

MINUTES

UTAH CONSTRUCTION SERVICES COMMISSION

October 29, 2014

Room 210 - 9:00 AM
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 9:04 AM

ADJOURNED: 12:08 PM

Bureau Manager:

Dan Jones

Board Secretary:

Ann Naegelin

Board Members Present

Jerry Preston, Chairman
Sean Conlon, Plumber Board Chair
Kevin Clubb, Electrical Board Chair
Chris Martineau
Jim Haslam
Joseph Ligori

Board Members Absent

Robert Campbell, excused
Brad Knowlton, excused
Larry Gillett, Burglar Alarm Board Chair, excused

Guests:

Ralph Tasker, SLCC
Tom Peterson, Utah Chapter of ICC
Will Pierce, DATC
Mike Moffatt, UTCLC
Cathryn Nelson, Utah Chapter of ICC
Brad Stevens, IEC of Utah
Ross Ford, UHBA
Jerry Oldroyd, Ballard Spahn, LLP
Teri Paulson, Contractors School
Flynn Paulson, Contractors School
Rob Allen, Plumbing Board
Mark Durfee, UAPMO
Karen Richard, UAPMO
Brittany Allen, Utah Chapter ICC
Carey Maedgen, Utah Chapter ICC
Sarah Hill, UMCA
Charity Hughes, ABC Utah
Jennifer Saunders, SLCC

DOPL Staff Present:

Mark Steinagel, Division Director
Ray Walker, Regulatory and Compliance Officer
Gordon Summers, Investigation Supervisor
Robin Barkdull, Construction CE Coordinator
Boyce Barnes, Construction CE Tech
Kristina Bean, Bureau Manager
Josef Sharp, Financial Auditor
Neena Bowen, Compliance Specialist
Danielle Healy, Auditing Technician

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Approval of September 24, 2104 Minutes

Mr. Conlon made a motion to approve the minutes from the September 24, 2014 meeting. Mr. Clubb seconded the motion. Motion passed by unanimous vote.

Investigation Update

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

DISCUSSION ITEMS:

Continuing Education Discussion

The Commission continued their discussion of the continuing education standards.

The following people spoke on the proposed rules:

Brad Stevens
Ross Ford
Jerry Oldroyd
Mark Steinagel
Ray Walker
Flynn Paulson
Mike Durfee
Tom Peterson

The proposed changes will be included in the draft rule. The discussion will continue at the November meeting.

Proposed Changes to Pre-Licensure Education

The Commission discussed proposed changes to the pre-licensure education rule. Mr. Martineau made a motion accept the proposed change to the rules.

Mr. Clubb seconded the motion. Motion passed by unanimous vote.

The proposed change will be posted and a public hearing will be scheduled.

Review Pre-Licensure Education Provider
Application from Home Builders Association
of Utah

The Commission reviewed the application from the Home Builders Association of Utah for their 20 hour pre-licensure education course. Mr. Ford answered questions from the Commission. The Study/Resource Guide that will be used for the course is not complete. The Commission will review this application at their next meeting.

Vertex Homes LLC
Order of Dismissal

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Art Plum Construction Inc
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Guardian Builders LLC
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Bryan Leon Stephens
Order of Dismissal

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Lonne Blake Peterson
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Wasatch Plumbing Inc
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Grand Mesa Electric LLC
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Thurgood Excavating Inc
Order of Dismissal

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

James Govostes
dba Dun-Rite Refrigeration
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Travis J Trevino
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Cut Above Contractors Inc
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Dave's Demo & Concrete Replacements Inc
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Antigua Custom Homes Inc
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Mudd Hounds LLC
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Jason Carl Cochran

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Hal Ray Huddleston
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Jason Griffin Linkous
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Dionicio L Lopez
Order of Dismissal

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

KB Air
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Jose's Roofing Inc
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Red Desert Tile & Stone Inc
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

CSW Painting Inc
Order of Dismissal

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Kolby James Martinez
Amended Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Stone Creek Tile LLC
Order of Dismissal

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Salt Lake Window Company LLC
Order of Dismissal

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Lee Home Builders LLC
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Aspire Civil Construction LLC
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

American Building Systems Inc
Order of Dismissal

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

JPL Construction Inc
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Winter Development LLC
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Lamar Day Construction LLC
Order of Dismissal

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Scott Lee Dorsey Flooring
Order of Dismissal

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

J & J Construction
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Tree Excavating LLC
Amended Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

NJP Custom Framing Inc
Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Waikato Construction Inc
Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Dayle Alonzo Wooden
Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Robert Broc Morgan
Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Shannon G Bramlett
Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Jacob Hal Johnson
Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Bear Lake Masonry Inc
Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Weathergard Roofing LLC
Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Flagstone Construction LLC
Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Xcellence Inc
Order on Merits

Mr. Jones reviewed the Order with the Commission. Mr. Clubb made a motion to approve the Order as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Midwest Cabinets
Notice of Agency Action
Failure to Replace Qualifier
Inadequate Response

Mr. Jones explained the qualifier left this company more than 60 days ago and has not been replaced. Paul and Raul Garcia answered questions from the Commission. Mr. Martineau made a motion to approve the Order to suspend the license for not replacing their qualifier. Mr. Ligori seconded the motion. Motion passed by unanimous vote.

Probation Update
Neena Bowen
Danielle Healy

Ms. Bowen reported on the 22 licensees on probation for criminal history. Twenty one are compliant. A citation was issued to the non compliant licensee.

Ms. Healy reported on the 149 licensees on probation for reasons other than criminal history. One hundred and thirty four are compliant with their probation.

Kozy Homes LLC

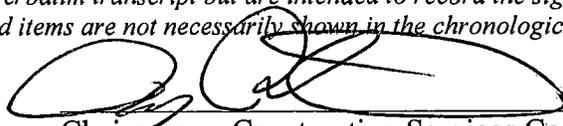
Mr. Clubb made a motion to close the meeting to discuss the character, professional competence or physical or mental health of an individual. Mr. Martineau seconded the motion. Motion passed by unanimous vote. Mr. Clubb made a motion to record the closed portion of the meeting. Mr. Martineau seconded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

ADJOURN:

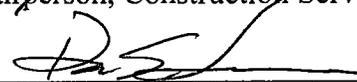
12:08 PM

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.

11-19-14
Date Approved


Chairperson, Construction Services Commission

11-19-14
Date Approved


Bureau Manager, Division of Occupational & Professional
Licensing

SWORN STATEMENT
SUPPORTING CLOSURE OF BOARD MEETING

DOPL-FM-010 05/02/2006

I Jeremy Preston acted as the presiding member of the Construction Services
Commission Board, which met on October 29, 2014

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

10/29/2014
Date of Signature