

MINUTES

**UTAH
CONSTRUCTION SERVICES COMMISSION
MEETING**

July 28, 2010

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

CONVENED: 9:13 AM

ADJOURNED: 10:55 AM

Bureau Manager:

Dan S. Jones

Board Secretary:

Ann Naegelin

Board Members Present

David Told, Commission and Plumber Board Chair

Larry Love, Burglar Alarm Board Chair

Carl Tippets

Steve Bowers

Wendy Gibbs

Chris Martineau

Board Members Absent

C Reed Brown, excused

Dirk Burton, Electrician Board Chair, excused

Jerry Preston, excused

Guests:

John Wilcox, Wilcox Construction, Inc.

Paul Telford, Ridge Rock Builders

Rory Pence, Six Pence, Inc.

Macon Pence

DOPL Staff Present:

Ray Walker, Regulatory and Compliance Officer

Wayne Holman, Chief Investigator

Dennis Meservy, Bureau Manager

Ronda Trujillo, Compliance Specialist

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Rules Hearing

Judge Eklund conducted a rules hearing for the Utah Construction Trades Licensing Act.

Swear in New Commission Member
Chris Martineau

Mr. Martineau was introduced and sworn in as a Commission member.

Mr. Wilcox was thanked for his years of service to the Commission.

New Commission Chair Selection

Mr. Told was elected as the Chair for the next year.

Approval of June Commission Minutes

The minutes from the June 30, 2010 meeting were reviewed. Mr. Love made a motion to approve the minutes as written. Mr. Bowers seconded the motion. Motion passed by unanimous vote.

Probation Update
Ronda Trujillo

Ms. Trujillo reported that 107 contractor licenses are on probation. Thirty seven of the probationary licenses are not in compliance with the terms of their probation. Six have been out of compliance for three months or longer. Letters were sent to five licensees that have been out of compliance for more than three months.

APPOINTMENTS:

Caliber Pools, LLC
Probation Interview

Caliber Pools, LLC is out of compliance with the terms of their probation. A letter was sent to Caliber Pools, LLC requesting they meet with the Commission. They did not respond to the request. A Notice of Agency Action and Order to Show Cause will be filed for non compliance with probation.

Footing Specialist, Inc
Probation Interview

Footing Specialist, Inc is out of compliance with the terms of their probation. A letter was sent to Footing Specialist, Inc. requesting they meet with the Commission. They did not respond to the request. A Notice of Agency Action and Order to Show Cause will be filed for non compliance with probation.

Montgomery Construction Management
Probation Interview

Montgomery Construction Management is out of compliance with the terms of their probation. A letter was sent to Montgomery Construction Management requesting they meet with the Commission. They did not respond to the request. A Notice of Agency Action and Order to Show Cause will be filed for non compliance with probation.

Ridge Rock Builders LLC
Probation Interview

Paul Telford met for a probation interview. He has filed for bankruptcy. Ridge Rock Builders LLC is out of compliance with the terms of his probation. A Notice of Agency Action and Order to Show will be filed for non compliance with probation.

Six Pence Inc
Probation Interview

Mr. Pence met for a probation interview. Mr. Jones reviewed the terms of probation with the Commission. A credit report was submitted March 31, 2010 which shows a Federal tax lien. Mr. Tippetts made a motion to file Notice of Agency Action and Order to Show Cause for non compliance with the terms of probation. Mr. Love seconded the motion. Motion passed by unanimous vote.

Eugene Stone
Request for Early Termination of Probation

Mr. Jones reviewed the terms of probation for Mr. Stone. Mr. Stone's probation with the courts has been terminated. Mr. Stone gave his reasons for requesting early termination. He submitted a letter from his therapist. Mr. Bowers made a motion to deny his request to reduce his probation. Mr. Love seconded the motion. Motion passed with five votes in favor. Ms. Gibbs did not vote.

REVIEW PROPOSED DISCIPLINARY ACTIONS:

Big M Construction Inc
Default Order

Mr. Jones reviewed the Default Order. Mr. Love made a motion to approve the Order. Mr. Tippetts seconded the motion. Motion passed with five votes in favor. Ms. Gibbs did not vote.

Clean Built, LLC
Order Reinstating License

Mr. Jones reviewed the Order Reinstating License. Jason Jeffries is no longer an owner. Mr. Love made a motion to approve the Order. Mr. Tippetts seconded the motion. Motion passed with five votes in favor. Ms. Gibbs did not vote.

Picasso Custom Homes, LLC
Order Reinstating License

Mr. Jones reviewed the Order Reinstating License. Mr. Love made a motion to approve the Order. Mr. Tippetts seconded the motion. Motion passed with five votes in favor. Ms. Gibbs did not vote.

Clean Power Enterprises, LLC
Order Reinstating License

Mr. Jones reviewed the Order Reinstating License. Mr. Love made a motion to approve the Order. Mr.

Terry Enman Concrete, LLC
Memorandum of Understanding

Tippets seconded the motion. Motion passed with five votes in favor. Ms. Gibbs did not vote.

Mr. Jones reviewed the Memorandum of Understanding. Mr. Love made a motion to approve the MOU. Mr. Tippets seconded the motion. Motion passed with five votes in favor. Ms. Gibbs did not vote.

Carolyn Dahl-Wood
Cobe Shane Wilkin
Blue Sky Solar & Wind, LLC
Memorandum of Understanding

Mr. Jones reviewed the Memorandum of Understanding. Mr. Love made a motion to approve the MOU. Mr. Tippets seconded the motion. Motion passed with five votes in favor. Ms. Gibbs did not vote.

J L Titan, Inc
Order Revoking License, Failure to Replace
Qualifier

Mr. Jones reviewed the Order Revoking License for Failure to Replace Qualifier. Mr. Love made a motion to approve the Order. Mr. Tippets seconded the motion. Motion passed with five votes in favor. Ms. Gibbs did not vote.

DISCUSSION ITEMS:

Investigation Update

Mr. Holman gave a brief summary for the Investigations section.

Review proposed elevator mechanic rules

Mr. Meservy reviewed the proposed rules for the elevator mechanics. Mr. Love made a motion to approve the proposed rules. Mr. Bowers seconded the motion. Motion passed by unanimous vote.

Review proposed electrician rules

Mr. Meservy reviewed proposed changes to the rules for electricians. Mr. Love made a motion to approve the proposed rules. Mr. Bowers seconded the motion. Motion passed by unanimous vote.

Review proposed plumber rules

The plumber rules will be reviewed at the next meeting.

Discuss new procedures for informal proceedings

Mr. Jones reviewed the new process for informal proceedings.

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.

August 25, 2010
Date Approved

(ss) David Told
Chairperson, Construction Services Commission

August 25, 2010
Date Approved

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