

MINUTES

**UTAH
CONSTRUCTION SERVICES COMMISSION
MEETING**

March 28, 2012

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

CONVENED: 9:00 AM

ADJOURNED: 10:45 AM

Bureau Manager:

Dan S. Jones

Board Secretary:

Ann Naegelin

Board Members Present

David Told, Commission and Plumber Board Chair
Scott Sessions, Burglar Alarm Board Chair
Harold Weight, Electrical Board Chair
Carl Tippets
Jerry Preston
Wendy Gibbs

Board Members Absent

C Reed Brown, excused
Steve Bowers, excused
Chris Martineau, excused

Guests:

Dana Farmer, UPHCA
Brad Stevens, IEC of Utah
Stanley Lance Heal, Novatek, Inc
Ralph Valentine, The Pipe Surgeon, Inc
Mark Reynolds, Hallmark Construction Inc
Roy Reynolds, Hallmark Construction Inc

DOPL Staff Present:

Wayne Holman, Investigation Supervisor
Clyde Ormond, Bureau Manager
Neena Bowen, Compliance Specialist
Grant Allen, CE Tech
Steve Duncombe, Auditor

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Approval of February 29, 2012 Commission
Minutes

The minutes from the February 29, 2012 meeting were reviewed. Mr. Preston made a motion to approve the minutes. Mr. Sessions seconded the motion. Motion passed by with five votes in favor. Mr. Weight did not vote.

Investigation Update

Mr. Holman gave an investigations update.

Compliance Update

Ms. Bowen gave a probation report for contractors who are on probation for reasons other than financial responsibility.

Trevor Flitton will be monitored for another month.

Brian Jorgensen checked in but did not appear for his test. He is also missing his employer report. Mr. Tippetts made a motion to approve the proposed Order in the Notice of Agency Action case to revoke his license. Mr. Sessions seconded the license. Motion passed by unanimous vote.

Tracy Taylor was introduced to the Commission. She will be handling the compliance for licenses on probation for financial reasons.

Steve Duncombe was introduced as the new auditor.

CE Update

Red Vector is interested in creating audio only courses and would like to know if this type of delivery is acceptable. The Commission reviewed the request and determined this type of continuing education is allowed as a distance learning course.

APPOINTMENTS:

Stanley Lance Heal
Novatek Inc
Proposed Qualifier for New Applicant

Mr. Jones reviewed the application for Novatek Inc. The Division is requested a break out for work done in Utah and how much of his work was design work and how much was construction work. Mr. Heal answered questions from the Commission. Mr. Tippetts made a motion to approve the application. Mr. Preston seconded the motion. Motion passed by unanimous vote.

The Pipe Surgeon, Inc
Notice of Agency Action
Financial Responsibility

Mr. Jones reviewed the history for The Pipe Surgeon, Inc. Ralph Valentine answered questions from the Commission. Mr. Sessions made a motion to require a \$15,000 bond and a fine of \$300 for misrepresentation. They will have 30 days to comply with the bond and fine. If he is not in compliance within 30 days, the license will be revoked. Ms. Gibbs seconded the motion. Motion passed by unanimous vote.

Jeremy David Bjelde
Apprentice Electrician

Mr. Jones reviewed the history for Jeremy David Bjelde. Mr. Bjelde answered questions from the Commission. Mr. Preston made a motion to accept the Stipulation and Order. Mr. Weight seconded the motion. Motion passed by unanimous vote.

DISCUSSION ITEMS:

CLH Inc
Stipulation and Order
Financial Responsibility

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippetts seconded the motion. Motion passed by unanimous vote.

Brent David Landvatter
Stipulation and Order
Financial Responsibility

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippetts seconded the motion. Motion passed by unanimous vote.

Justin Higley Construction Inc
Stipulation and Order
Financial Responsibility

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Weight seconded the motion. Motion passed with five votes in favor. Mr. Preston did not vote.

BL Thompson Development
Stipulation and Order
Financial Responsibility

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippetts seconded the motion. Motion passed by unanimous vote.

Michael Bird
Journeyman Electrician
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippetts seconded the motion. Motion passed by unanimous vote.

Joshua R Nielson
Apprentice Plumber
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

Ed Christensen Construction Inc.
Stipulation and Order
Criminal History

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

Big Dog Framing and Home Construction Inc
Stipulation and Order
Financial Responsibility

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

BMC Fabrication & Erection Inc
Stipulation and Order
Financial Responsibility

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

Eli Corrie Aldous
Stipulation and Order
Criminal History

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

S and S Excavating Inc
Stipulation and Order
Financial Responsibility

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

Ricky Dean Rodriguez
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

L T Blanch Woodworking Corp
Stipulation and Order
Financial Responsibility

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

Ashly Frank Poglajen
Apprentice Electrician
Stipulation and Order
Criminal History

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

Sid Crookston Construction LC
Stipulation and Order
Financial Responsibility

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

Hallmark Construction Inc
Stipulation and Order
Criminal History

Mr. Jones reviewed the history for Hallmark Construction Inc. Mark Reynolds answered questions from the Commission. Mr. Preston made a motion to accept the Order as written. Mr. Sessions seconded the motion. Motion passed by unanimous vote.

Paul Lewis Carver
Stipulation and Order
Criminal History

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to accept the Stipulation and Order. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

Clancy Painting LLC
Stipulation and Order
Criminal History

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

William Besendorfer
Journeyman Electrician
Order to Set Aside Default

Mr. Jones reviewed the Order to Set Aside Default. Mr. Gibbs made a motion to approve the Order as written. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

Funk Brothers Construction Inc
Stipulation and Order
Financial Responsibility

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

Rubio Construction Inc
Stipulation and Order
Financial Responsibility

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

Smith & Sons Construction Inc
Stipulation and Order
Financial Responsibility

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

CWCC LLC
Stipulation and Order
Financial Responsibility

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippets seconded the motion. Motion passed by unanimous vote.

Chris Scott Versey
Apprentice Electrician
Order Reinstating License

Mr. Jones reviewed the Order Reinstating License. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippetts seconded the motion. Motion passed by unanimous vote.

Innovative Countertops
Stipulation and Order
Financial Responsibility

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippetts seconded the motion. Motion passed by unanimous vote.

Aloha Pools LLC
Stipulation and Order
Financial Responsibility

Mr. Jones reviewed the Stipulation and Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippetts seconded the motion. Motion passed by unanimous vote.

CES Electrical Inc
Default Order
Failure to Replace Qualifier

Mr. Jones reviewed the Default Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippetts seconded the motion. Motion passed by unanimous vote.

Interstate Plumbing and Air Conditioning LLC
Default Order
Failure to Replace Qualifier

Mr. Jones reviewed the Default Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippetts seconded the motion. Motion passed by unanimous vote.

Axiom Sales LLC
Default Order
Failure to Replace Alarm Company Qualifier

Mr. Jones reviewed the Default Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippetts seconded the motion. Motion passed by unanimous vote.

Smart Alarm LLC
Default Order
Failure to Replace Alarm Company Qualifier

Mr. Jones reviewed the Default Order. Ms. Gibbs made a motion to approve the Order as written. Mr. Tippetts seconded the motion. Motion passed by unanimous vote.

DISCUSSION ITEMS

Scope of work allowed under S211 Boiler
Installation Contractor

Mr. Told reported the Plumbers Board decision that the scope of practice for an S211 should not include water heater installation. Language will be drafted to clarify the scope of practice. This item will continue to be discussed by the Plumbing Board and then will come back to the Commission for review.

Legislative Update

Mr. Walker gave a Legislative update.

ADJOURN: 10:45 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.

April 25, 2012
Date Approved

(ss) David Told
Chairperson, Construction Services Commission

April 25, 2012
Date Approved

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