

MINUTES
UTAH
CONSTRUCTION SERVICES COMMISSION

June 24, 2015

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

CONVENED: 9:08AM

ADJOURNED: 11:09 AM

Bureau Manager:
Board Secretary:

Dan Jones
Ann Naegelin

Board Members Present

Kevin Clubb, Acting Chair, Electrical Board Chair
Sean Conlon, Plumber Board Chair
Chris Martineau
Joseph Ligori
Robert Campbell
Brad Knowlton
David Young

Board Members Absent

Jerry Preston, Chairman, excused
Larry Gillett, Burglar Alarm Board Chair, excused

Guests:

Mike Moffatt, UTCLC
John Hill, RMGA
Rich Thorn, AGC of Utah
Joey Gilbert, AGC of Utah
Richard Fullmer, AGC of Utah
Ross Ford, Utah HBA
Nate Cooley, Ram Core Construction
Chris Devore, Ram Core Construction

DOPL Staff Present:

Ray Walker, Regulatory and Compliance Officer
David Furlong, Chief Investigator
Gordon Summers, Investigation Supervisor
Stephen Duncombe, Bureau Manager
Josef Sharp, Financial Auditor
Neena Bowen, Compliance Specialist
Danielle Healy, Audit Tech/Compliance Specialist

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

Approval of May 27, 2015 Minutes

Investigation Update

DISCUSSION ITEMS:

Pre-License Education Course Review
AGC of Utah

Review Proposed Rule Change

Review Changes to Utah HBA Course

Joe R Leavitt
Order Reinstating License

DECISIONS AND RECOMMENDATIONS

Mr. Campbell made a motion to approve the minutes from the May 27, 2015 meeting. Mr. Ligorì seconded the motion. Motion passed by unanimous vote.

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

Mr. Furlong reported that Utah will be participating in a thirteen state sting operation with NASCLA.

The AGC of Utah presented their 20 Hour Pre-License Education Course. They answered questions from the Commission about their course. They will be using the same curriculum as the Utah HBA. Mr. Martineau made a motion to approve the application from the AGC of Utah. Mr. Knowlton seconded the motion. Motion passed by unanimous vote.

The Commission discussed a proposed change to R156-55a-301(2) scope of practice for the S370 fire suppression systems contractor. Mr. Young made a motion to accept the proposed rule change. Mr. Conlon seconded the motion. Motion passed by unanimous vote. The rule will be published and a public hearing will be scheduled.

The Commission reviewed the request from the Utah HBA to make changes to their 20 Hour Pre-License Education Course. The Commission discussed the request and decided the types of changes submitted do not require approval from the Commission.

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Preferred Aluminum & Remodeling Inc
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Chris Scott Versey
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Nailbenders Woodwork & Design LLC
Order of Dismissal

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

True Form Construction LLC
Order of Dismissal

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Blackmesa Excavating Inc
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Celia Steel Erections Inc
Order of Dismissal

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Lambert Hardwood Flooring Inc
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

O & M Quality Stucco LLC
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Joel Timo
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Masters Touch Builders LLC
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Ross Construction Management Inc
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Turner Concrete Incorporated
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Blue River Construction LLC
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

James Michael Skeem
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

TC Drywall Inc
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Old Town Painting LLC
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Isileli Hakemei Fangupo
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Pathway Directional Boring Underground
Utility LLC
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Cutting Edge Building Group LLC
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Austin Todd Hawkins
Non-Disciplinary Limitation Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Spencer Garrett Riley
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Hennefer Plumbing Inc
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Shannon G Bramlett
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Brent John Sorensen
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Chris Boyack Construction Inc
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Houston D Howe
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Myrtis Tyrone James
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Liberty Mechanical LLC
Stipulation and Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Inkley Brother's Corporation
Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Beehive Telephone Company Inc
Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Tate's Construction Contracting Inc
Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

DKA Construction LLC
Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Mitchell Hardwood Flooring
Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Baugh Construction & Development
Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

MPK Flooring LLC
Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Shawn Richard Young
Default Order

Mr. Jones reviewed the Order with the Commission. Mr. Knowlton made a motion to approve the Order. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Compliance Report

Ms. Bowen and Ms. Healy gave a compliance report for the contractors on probation.

Closed Portion of 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 in order to make a decision on the application for Ram Core Construction Inc.

Nathan William Cooley
Ram Core Construction Inc

Mr. Clubb reviewed the recommendations discussed in the closed session. A motion was made by Mr. Conlon to have the assistant attorney general draft a Stipulation and Order for reinstatement of the E100 classification on probation. Practice will be restricted to directional boring and work incidental to directional boring. All of the standard requirements for sex offender criminal history will be included in the Order. Mr. Martineau seconded the motion. Motion passed with six votes in favor. Mr. Knowlton voted against the motion.

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.

Aug 26, 2015
Date Approved

26th Aug 2015
Date Approved

C. Conlon
Chairperson, Construction Services Commission

D. S. L.
Bureau Manager, Division of Occupational &
Professional Licensing

SWORN STATEMENT
SUPPORTING CLOSURE OF BOARD MEETING

DOPL-FM-010 05/02/2006

I KEVIN CLUBB acted as the presiding member of the Construction SERVICES
COMMISSION Board, which met on 6-24-15

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

6-24-15
Date of Signature