

MINUTES

**UTAH
CONSTRUCTION SERVICES COMMISSION
MEETING**

July 29, 2009

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

CONVENED: 9:30 AM

ADJOURNED: 11:45 AM

Bureau Manager:

Dan S. Jones

Board Secretary:

Ann Naegelin

Board Members Present

Dirk Burton, Electrician Board Chairman

David Told, Plumbers Board Chairman

Carl Tippets

Wendy Gibbs

Steve Bowers

C Reed Brown

Board Members Absent

Jerry Preston, excused

John Wilcox

Guests:

Jeff Pedersen, UPHCA

Renee McDonough, IEC of Utah

Brad Stephens, IEC of Utah

Gary Bacon, Radon Be Gone

John Seidel, Radon Be Gone

Kent Salomon, Abodee

Ross Ford, Monarch Builders

Doug Darrington, Altaview Concrete

Jenna Williams, Utah Contractor Center

DOPL Staff Present:

Mark B. Steinagel, Division Director

Ray Walker, Regulatory and Compliance Officer

Ronda Trujillo, Compliance Specialist

Kent Barnes, Compliance Manager

9:00 am – Rules Hearing

Judge Eklund conducted a rules hearing prior to the Commission meeting being called to order.

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

Swear in New Commission Member

Selection of a new Chairperson

Approval of June Commission Minutes

Proposed Electrician Rule Changes

APPOINTMENTS:

Probation Update
Ronda Trujillo

**REVIEW PROPOSED DISCIPLINARY
ACTIONS:**

Tate Construction and Remodeling, LLC
Stipulation and Order

Clear Choice Development Group, Inc
Default Order

DECISIONS AND RECOMMENDATIONS

Dirk Burton and C Reed Brown were sworn in as commission members.

Dave Told was selected as the new chairman.

The minutes from the June 24, 2009 meeting were reviewed. Mr. Bowers made a motion to approve the minutes as written. Ms. Gibbs seconded the motion. Motion passed by unanimous vote.

Mr. Burton made a motion to amend the language of the proposed electrician rules as suggested in the letter from the IEC of Utah. Ms. Gibbs seconded the motion. Motion passed by unanimous vote. The Commission requested that the Electrician Board continue to discuss the education this at their next meeting.

Ms. Trujillo reported on the licenses on probation. At this time, forty two licenses are on probation, Thirty one licenses are in compliance with the terms of their probation. Letters will be sent to the non compliant licensees.

Mr. Jones gave a brief explanation of the proposed Stipulation and Order. Mr. Bowers made a motion to accept the Stipulation and Order as written. Mr. Brown seconded the motion. Motion passed by unanimous vote.

Mr. Jones gave a brief explanation of the Default Order. Mr. Brown made a motion to approve the action recommended by the Division. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

Alta Vista Homes, LLC
Default Order

Mr. Jones gave a brief explanation of the Default Order. Ms. Gibbs made a motion to accept the Default Order. Mr. Bowers seconded the motion. Motion passed by unanimous vote.

North West Builders LLC
Default Order

Mr. Jones gave a brief explanation of the Default Order. Mr. Tippetts made a motion to accept the Default Order as written. Mr. Brown seconded the motion. Motion passed by unanimous vote.

Rockie Kay John, dba Rock Hard
Default Order

Mr. Jones gave a brief explanation of the Default Order. Mr. Bowers made a motion to accept the Default Order. Mr. Tippetts seconded the motion. Motion passed with five votes in favor. Mr. Told abstained from voting.

Cameron Craig Chambers
Apprentice Electrician

Mr. Chambers completed the terms of his probation. The Electrician Board recommended termination of the probation. Mr. Burton made a motion to terminate the probation of Mr. Chambers' license. Mr. Brown seconded the motion. Motion passed by unanimous vote.

Brian Jeffrey Jorgensen
Apprentice Electrician

Mr. Jones gave a brief explanation of the proposed MOU for Mr. Jorgensen. The Electrician Board recommends approval of the MOU. Mr. Bowers made a motion to approve the MOU. Mr. Burton seconded the motion. Motion passed by unanimous vote.

Kirk D. Smith
Apprentice Electrician

Mr. Jones gave a brief explanation of the proposed MOU for Mr. Smith. The Electrician Board recommends approval of the MOU. Mr. Bowers made a motion to approve the MOU. Ms. Gibbs seconded the motion. Motion passed by unanimous vote.

DISCUSSION ITEMS:

Investigation Update

The Commission reviewed the investigation report. Item was noted with no action taken.

Radon Mitigation License Requirements

Mr. Jones explained the reason for the proposed changes regarding radon mitigation. The proposed language establishes a separate classification for Radon Mitigation. The new classification will be an

S354. Qualifiers will need to have a mitigation certification from either The National Radon Safety Board (NRSB) or the National Radon Proficiency Program (NEHA-NRPP). Experience completed prior to the effective date of the rule does not have to be completed under the supervision of a licensed S354 Radon Mitigation Contractor.

The Commission discussed requiring education for this classification. Mr. Bowers made a motion to accept the proposed language for the S354 with the addition of the S410, S340 and S213 as classifications that can do radon mitigation with a certification. Mr. Bowers modified his motion to add wording for the S354 classification to include the classifications that radon mitigation is within their scope of practice. Mr. Tippetts seconded the motion.

Continuing Education Requirements

Mr. Steinagel explained proposed language regarding continuing education. The proposed changes would establish a Continuing Education Registry designated by the Division. The continuing education courses will be approved by the Division. The providers will be required to enter attendees into the registry data base.

Mr. Bowers made a motion to approve the proposed language to go forward to a rule filing. Mr. Brown seconded the motion. Motion passed by unanimous vote.

Governor's Ethics Policy

The Commission members were given the Governor's Ethics Policy to review.

HEARINGS:

11:00 am – Art Plum Construction Inc.
Denial of Reinstatement

The hearing was cancelled. A Stipulation and Order was entered into. Mr. Jones reviewed the terms of the Stipulation and Order. Mr. Bowers made a motion to approve the Stipulation and Order. Ms. Gibbs seconded the motion. Motion passed by unanimous vote.

ADJOURN:

11:45 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.

August 26, 2009
Date Approved

(ss) David Told
Chairperson, Construction Services Commission

August 26, 2009
Date Approved

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