

MINUTES

**UTAH
CONSTRUCTION SERVICES COMMISSION
MEETING**

October 28, 2009

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

CONVENED: 8:10 AM

ADJOURNED: 10:31 AM

Bureau Manager:

Dan S. Jones

Board Secretary:

Ann Naegelin

Board Members Present

David Told, Commission and Plumber Board
Chairman

Dirk Burton, Electrician Board Chairman

Larry Love, Burglar Alarm Board Chairman

Carl Tippets

Wendy Gibbs

John Wilcox

C Reed Brown

Board Members Absent

Jerry Preston, excused

Steve Bowers, excused

Guests:

Jeff Pedersen, UPHCA

Jenna Williams, Utah Contractor License Center

Will Pierce SLCC

C Reed Cutler

Judy Cutler

Kevin Steven

Paul Telford

Paul Haines

Darin Burch

DOPL Staff Present:

Mark B. Steinagel, Division Director

Ray Walker, Regulatory and Compliance Officer

Kent Barnes, Compliance Manager

Susan Higgs, Compliance Specialist

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

8:00 Rules Hearing

Approval of August Commission Minutes

APPOINTMENTS:

Probation Update
Susan Higgs

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CM & K LLC

RGL Construction

Six D Excavation

DECISIONS AND RECOMMENDATIONS

Judge Eklund conducted a rules hearing.

The minutes from the September 30, 2009 meeting were reviewed. Mr. Burton made a motion to approve the minutes as written. Mr. Love seconded the motion. Motion passed by unanimous vote.

Ms. Higgs reported on the licenses on probation. Forty six contractor licenses are on probation. Eleven of the licenses not in compliance with the terms of their probation.

Kevin Steven, CM&K LLC appeared to discuss his probation. He is not in compliance with the terms of his probation. Mr. Love made a motion to extend probation for one year due to non compliance with the terms of his MOU. If he is not in compliance by the time his license expires, his license will not be renewed. Motion was seconded by Mr. Brown. Motion passed by unanimous vote.

Not in compliance.

Mr. Jones reviewed the terms of probation for RGL Construction Inc. Mr. Tippets made a motion that RGL Construction Inc is not in compliance. Mr. Burton seconded the motion. Motion passed by unanimous vote.

Not in compliance

Mr. Jones reviewed the terms of probation for Six D Excavation. Mr. Love made a motion that Six D Excavation is not in compliance. Ms. Gibbs seconded the motion. Motion passed by unanimous vote.

Not in compliance

C Reed Cutler, request for rule change on experience required for reinstatement of contractor license

Mr. Cutler met with the Commission to discuss a possible change to the rules regarding experience requirements for someone who was a qualifier on a license, but it has been more than ten years since the license was active. The commission discussed his request and explained the reasons for experience to be within ten years. The Commission will not propose any changes to the experience requirement at this time.

REVIEW PROPOSED DISCIPLINARY ACTIONS:

Pinnacle Building Group, Inc, Default Order

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

Spilsbury Construction & Development LLC, Default Order

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

Platinum Landscape & Design Co LLC, Order of Dismissal

Ms. Gibbs made a motion to accept the Order of Dismissal as written. Mr. Love seconded the motion. Motion passed by unanimous vote.

Alta Vista Homes LLC, Order of Dismissal

Ms. Gibbs made a motion to accept the Order of Dismissal as written. Mr. Love seconded the motion. Motion passed by unanimous vote.

Roger Forney, dba Kon-Krete, Stipulation for probation

Mr. Jones gave a brief explanation of the proposed Stipulation. Mr. Love made a motion to accept the Stipulation as written. Mr. Wilcox seconded the motion. Motion passed by unanimous vote.

Robbins Homes, Inc, Stipulation for probation

Mr. Jones gave a brief explanation of the proposed Stipulation. Mr. Love made a motion to accept the Stipulation as written. Mr. Wilcox seconded the motion. Motion passed by unanimous vote.

Casper Plastering & Son LLC, Stipulation for probation

Mr. Jones gave a brief explanation of the proposed Stipulation. Mr. Love made a motion to accept the Stipulation as written. Mr. Wilcox seconded the motion. Motion passed by unanimous vote.

APPLICATIONS FOR REVIEW:

William N. Besendorfer, Journeyman
Electrician, MOU

Mr. Jones gave a brief explanation of the Memorandum of Understanding for Mr. Besendorfer. Mr. Besendorfer met with the Electricians Board to discuss his history. Mr. Tippets made a motion to accept the MOU as written. Mr. Love seconded the motion. Motion passed by unanimous vote.

Ridge Rock Builders, LLC, MOU

Paul Telford appeared to discuss his application for license. Mr. Love made a motion to accept the MOU as written. Mr. Wilcox seconded the motion. Motion passed by unanimous vote.

Caliber Pools, LLC, MOU

Mr. Paul Haynes and Darin Burch with Caliber Pools met with the Commission. Mr. Burch is the qualifier on the license. The probation is based on prior criminal history for Mr. Burch. Mr. Love made a motion to accept the MOU as written. Mr. Brown seconded the motion. Motion passed by unanimous vote.

DISCUSSION ITEMS:

Investigation Update

The investigation report was reviewed. No action was taken.

Mr. Jones updated the Commission on the process the auditors are using to address contractors licensees who have judgments.

Update from Mark Steinagel

Mr. Steinagel updated the Commission regarding the building codes.

Utah Interactive will be ready December 1 to implement the continuing education changes. The Division will be conducting an audit of continuing education compliance.

State Construction Registry is proposing a rule change to include the parcel number on the submittal from the cities. Most of the suppliers, subs and contractors support this change. Most of the cities will not need to change the information they are currently collecting.

November Meeting

Three hearings are scheduled for the November Commission meeting.

Legislative Update

Mr. Walker asked for updates regarding possible legislation for the next session.

ADJOURN:

10:31 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.

November 25, 2009
Date Approved

(ss) David Told
Chairperson, Construction Services Commission

November 25, 2009
Date Approved

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