

**MINUTES**

**UTAH  
CONSTRUCTION SERVICES COMMISSION  
MEETING**

**April 29, 2009**

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

**CONVENED:** 9:00 AM

**ADJOURNED:** 10:55 AM

**Bureau Manager:**

Dan S. Jones

**Board Secretary:**

Ann Naegelin

**Board Members Present**

Bradley Stevens, Commission Chairman and  
Electrician Board Chairman  
Larry Love, Burglar Alarm Board Chairman  
David Told, Plumbers Board Chairman  
Steve Bowers  
Joel Jolley  
Carl Tippetts  
Wendy Gibbs

**Board Members Absent:**

Jerry Preston, excused  
John Wilcox

**Guests:**

Francine Giani, Department Executive Director  
Thad Levar, Department Deputy Director  
Steve Eklund, ALJ  
John Hill, RMGA  
Taz Biesinger, UHBA  
Rich Thorn, AGC  
Kenny, Shulsen, ABC  
Renee McDonough, IEC of Utah  
Jeff Pedersen, UPHCA  
Ed Gongaware, Utah Pipe Trades  
Scott Leppard, Leppard Construction

**DOPL Staff Present:**

David Stanley, Division Director  
Ross Ford, Assistant Division Director  
Wayne Holman, Chief Investigator/License Manager  
Ray Walker, Regulatory and Compliance Officer  
Kent Barnes, Compliance Manager

Susan Higgs, Compliance Specialist  
Dennis Meservy, Bureau Manager  
Dan T. Jones, Investigations Supervisor  
Allyson Robinson, Board Secretary

## **TOPICS FOR DISCUSSION**

### **ADMINISTRATIVE BUSINESS:**

Approval of March Commission Minutes

### **DISCUSSION ITEMS:**

Changes to the Continuing Education Statutes and Rules

### **HEARINGS:**

Rule Hearing

## **DECISIONS AND RECOMMENDATIONS**

The minutes from the March 25, 2009 meeting were reviewed. Mr. Love made a motion to approve the minutes as amended. Mr. Jolley seconded the motion. Motion passed by unanimous vote.

Ms. Giani and Mr. Levar met to discuss proposed changes to the statutes and rules regarding continuing education.

Mr. Levar introduced a proposed rule change would do away with the continuing education registries. The Commission discussed the proposal and considered comments from those present. The Commission, by raised hands, suggested this change to the rules become effective December 1, 2009 as it may be confusing to the licensees to change the continuing education requirements again before the end of the reporting period.

Mr. Levar introduced a rough draft regarding continuing education. He stated the Division would work with Utah Interactive in tracking continuing education courses and attendance if this proposal is passed. This would be similar to what the Division of Real Estates is doing now.

Ms. Giani is asking the Commission and other interested parties for input on proposed changes to the statute so they can be presented to the legislative sponsor.

Judge Eklund conducted a rules hearing.

**REVIEW PROPOSED DISCIPLINARY  
ACTIONS:**

Steven Brent Matheson  
Apprentice Plumber

Mr. Meservy gave a brief explanation of the disciplinary action for Mr. Matheson. Mr. Bowers made a motion to accept the motion. Ms. Gibbs seconded the motion. Motion passed by unanimous vote.

Brian Lynn Ekblad  
Apprentice Electrician

Mr. Meservy gave a brief explanation of the disciplinary action for Mr. Ekblad. Mr. Bowers made a motion to approve the MOU. Mr. Told seconded the motion. Motion passed by unanimous vote.

Taylor Armstrong Clark  
Apprentice Electrician

Mr. Meservy gave a brief explanation of the disciplinary action for Mr. Taylor Clark. His arrest was disclosed on his renewal. Mr. Jolley made a motion to accept the MOU. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

Ryan Thomas Clark  
Apprentice Electrician

Mr. Meservy gave a brief explanation of the disciplinary action for Mr. Ryan Clark. Mr. Love made a motion to accept the MOU. Mr. Told seconded the motion. Motion passed by unanimous vote.

Alton Christian Midzinski  
Apprentice Electrician

Mr. Meservy gave a brief explanation of the disciplinary action for Mr. Midzinski. Mr. Told made a motion to accept the MOU. Mr. Love seconded the motion. Motion passed by unanimous vote.

Kendelin Newton  
Apprentice Plumber

Mr. Meservy gave a brief explanation of the disciplinary action for Ms. Newton. Mr. Tippets made a motion to accept the MOU. Mr. Love seconded the motion. Motion passed by unanimous vote.

Guy Howard Johnson  
Master Electrician

Mr. Meservy gave a brief explanation of the disciplinary action for Mr. Johnson. Mr. Johnson was previously licensed as a journeyman electrician. Mr. Love made a motion to accept the MOU. Mr. Told seconded the motion. Motion passed by unanimous vote.

**APPLICATIONS FOR REVIEW:**

Leppard Construction LLC  
Scott Leppard

Mr. Dan S. Jones gave a brief explanation of the proposed disciplinary action for Leppard Construction, LLC. Mr. Tippets made a motion to accept the MOU. Mr. Jolley seconded the motion. Motion passed by unanimous vote.

**DISCUSSION ITEMS:**

Probation Update

Ms. Higgs reported on the contractors on probations. Six licensees have not responded to the letters sent requesting information. Letters will be sent requesting an interview with the Commission for non compliance with the terms of their probation.

Investigation Update

Mr. Dan T. Jones gave an update on investigations.

Compliance with SB26

Mr. Dan S. Jones explained the requirements of SB26. Occasionally the Commission will skip a month and not have a meeting. Mr. Jones proposed that when a meeting is skipped, the minutes will be e-mailed to the members for their approval. If no changes are necessary, the minutes will become the official record. If changes are necessary, the amended minutes will be e-mailed again for approval. The Bureau Manager or other designee will sign on behalf of the Commission. Mr. Love made a motion to accept the procedure as outlined by Mr. Jones. Mr. Told seconded the motion. Motion passed by unanimous vote.

Home Builders Association Request to be  
Test/Certification Provider Under R156-55a-  
308b

Mr. Biesinger requested approval of the UHBA as a provider of natural gas technician training program and certification. The UHBA program and the RMGA program should be reviewed to be certain the two certifications are equal before approval of UHBA as a provider. Mr. Jones will obtain the exam from RMGA. The Plumbing Board will review the two exams and report back to the Commission.

**ADJOURN:**

10:55 AM

*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.*

May 27, 2009  
Date Approved

(ss) Bradley Stevens  
Chairperson, Construction Services Commission

May 27, 2009  
Date Approved

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