Herburg
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Lamar Day Construction LLC
Order of Dismissal

Mr. Jones reviewed the Order of Dismissal. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Jordan Chappel Christensen
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Chanshare Inc
Order Reinstating License

Mr. Jones reviewed the Order Reinstating License. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

All Decked Out Inc
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

European Marble & Granite LLC
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Spraywell Inc
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

David Lloyd
Order of Dismissal

Mr. Jones reviewed the Order of Dismissal. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Salt Creek Ornamental Iron LLC
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Brent Dayley Drywall
Corrected Order
Fine for Unlicensed Practice

Mr. Jones reviewed the Corrected Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

JB Drywell Inc
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

R&B Exteriors Inc
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Brad Wilson Construction Inc
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Jeremy Fifield
Order Reinstating License

Mr. Jones reviewed the Order Reinstating License. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Chris Hulse Contracting
Order of Dismissal

Mr. Jones reviewed the Order of Dismissal. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

KCI Inc
Order of Dismissal

Mr. Jones reviewed the Order of Dismissal. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Sun City Glass LLC
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Prime Excavating Inc
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Pat Gorman
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Christopher James Powel
Default Order

Mr. Jones reviewed the Default Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Steven Cord Pearce
Default Order

Mr. Jones reviewed the Default Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Danny Lee Baty
Default Order

Mr. Jones reviewed the Default Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Craig Kirk Nay
Default Order

Mr. Jones reviewed the Default Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Daniel J Jewles
Default Order

Mr. Jones reviewed the Default Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Bratt Inc
Default Order

Mr. Jones reviewed the Default Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

UUCON
Default Order

Mr. Jones reviewed the Default Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Sierra Properties LLC
Default Order

Mr. Jones reviewed the Default Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Property Resources Solutions
Default Order

Mr. Jones reviewed the Default Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Mountain Hardwoods Inc
Default Order

Mr. Jones reviewed the Default Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

GKKworks Construction Services a California Corporation
Default Order

Mr. Jones reviewed the Default Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Nau Payless Concrete & Landscaping LLC
Default Order

Mr. Jones reviewed the Default Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Elevations LLC
Default Order

Mr. Jones reviewed the Default Order. Mr. Martineau made a motion to approve the Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Probations Update
Neena Bowen
Danielle Healy

Ms. Bowen reported there are 14 contractor licenses on probation for criminal history. Four licenses are non compliant. The Commission made a recommendation to file a NOAA for Pro-Quality Polishing LLC for non compliance. The Commission made a recommendation to issue a citation to Ricky Dean Rodriguez for non compliance with probation.

Ms. Healy reported on the contractors on probation for financial responsibility. Licensees that are non compliant will not be allowed to renew their license.

Jeff Allen Davis
Dba Premium Siding
NOAA Financial Responsibility

Mr. Jones reviewed the history for Jeff Allen Davis dba Premium Siding. Mr. Campbell made a motion to revoke the license for Jeff Allen Davis. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Closed Portion of Meeting

Mr. Martineau made a motion to close the meeting to discuss the character, professional competence, or physical or mental health of an individual. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

The meeting was reopened.

Tams Drywall Inc
Joseph Tams
Non Compliance with Probation

The Commission made a recommendation to continue with probation. The Division will file a Notice of Agency Action if Mr. Tams is non compliant in the future.

Steven Bryce Bateman
First Class Tile & Stone
New Application/Reinstatement Review

Mr. Ligori made a motion to approve the proposed order for three years probation with the bond in place for all three years. Mr. Conlon seconded the motion. Motion passed with four votes in favor. Mr. Prescott abstained from voting.

Closed portion of the meeting.

Mr. Conlon made a motion to close the meeting to discuss the character, professional competence, or physical or mental health of an individual. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

The meeting was re-opened.

Domestic Contracting of Utah LLC
Failure to Comply with Probation

Julian Alexander from Domestic Contracting of Utah LLC met with the Commission for non compliance with probation. Mr. Alexander answered questions from the Commission. The Division will file a Notice of Agency Action for non compliance.

Sid Crookston LC
Failure to Comply with Probation

This item will be tabled until November to allow time to review information that was just received.

Leading Edge Electric LLC
Failure to Comply with Probation

Mr. Jones reviewed the history for Leading Edge Electric LLC. Mr. Conlon made a motion to revoke the license. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

L T Blanch Woodworking Corp
Failure to Comply with Probation

Mr. Jones reviewed the history for L T Blanch Woodworking Corp. Mr. Ligori made a motion to approve the recommendation of the Division for a Public Reprimand. He will need to demonstrate the 2011 and 2012 taxes have been paid, including any penalties, within 30 days. He will need to have strict compliance with all of the terms of his probation. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Nick Draper
Apprentice Plumber
Failure to Comply with Probation

Non compliance with probation. Mr. Conlon made a motion to approve the recommendation to revoke the license for non compliance. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Sundown Construction LLC
Jason Toone
Non Compliance with Probation

Mr. Toone answered questions from the Commission. His license will continue on probation but he must have strict compliance with the terms of his probation or a Notice of Agency Action will be filed.

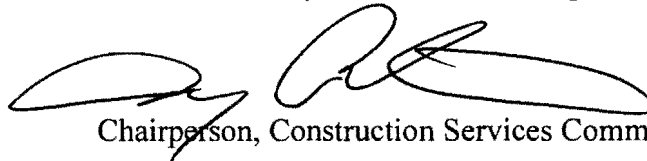
ADJOURN:

12:15 PM

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

11-18-13

Date Approved



Chairperson, Construction Services Commission

11-18-13

Date Approved



Bureau Manager, Division of Occupational & Professional
Licensing

SWORN STATEMENT
SUPPORTING CLOSURE OF BOARD MEETING

DOPL-FM-010 05/02/2006

I Jerry Preston acted as the presiding member of the Construction Service
Commission Board, which met on 10-30-13

Appropriate notice was given of the Board's meeting as required by §52-4-202.

A quorum of the Board was present at the meeting and voted by at least a two-thirds vote, as detailed in the minutes of the open meeting, to close a portion of the meeting to discuss the following:

- the character, professional competence, or physical or mental health of an individual (52-4-205(1)(a))
- strategy regarding pending or reasonably imminent litigation (§52-4-205(1)(c))
- deployment of security personnel, devices, or systems (§52-4-205(1)(f))
- investigative proceedings regarding allegations of criminal misconduct (§52-4-205(1)(g))

The content of the closed portion of the Board meeting was restricted to a discussion of the matter(s) for which the meeting was closed.

With regard to the closed meeting, the following was publically announced and recorded, and entered on the minutes of the open meeting at which the closed meeting was approved:

- (a) the reason or reasons for holding the closed meeting;
- (b) the location where the closed meeting will be held; and
- (c) the vote of each member of the public body either for or against the motion to hold the closed meeting.

If required, and/or kept or maintained, the recording and any minutes of the closed meeting will include:

- (a) the date, time, and place of the meeting;
- (b) the names of members present and absent; and
- (c) the names of all others present except where such disclosure would infringe on the confidentiality necessary to fulfill the original purpose of closing the meeting.

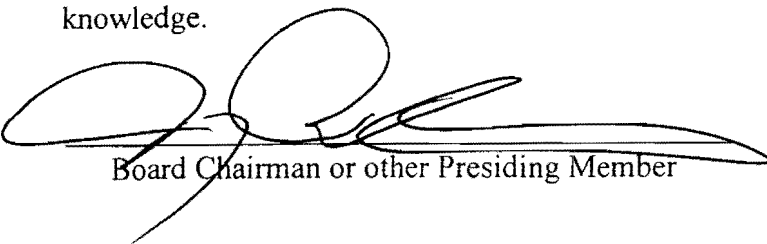
Pursuant to §52-4-206(5), a sworn statement is required to close a meeting under §52-4-205 (1)(a) or 52-4-205(1)(f), but a record by tape recording or detailed minutes is not required.

- A record was not made
- A record was made by: Tape Recording Detailed Written Minutes

Pursuant to §52-4-206(1), a record by tape recording is required for a meeting closed under §52-4-205(1)(c) or 52-4-205(1)(g), and was made.

- Detailed written minutes of the content of a closed meeting although not required, are permitted and were kept of the meeting.

I hereby swear or affirm under penalty of perjury that the above information is true and correct to the best of my knowledge.


Board Chairman or other Presiding Member

10-30-13
Date of Signature