

MINUTES

**UTAH
CONSTRUCTION SERVICES COMMISSION
MEETING**

March 30, 2011

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

CONVENED: 9:00 AM

ADJOURNED: 11:25 AM

Bureau Manager:

Dan S. Jones

Board Secretary:

Ann Naegelin

Board Members Present

David Told, Commission and Plumber Board Chair

Frank Rydalch, Electrician Board Chair

Larry Love, Burglar Alarm Board Chair

Jerry Preston

Wendy Gibbs

Steve Bowers

Board Members Absent

C Reed Brown, excused

Chris Martineau, excused

Carl Tippetts, excused

Guests:

Mike Moffatt, Utah Contractor License Center

Renee McDonough, IEC of Utah

Jeff Pedersen, UPHCA

Blake Larsen, apprentice plumber applicant

Brad Olson, Olson's Garden Shoppe

Shon Baird, apprentice plumber applicant

Steve Bagley, restaurant Specialist, Inc

Jerry Gordon, J & B Enterprises, Inc

John L. Young, Blackmesa Excavating, Inc

DOPL Staff Present:

Mark Steinagel, Division Director

Ray Walker, Regulatory and Compliance Officer

Wayne Holman, Chief Investigator

Clyde Ormond, Bureau Manager, Alarm Systems

Kent Barnes, Compliance Manager

Ronda Trujillo, Compliance Specialist

Tracy Drage, Licensing Specialist

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

Approval of February 2011 Commission Minutes

Investigation Report

Probation Update
Ronda Trujillo

APPOINTMENTS:

Elevator Mechanic and Elevator Contractor Statute and Rules

Rivas Construction
Notice of Agency Action
Financial Responsibility

Desert Rock Masonry Inc
Notice of Agency Action
Financial Responsibility

Blake Larsen
Apprentice Plumber
Stipulation and Order

Shon Baird
Apprentice Plumber
Stipulation and Order

DECISIONS AND RECOMMENDATIONS

The minutes from the February 2011 meeting were reviewed. Mr. Love made a motion to approve the minutes as written. Mr. Rydalch seconded the motion. Motion passed by unanimous vote.

Mr. Holman gave an investigation report. This item was noted with no action taken.

Ms. Trujillo reported on the non compliant contractor licenses on probation. Non compliant licensees will be asked to meet with the Commission next month.

A discussion was held regarding a B100 general building contractor doing elevator work. Item was discussed with no action taken.

Mr. Jones reviewed the Notice of Agency Action for financial responsibility. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Mr. Jones reviewed the Notice of Agency Action for financial responsibility. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Mr. Jones reviewed the criminal history and proposed Stipulation and Order. Mr. Larsen answered questions from the Commission. Mr. Preston made a motion to approve the Stipulation and Order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Mr. Jones reviewed the criminal history and proposed Stipulation and Order. Mr. Baird answered questions from the Commission. Mr. Love made a motion to accept the Stipulation and Order. Ms. Gibbs seconded the motion. Motion passed by unanimous vote.

Ryan Hall
Capstone Construction, LLC
Notice of Agency Action

Mr. Jones reviewed the information for Capstone Construction, LLC. Ms. Gibbs made a motion to approve the proposed order with a \$500 fine for the misrepresentation. Mr. Preston seconded the motion. Motion passed with five votes in favor. Mr. Told did not vote.

Douglas Korth
Greenpointe Construction LLC
Financial Responsibility

Mr. Jones reviewed the Notice of Agency Action and response from Greenpointe Construction LLC. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Blackmesa Excavating Inc
Notice of Agency Action
Financial Responsibility

Mr. Young, attorney for Blackmesa Excavating, Inc, met with the Commission. Mr. Jones reviewed the terms of the Stipulation and Order. Blackmesa is in the process of appealing the debt with the Office of State Debt Collection. The Stipulation and Order will be changed to reflect the challenge of that debt. The Stipulation and Order will be reviewed next month.

Glasmann Custom Painting Inc
Probation Interview

Mr. Glasmann met with the Commission for his probation interview. Mr. Jones requested a current credit report. The credit reports will be reviewed to determine any necessary follow up.

J & B Enterprises Inc
Probation Interview

Mr. Gordon met with the Commission for his probation interview. He has not been paying his qualifier as required. Mr. Love made a motion to file a Notice of Agency Action with Order to Show Cause. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Matco Tile Inc
Probation Interview

Mr. Folkerson did not appear for his probation interview. Mr. Preston made a motion to file an Order to Show Cause. Ms. Gibbs seconded the motion. Motion passed by unanimous vote.

Olson's Garden Shoppe
Probation Interview

Mr. Olson met with the Commission for non compliance with the terms of their probation. Mr. Olson indicated they continue to negotiate with the IRS. He will follow up to with his office to make sure the needed information is submitted on time.

Restaurant Specialist Inc
Probation Interview

Mr. Bagley met with the Commission for his probation interview. He is still working on an Offer in Compromise with the IRS. He submitted information showing he has been making payments to the IRS.

**REVIEW PROPOSED DISCIPLINARY
ACTIONS:**

Continuing Education Correspondence Courses

The current continuing education rules for plumber and electricians require randomized questions for self study continuing education. The contractor rules do not require randomized questions for self study continuing education. Mr. Love made a motion to require randomized questions on home study courses as well as online courses. The rules will be reviewed to determine if changes need to be made for consistency. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Application to sit for plumber and electrician examinations

Mr. Jones explained the proposed changes to the process to approve plumbers and electricians to sit for the examinations. Mr. Love made a motion to proceed with the proposed changes. Ms. Gibbs seconded the motion. Motion passed by unanimous vote.

Angelica Valerie Mendoza
Burglar Alarm Agent
Memorandum of Understanding

Mr. Jones reviewed the Memorandum of Understanding. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Pineridge Homes, Inc
Review and Approve Order from February

Mr. Jones reviewed the revised Order. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Clinton R Rader
Burglar Alarm Company
Amended Order

Mr. Jones reviewed the Amended Order. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Cooper Creek Construction, Inc
Order Extending Probation

Mr. Jones reviewed the Order to Extend Probation. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Nephi Sandstone Construction
Default Order
Financial Responsibility

Mr. Jones reviewed the Default Order. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

MJO Enterprises
Default Order
Financial Responsibility

Mr. Jones reviewed the Default Order. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Kastle Rock Excavating & Development LLC
Default Order
Financial Order

Mr. Jones reviewed the Default Order. Mr. Love made a motion to approve the proposed order. Mr. Rydalch seconded the motion. Motion passed with five votes in favor. Mr. Martineau did not vote.

Tyler Durrant
Apprentice Electrician
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Goodwork Construction Inc
Default Order

Mr. Jones reviewed the Default Order. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Gary Dee Drage
Elevator Mechanic
Memorandum of Understanding

Mr. Jones reviewed the Memorandum of Understanding. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

C&C Landscapes Inc
Default Order
Financial Responsibility

Mr. Jones reviewed the Default Order. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Sierra Building Products Inc
Default Order
Failure to Replace Qualifier

Mr. Jones reviewed the Default Order. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

World Wind Services, LLC
Default Order
Failure to Replace Qualifier

Mr. Jones reviewed the Default Order. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Borg Construction Inc
Default Order

Mr. Jones reviewed the Default Order. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Fischer Boys Mechanical LLC
Default Order

Mr. Jones reviewed the Default Order. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

General Concrete Inc
Default Order

Mr. Jones reviewed the Default Order. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Thornton Steel Erectors
Default Order

Mr. Jones reviewed the Default Order. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Larry Kimball Geisler
Default Order

Mr. Jones reviewed the Default Order. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Homes USA Construction LC
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Bradley L Orton Construction Co Inc
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Brent K Nutall
Stipulation and Order
Financial Responsibility

Mr. Jones reviewed the Stipulation and Order. Mr. Love made a motion to approve the proposed order. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

ADJOURN:

11: 25 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.

04/28/2011
Date Approved

(ss) David Told
Chairperson, Construction Services Commission

04/28/2011
Date Approved

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