

**STATE OF UTAH
CONSTRUCTION SERVICES COMMISSION
ELECTRONIC MEETING MINUTES**

MAY 25, 2022 - 9:00 AM

CONVENED: 9:00 AM

ADJOURNED: 11:34 AM

**Bureau Manager:
Board Secretary:**

Allyson Pettley
Ann Chon

Board Members Present In-Person:

John Simonsen
Fred Johnson
Jason Peterson

Board Members Present Electronically:

Edward Axley, Chair
Merlin Taylor, Vice Chair
Rich Lewis
Fred Johnson
Michael Squires

Board Members Absent:

Rob Allen

Guests:

Austin Nate
Brady Goddard
Cindy Hansen
Don Black
Elmison Esequiel Diaz
Knut Rife
Mike Moffatt
Parker Hollis

DOPL Staff Present:

Sharon Epsilon, Investigator
Stephen Duncombe, Bureau Manager
Ashley Beyer, Outreach Manager
Jenna Mayne, Testing Program Manager
Lisa Lynn, Compliance Specialist
Pamela Bennet, Investigator
Tracey Taylor, Bureau Manager

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

Approval of March 2022 Minutes:

Investigation Update:

Probation Update:

ACTION ITEMS:

Findings of Fact, Conclusions of Law & Orders:

None

Orders of Dismissal:

Skye Mountain Construction LLC (from April)

Nedakovic Masonry & Concrete Inc.

Summit Valley Solutions LLC

Surface America Inc.

DECISIONS AND RECOMMENDATIONS

Mr. Taylor made a motion to approve the March 2022 Minutes as written. Mr. Johnson seconded the motion. Motion passed by unanimous vote.

Mr. Epsilon gave an investigation report.

Ms. Lynn gave a compliance update.

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

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Orders Amending or Ending Probation, Or Reinstating License:

Goddard Stucco Systems LLC (from April) (No Order)

Ms. Pettley reviewed the Order and court financial documents with the Commission. Mr. Goddard explained and made a statement regarding his background and financial situation with the Commission. Mr. Goddard made a statement regarding money coming in from jobs the next few months and will be making payments and already in payment arrangements with some creditors. Mr. Goddard also explained to the Commission that he has turned his life around for the better and plans on continuing to make the financial payments until paid in full and also to stay sober and keep doing better. Mr. Goddard would like to rebuild his company Goddard Stucco Systems and is fully insured, has Workers Comp, has a \$50k bond in place, and ready to start working upon approval from the Commission. Mr. Goddard made a comment that there are 3 doubts that have not been addressed, however, plans on taking care of those as soon as some of the others get paid off. Mr. Goddard answered questions from the Commission. Mr. Axley made a comment regarding the financial matter. Mr. Taylor asked regarding what other conditions are available. Ms. Pettley explained the stipulation on financial probation with monitoring the payments. Mr. Goddard made a comment that was discussed with Mr. Pettley regarding the financial monitoring and agrees to the terms. Mr. Taylor made a motion to set aside the revocation and on financial probation as written. Mr. Peterson seconded the motion. Motion passed by unanimous vote.

Abel's Enterprises LLC (from April)

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

Fluent Solar LLC (from April)

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

Stipulations & Other Stipulated Orders:

Brandon Adam Scott (from April)

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

Joshua Hank Jerold Vialpando (from April)

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

Justin Patrick Hanson (from April)

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

Southern Charm Builders Inc. (from April)

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

Bryan Hermansen

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

Michael Brandon Morris

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

David Landon Bourell

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

Superior Plumbing & Mechanical Inc.

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

Default Orders & Failure to Respond and Other Similar Cases:

A W Carter LLC (from April)

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

C-1 Construction LLC (from April)

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

Cyclone Heating & Air LLC (from April)

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

Salvation Glass LLC (from April)

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

Technique Construction Services LLC (from April)

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

Scheduling Order and Notice of Hearing - Projection Three LLC (from April)

Stricken

T and VS Services LLC

Ms. Pettley recommended to table until June 29th meeting. Mr. Simonsen made a motion to approve the recommendation until next month's meeting Mr. Squires seconded the motion. Motion passed by unanimous vote.

The Longest Yard Construction LLC

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

Extreme Mountain Builders LLC

Ms. Pettley reviewed the Order with the Commission. Mr. Simonsen made a motion to approve the Order as written. Mr. Squires seconded the motion. Motion passed by unanimous vote.

APPOINTMENTS:

Trevor Peter Gough - New Horizon Pools LLC –
Application Review (from April)
Austin Nate (counsel)

Ms. Pettley reviewed the Licensure’s previous license history with the Commission. Mr. Nate gave a background of the history. Back in Nov, Trevor injured his eyes and covid hit right around the same time, as covid started his marriage effected his business and ended in divorce. With outstandingly issues during the divorce, in July withdrew from the case and had to look for a new attorney. Currently there are 3 outstanding judgments with a large payment made to one of the creditors, second judgment, planning to pay off in full, and the last judgment has not attempted to collect, however, reach out to the creditor to take care of the balance and settle with a settlement. Regarding the 3 outstanding projects, they have been taken care of and paid in full. Mr. Gough made a comment regarding the payments with Geneva Rocks and making \$3,000 payment each month. Mr. Jillian brought up a new case. Ms. Pettley discussed the issues with the new case and engagement and working without a license. Ms. Pettley made a recommendation to continue the investigation and table to bring this matter back at the next meeting on June 29th. Mr. Lewis made a motion to approve the recommendation to table until the June 29th meeting. Mr. Peterson second the motion to approve the recommendation. Motion passed by unanimous vote.

Elmison Esequiel Diaz - Utah's Best Construction
LLC – Application Review (from April)

Ms. Pettley reviewed the Applicant’s criminal conduct and the police report with the Commission. Mr. Diaz answered questions from the Commission. Mr. Axley asked Mr. Diaz regarding the restitution payments. Mr. Diaz commented that he is making payments and is current. Mr. Diaz gave a background of his lifestyle and childhood, hung around the wrong groups, and when fining out his girlfriend was pregnant, realized he needed to change his lifestyle. Mr. Diaz made a comment that if he could go back and apologize to the victims, he would. HE would really like to get his license and do this for his daughter. Worked with his brother right out of jail and really enjoys construction. The Commission made comments, concerns, and statements.

Mr. Simonson and Mr. Peterson asked Mr. Diaz why he ran from the police, Mr. Diaz answered that he was doing well and he was scared of going back to jail due to hanging out with bad crowds. Mr. Diaz made a statement that after his daughter was born, she is his main focus and has really changed for the better and just looking out for his family. Ms. Pettley explained to the Commission her experience as a prior investigator. Mr. Johnson made a motion to approve the application without probation. Mr. Simonson seconded the motion. Motion passed by unanimous vote.

Jason Scott William - Kings Kustom Cabinet Installation LLC – App. Review (from April)

Ms. Pettley reviewed the Applicant’s criminal conduct and the police report with the Commission. Mr. William was not present. Mr. Peterson made a motion to deny the application. Mr. Simonson seconded the motion. Motion passed by unanimous vote.

Janeice Whitaker – KW Excavation Inc. – Reinstatement Requirement Review

Ms. Pettley reviewed the Reinstatement Requirement with the Commission. Mr. Knute gave an update regarding new projects scheduled and being conservative. Mr. Knute answered questions from the Commission regarding the required monthly reports that has not been submitted. The Commission asked when the bankruptcy was filed, it was filed on 05/25/2022 at 8:54 am. Mr. Johnson made a motion to table this until the next meeting on June 29th. Mr. Lewis and Mr. Taylor seconded the motion. Motion passed by un-unanimous vote. Mr. Axley, Mr. Johnson, Mr. Squires, Mr. Lewis, and Mr. Taylor voted yes and Mr. Simonson and Mr. Peterson opposed.

DISCUSSION ITEMS:

None

OTHER BUSINESS:

Outreach Initiatives Updates – Ashley Beyer

Ms. Beyer updated the Commission regarding the Electrician and Plumbers Balance Summary.

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.

06/29/2022

Date Approved

Merlin Taylor

For Edward Axley, Chair
Construction Services Commission

06/30/2022

Date Approved

Allyson Pettley

Allyson Pettley, Bureau Manager
Division of Professional Licensing