

MINUTES

**UTAH
CONSTRUCTION SERVICES COMMISSION
MEETING**

February 25, 2009

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

CONVENED: 9:03 AM

ADJOURNED: 12:15 PM

Bureau Manager:

Dan S. Jones

Board Secretary:

Ann Naegelin

Board Members Present:

Bradley Stevens, Commission Chairman and
Electrician Board Chairman

Steve Bowers

Larry Love, Burglar Alarm Board Chairman

David Told, Plumbers Board Chairman

Jerry Preston

Joel Jolley

Carl Tippets

John Wilcox

Board Members Absent:

Guests:

Jeff Pedersen, UPHCA

Casey Baird, CBB Construction

Renee McDonough, IEC of Utah

John Hill, RMGA

Ed Gongaware, Plumbing Board

Darwin Bingham, Scalley, Reading, et al

Robert Dickey, Buckeye Builders

Jason Glasmann, Glasmann Custom Painting Inc

Joel Christiansen, Grant MacKay Co

Jeremy Kuecks,

DOPL Staff Present:

Ross Ford, Associate Director

Wayne Holman, Chief Investigator/License Manager

Dan T. Jones, Investigation Supervisor

Dennis Meservy, Bureau Manager

Allyson Robinson, Board Secretary

Louise McMillian, Licensing Tech

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

Approval of January Commission Minutes

DECISIONS AND RECOMMENDATIONS

The minutes from the January 7, 2009 meeting were reviewed. Mr. Told made a motion to approve the minutes as written. Mr. Love seconded the motion. Motion passed by unanimous vote.

REVIEW PROPOSED DISCIPLINARY ACTIONS:

Precision Building Components, Inc
Default Order

Precision Building Components Inc. has failed to respond to correspondence sent by the Division requesting financial information. Mr. Love made a motion to approve the Default Order to revoke the license. Mr. Jolley seconded the motion. Motion passed with seven votes in favor. Mr. Tippetts abstained from voting.

CBB Construction LLC

Casey Baird appeared to discuss his application for replacement of qualifier on the license for CBB Construction LLC. The previous qualifier was never an employee or owner of the business as stated on the original application for contactor license. Mr. Chris Dallin will be the qualifier on this license. CBB Construction will need to submit W-2 forms every year to verify Mr. Dallin is an employee. Mr. Love made a motion to accept the MOU as proposed. Mr. Tippetts seconded the motion. Motion passed by unanimous vote.

Glasmann Custom Painting Inc

Jason Glasman appeared to discuss his application for replacement of qualifier on the license of Glasmann Custom Painting, Inc. Mr. Glasman reported to the Division that the person he named on his original application had not been acting as a qualifier on his license. Mr. Glasman has hired Bryce Stevenson to be the qualifier on this license. Glasmann Custom Painting, Inc will need to submit W-2 forms every year to verify Mr. Stevenson is an employee. Ms. Gibbs made a motion to accept the MOU as proposed. Mr. Wilcox seconded the motion. Motion passed by unanimous vote.

APPLICATIONS FOR REVIEW:

Buckeye Builders LLC

Robert Matthew Dickey and his attorney, Darwin Bingham, met to discuss his application. The application is for a new entity. Mr. Dickey currently has a contractor license for another entity. He did not disclose on the application that this is a new business entity; therefore, he did not answer information about financial responsibility of the owners. Upon review of court records, we did find delinquencies. He has not submitted information on outstanding contracts.

Mr. Dickey indicated he misunderstood the application. All judgments have been satisfied. There are two pending lawsuits. He wants a new license in case his other business fails and because they want to work as a subcontractor. Also there is another business with a similar name with financial problems.

The burden for financial responsibility is on the applicant. Mr. Tippets made a motion to continue this application until all requested documents have been received and the Division makes a recommendation to the Commission. Mr. Told seconded the motion. Motion passed by unanimous vote.

Grant MacKay Inc

Mr. Christiansen met to discuss his application for replacement of qualifier. He is not an owner of the company. He was convicted of a felony in 2004. He will be responsible to manage large demolition projects. He will be onsite and in the office.

Mr. Holman gave some background on this license. Ms. Gibbs made a motion to recommend a probationary license with the normal terms for supervisor reports, no minors, etc. Mr. Preston seconded the motion. Motion passed by unanimous vote.

DISCUSSION ITEMS:

Investigation Updates

Dan T. Jones reviewed investigation statistics for January 2009.

CE Registry, John Hill RMGA

Mr. Hill wants to apply as a continuing education registry.

Mr. Stevens clarified that the Continuing Education Registries will approve and report completed continuing education to the Division. Licensees do not have to attend courses conducted by the registries.

Mr. Jones clarified that there are three registries. If every association is approving and reporting their own continuing education, it may not work. The Division has not been provided any budget to approve and audit continuing education. Ms. Gibbs explained the Commission did have concerns when there was only one registry.

Mr. Tippets made a motion to deny the request of RMGA to become a CE Registry. Mr. Preston seconded the motion. Mr. Ford clarified that all three registries have members that are subcontractors.

Mr. Jones explained it is not mandatory for continuing education to be pre approved or reported by the registry. Licensees that take courses that do not use a registry will be part of any audit.

Motion passed by unanimous vote.

Proposed Rule Changes

The Commission discussed the proposed changes to the plumber rules regarding continuing education. The changes have been discussed by the plumbing board.

Mr. Tippets made a motion to accept the plumber rules as written with the exception that the requirement for continuing education start with renewal cycle ending 2010. Mr. Told seconded the motion. Motion passed by unanimous vote.

Mr. Jones discussed the following proposed changes to the rules:

Elimination of the B200 classification. This change is being requested since the B200 and the R200 use the same exam. The requirements for installation under

the IBC is quite different than allowed under the factory built housing standards. Mr. Wilcox made a motion to make changes to the B200 exam. Mr. Love seconded the motion. Motion passed by unanimous vote.

Add master plumber a as qualifier for I104 Plumbing Trades Instruction. Remove journeyman and residential journeyman for I103 Electrical Trades Instruction classification.

Financial review changes to clarify items to be considered.

Contractor license bond changes to allow the Division to require a higher bond amount when necessary. The change will also clarify type of bond required.

Informal adjudicative proceedings changes to add financial responsibility with outstanding judgments and failure to replace qualifying agent for contract security agents.

Mr. Love made motion to accept the changes as proposed except for the elimination of the B200 classification. The proposed changes will need to be published and set for a public hearing. Mr. Told seconded the motion. Motion passed by unanimous vote.

Mr. Ford suggested that the Commission review the qualifications to become a B100 qualifier or the limits on the R100 classification.

Legislative Update

Mr. Stevens updated the Commission on legislative items.

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.

March 25, 2009
Date Approved

(ss) Bradley Stevens
Chairperson, Construction Services Commission

March 25, 2009
Date Approved

(ss) Dan S. Jones
Bureau Manager, Division of Occupational & Professional
Licensing