

MINUTES

**UTAH
CONSTRUCTION SERVICES COMMISSION
MEETING**

July 31, 2013

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

CONVENED: 9:10 AM

ADJOURNED: 12:40 PM

**Bureau Manager:
Board Secretary:**

Dan S. Jones
Ann Naegelin

Board Members Present

Jerry Preston, Chairman
Scott Sessions, Burglar Alarm Board Chair
Sean Conlon, Plumber Board Chair
Kevin Clubb, Electrical Board Chair
Robert Campbell
Chris Martineau

Board Members Absent

C Reed Brown, excused

Guests:

Mike Moffatt, UCLC
Ross Ford, UHBA
Bob Jessop, Rawx Inc
Dean Hyer, High Creek Heating and Cooling
Denise Larkin, attorney for First Fire Protection Inc
Dean Miller, Big Dog Framing and Home
Construction Inc
Kees Versteeg, Utah Structures Inc

DOPL Staff Present:

Mark Steinagel, Division Director
Ray Walker, Regulatory and Compliance Officer
Gordon Summers, Investigations Supervisor
Stephen Duncombe, Bureau Manager
Stephanie Wells, Auditor
Neena Bowen, Compliance Specialist
Danielle Healy, Licensing Tech

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Approval of June 24, 2013 Commission Minutes

Mr. Conlon made a motion to approve the minutes from the June 24, 2013 meeting. Mr. Campbell 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:

Fakouri Electrical Engineering Inc

Fakouri Electrical Engineering Inc. was contacted by telephone to discuss the name of the company and the classification of license they have applied for. Mr. Jones explained the Division does not allow the name of a contractor to be misleading. The classification applied for is a B100 general building license. The B100 classification cannot do electrical work. Mr. Campbell made a motion to support the decision of the Division. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Fakouri Electrical Engineering Inc represented they have not submitted a bid nor negotiated a price.

Scott Clement

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

Arron Hoehne

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

Renner Hargrave

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

Cole Bruce Silcox

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

William C Bullock

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

Amped Up Power and Sound LLC	Mr. Martineau made a motion to approve the Order as written. Mr. Clubb seconded the motion. Motion passed by unanimous vote.
Shaw Stucco & General Contracting Inc	Mr. Martineau made a motion to approve the Order as written. Mr. Clubb seconded the motion. Motion passed by unanimous vote.
Architectural Land Design Inc	Mr. Martineau made a motion to approve the Order as written. Mr. Clubb seconded the motion. Motion passed by unanimous vote.
Lee Home Builders LLC	Mr. Martineau made a motion to approve the Order as written. Mr. Clubb seconded the motion. Motion passed by unanimous vote.
Arnulfo Christopher Rivera	Mr. Martineau made a motion to approve the Order as written. Mr. Clubb seconded the motion. Motion passed by unanimous vote.
Dennis Wayne Hill	Mr. Martineau made a motion to approve the Order as written. Mr. Clubb seconded the motion. Motion passed by unanimous vote.
DK Custom Concrete LLC	Mr. Martineau made a motion to approve the Order as written. Mr. Clubb seconded the motion. Motion passed by unanimous vote.
Pro Quality Polishing LLC	Mr. Martineau made a motion to approve the Order as written. Mr. Clubb seconded the motion. Motion passed by unanimous vote.
Julie Kite Garden Designs LLC	Mr. Martineau made a motion to approve the Order as written. Mr. Clubb seconded the motion. Motion passed by unanimous vote.
Black Rock Landscapes LLC	Mr. Martineau made a motion to approve the Order as written. Mr. Clubb seconded the motion. Motion passed by unanimous vote.
Joshua Leion Brown	Mr. Martineau made a motion to approve the Order as written. Mr. Clubb seconded the motion. Motion passed by unanimous vote.

Ashley Frank Poglajen

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

John Michael Shank

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

Wesley Seven Stringfellow

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

KC Dale Beckstead

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

ACP Electric

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

Red Rock Residential Inc

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

Big Sky Construction LLC

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

High Performance Construction LLC

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

Matthew Rasmussen

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

KCI Inc

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

Motion to Close 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.

Mr. Conlon made a motion to open the meeting. Mr. Sessions seconded the motion. The meeting was reopened.

Eugene Stone

Mr. Conlon made a motion to approve the revocation of license and the \$500 fine for misrepresentation. Mr. Sessions seconded the motion. Motion passed by unanimous vote.

Probation Updates

Ms. Bowen reported there are 16 contractors on probation for criminal reasons. One is non compliant.

Ms. Healy reported there are 135 contractors on probation for financial reasons. Fifteen are non compliant.

Rawx Inc
Probation Interview

Ms. Healy reviewed the history for Rawx, Inc. Mr. Jessop answered questions from the Commission. Mr. Clubb made a motion to proceed with the Notice of Agency Action. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Apple Homes LLC
Probation Interview

Apple Homes LLC failed to appear for their probation interview. A Notice of Agency Action for non compliance will be filed.

Forced Aire LLC
Probation Interview

Forced Aire LLC failed to appear for their probation interview. A Notice of Agency Action for non compliance will be filed.

L T Blanch Woodworking Corp
Probation Interview

L T Blanch Woodworking Corp failed to appear for their probation interview. A Notice of Agency Action for non compliance will be filed.

S & L Maintenance LLC
Probation Interview

S & L Maintenance LLC failed to appear for their probation interview. A Notice of Agency Action for non compliance will be filed.

Triangle Masonry Inc
Probation Interview

Triangle Masonry Inc failed to appear for their probation interview. A Notice of Agency Action for non compliance will be filed.

Rock-n-Walls Plus LLC
Bond Cancellation

Mr. Jones reviewed the history for Rock-n-Walls Plus LLC. Mr. Martineau made a motion to revoke the

license for Rock-n-Walls Plus LLC for non compliance with probation. Mr. Clubb seconded the motion. Motion passed with five votes in favor. Mr. Conlon was not present for the vote.

David & Sons Construction

Mr. Jones reviewed the history for David & Sons Construction. Mr. Martineau made a motion to approve the recommendation of the Division to revoke the license and fine \$1,500 for misrepresentation. Mr. Sessions seconded the motion. Motion passed by unanimous vote.

Russ's Concrete and Builders LLC
Bond Cancellation

Mr. Jones reviewed the history for Russ's Concrete and Builders LLC. Mr. Campbell made a motion to approve the recommendation of the Division to revoke the license. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

CLH Inc
Failure to Comply with Probation

Mr. Jones reviewed the history for CLH Inc. Mr. Sessions made a motion to approve the recommendation of the Division to revoke the license. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Hallmark Landscaping LLC

Mr. Jones reviewed the history for Hallmark Landscaping LLC. Mr. Conlon made a motion to for a \$500 fine for misrepresentation on the reinstatement application. Mr. Clubb seconded the motion. Motion passed by unanimous vote.

First Fire Protection Inc
Failure to Comply with Probation

Mr. Jones reviewed the history for First Fire Protection Inc. Ms. Larkin, attorney for First Fire Protection Inc, answered questions from the Commission. Mr. Campbell made a motion to allow until September 30 for Ms. Larkin to obtain the information needed. Mr. Clubb seconded the motion. Motion passed by unanimous vote.

Big Dog Framing and Home Construction Inc
Failure to Comply with Probation

Mr. Jones reviewed the history for Big Dog Framing and Home Construction Inc. Mr. Miller answered questions from the Commission. Mr. Campbell made a motion to move forward with revocation. Should Mr. Miller file a license bond, a motion to set aside the revocation will be filed. Motion died with no second. Mr. Martineau made a motion to delay revocation for

thirty days to allow time for Mr. Miller to obtain a \$25,000 bond. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

High Creek Heating and Cooling LLC
Failure to Comply with Probation

Mr. Jones reviewed the history for High Creek Heating and Cooling LLC. Mr. Hyer answered questions from the Commission. Mr. Martineau made a motion to approve the Order recommended of the Division. Mr. Sessions seconded the motion. Motion passed by unanimous vote.

Utah Structures Inc

Mr. Jones reviewed the history for Utah Structures Inc. Mr. Versteeg answered questions from the Commission. Mr. Conlon made a motion to give Mr. Versteeg until September 30, 2013 to submit documentation that all judgments have been satisfied or submit a \$50,000 bond. The license will be revoked if this information is not submitted. The Commission may increase the amount of the bond if large judgments are still unsatisfied. Mr. Sessions seconded the motion. Motion passed by unanimous vote.

Richard Shaw

Mr. Jones explained that Mr. Shaw is now in compliance. Mr. Campbell made a motion to issue a reprimand and require strict compliance with probation. Mr. Conlon seconded the motion. Motion passed by unanimous vote. Mr. Clubb was recused and did not vote.

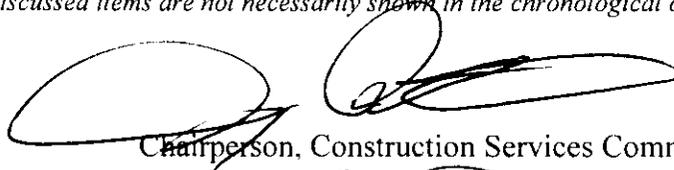
ADJOURN:

12:40 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.

08/28/2013
Date Approved

08/28/2013
Date Approved



Chairperson, Construction Services Commission



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 Com
Commission Board, which met on 7-31-13

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.

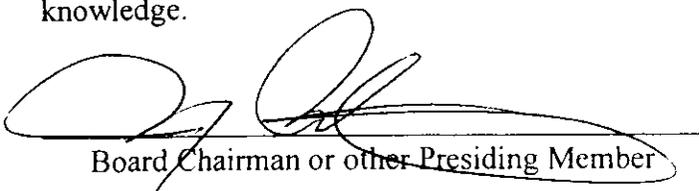
Pursuant to §52-4-206(5), a sworn statement is required to close a meeting under §52-4-205 (1)(a) or 52-4-205(1)(f), but a record by tape recording or detailed minutes is not required.

- 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

7-31-13
Date of Signature