

MINUTES

**UTAH
CONSTRUCTION SERVICES COMMISSION
MEETING**

April 24, 2013

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

CONVENED: 9:00 AM

ADJOURNED: 12:05 pm

Bureau Manager:

Dan S. Jones

Board Secretary:

Ann Naegelin

Board Members Present

Jerry Preston, Chairman
Scott Sessions, Burglar Alarm Board Chair
Ed Gongaware, Commission and Plumber Board Chair
Chris Martineau

Board Members Absent

C Reed Brown, excused
Kevin Clubb, Electrical Board Chair, excused
Robert Campbell, excused
Daniel Schoenfeld, excused

Guests:

Will Pierce, DATC
Mike Moffat, UTCLC
Arend Visher, Mountain Land Inc
Charles Herbert
Rick Rodriguez
Jeff Davis, Premium Siding
Brandon Jepperson, Spraywell, Inc
Jeremy Powell, Ace HVAC, LLC
Bret Proveaux, apprentice plumber applicant
Kevin Worthy, attorney, TCG, Inc.
Oscar Rosales, TCG Inc
Randall Cates, Triple T Construction, Inc
Linda Gurule, Triple T Construction, Inc

DOPL Staff Present:

Ray Walker, Regulatory and Compliance Officer
David Furlong, Chief Investigator
Stephen Duncombe, Bureau Manager
April Ellis, Bureau Manager
Stephanie Wells, Auditor

Neena Bowen, Compliance Specialist
Danielle Healy, Licensing Tech

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

Approval of February 2013 Commission Minutes

Investigation Update

Compliance Update

APPOINTMENTS:

TCG, Inc
Tritex Construction Group Inc
Oscar Rosales

DECISIONS AND RECOMMENDATIONS

The minutes from the February 27, 2013 will be approved at the next meeting.

Mr. Furlong gave an investigations update. Item was noted with no action taken.

Ms. Bowen gave a probation report for contractors who are on probation for reasons other than financial responsibility. Item noted with no action taken.

Ms. Healy gave a probation report for contractors who are on probation for financial responsibility. Item noted with no action taken.

Mr. Jones explained the Commission does not have a quorum. Kevin Worthy, attorney for TCG, Inc and Tritex Construction Group Inc agreed to move forward without a quorum.

Mr. Jones and the Commission reviewed the history for this company. He reviewed the terms of the Stipulations that have been agreed to by TCG, Inc and Tritex Construction Group, Inc. Mr. Sessions made a motion to approve the recommendations of Mr. Jones for TCG Inc and Tritex Construction Group Inc. and the Stipulation for TCG Inc upon completion of items in the prior Stipulations. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Mr. Rosales met with the Commission. The Commission advised him that he will need to be certain that he follows all of the terms on the Stipulations. He indicated he understands and will follow the Stipulations.

Mountain Land Inc

Mr. Jones explained there is not a quorum present. Mr. Visher wishes to proceed without a quorum. Mr. Jones reviewed the history with the Commission. Mr. Sessions made a motion to issue license on probation, assess a \$500 fine. Any non compliance with the terms of the probation will result in revocation. Mr. Gongaware seconded the motion. Motion passed by unanimous vote.

Riley Memmott
Memmott Builders LLC

Mr. Jones advised the Commission that Riley Memmott signed a Stipulation. The Stipulation will be reviewed for approval at the next meeting.

Juan Carlos Costa

Juan Carlos Costa did not appear.

Sam Case

Sam Case did not appear.

Triple T Construction Inc

Mr. Jones explained that the Commission does not have a quorum today. Randall Cates and Linda Gurule agreed to move forward. Mr. Jones and the Commission reviewed the history for Triple T Construction Inc. Mr. Sessions made a motion to approve the Stipulation with a \$1,000 fine for contracting without a license. Mr. Gongaware seconded the motion. Motion passed by unanimous vote.

Charles Herbert
Probation Interview

Mr. Jones explained that the Commission does not have a quorum. Mr. Herbert agrees to move forward. Ms. Bowen reviewed the probation history for Mr. Herbert. He is not in compliance with his probation. Mr. Gongaware made a motion to revoke the license for non compliance with probation. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Karla Smith

Karla Smith is in compliance with her probation. She did not attend the meeting.

Jeff Allen Davis
Premium Siding

Mr. Duncombe explained that we do not have a quorum today. Mr. Davis requested to wait until there is a quorum.

Ricky Rodriguez

Mr. Rodriguez was advised there is not a quorum. He wants to obtain an E100 license. He was advised he

will need to submit an application before the Commission can make any decision on an E100 license.

Todd Householder
High Country Landscaping Inc

Todd Householder did not appear.

Brandon Jepperson
Spraywell, Inc

Mr. Jepperson was advised that there was not a quorum. He agreed to move forward. Ms. Bowen asked Mr. Jepperson about the last few items on his BCI report. Mr. Jepperson explained that they were all for the same charge. Mr. Duncombe asked the Commission to wait to make a recommendation until Mr. Jones could review the response. Mr. Sessions made a motion to release Mr. Jepperson from probation. Mr. Gongaware seconded the motion. Motion passed by unanimous vote.

Jeremy Powell
Ace HVAC Inc

Mr. Duncombe advised Mr. Powell that a quorum is not here today. Mr. Powell agreed to move forward. Mr. Martineau made a motion to release Mr. Powell from probation. Mr. Sessions seconded the motion. Motion passed by unanimous vote.

Michael Edwards

Michael Edwards did not appear.

AP Southwest LLC

A representative for AP Southwest did not appear.

Brett Proveaux

Mr. Duncombe advised Mr. Proveaux that a quorum is not present today. Mr. Proveaux agreed to move forward without a quorum. Mr. Proveaux answered questions from the Commission. Mr. Gongaware made a motion to approve the Stipulation. Mr. Session seconded the motion. Motion passed by unanimous vote.

DISCUSSION ITEMS:

Kendalin Newton

Mr. Duncombe advised Ms. Newton that the Commission does not have a quorum. She agreed to move forward without a quorum. She has complied with all of the terms of her probation. Mr. Gongaware made a motion to reinstate the license. Mr. Sessions seconded the motion. Motion passed by unanimous vote.

Classification and Qualifier Requirements

The Commission continued their discussion regarding classification and qualifier issues. The Commission would like to have input from the Utah Home Builders Association. They would also like the Division to research the licensing requirements from other states.

Open and Public Meetings Act

Mr. Walker reviewed the changes to the Open and Public Meetings Act with the Commission. The Commission will discuss the procedure they will follow at the next meeting.

Bart Gross
Order Reinstating License

This item will be reviewed at the next meeting.

Domestic Contracting of Utah
Stipulation and Order

This item will be reviewed at the next meeting.

Unlimited Steel, Inc
Stipulation and Order

This item will be reviewed at the next meeting.

David Randell Peterson
Apprentice electrician
Stipulation and Order

This item will be reviewed at the next meeting.

Sun Landscaping Inc
Stipulation and Order

This item will be reviewed at the next meeting.

Angela R Ljungberg
Burglar Alarm Company

This item will be reviewed at the next meeting.

Penkoff Concrete Inc
Stipulation and Order

This item will be reviewed at the next meeting.

Lelani Speer
Burglar Alarm Company Agent

This item will be reviewed at the next meeting.

Matthew Earl Shreve
Apprentice Plumber

This item will be reviewed at the next meeting.

Triple Kal LLC
Order Reinstating License

This item will be reviewed at the next meeting.

Funk Bros. Construction Inc
Order Reinstating License

This item will be reviewed at the next meeting.

Nick D Draper Apprentice Plumber	This item will be reviewed at the next meeting.
Mitchell Duane Armstrong Apprentice Plumber	This item will be reviewed at the next meeting.
Casper Plastering & Son LLC Order Reinstating License	This item will be reviewed at the next meeting.
Moncrete Inc Order Reinstating License	This item will be reviewed at the next meeting.
Howell Steel Building, Inc Stipulation and Order	This item will be reviewed at the next meeting.
Mark Andrew Tyler, journeyman Electrician, Stipulation and Order	This item will be reviewed at the next meeting.
Alton Christian Midzinski Apprentice Electrician	This item will be reviewed at the next meeting.
Welch Concrete Construction LLC Order Reinstating License	This item will be reviewed at the next meeting.
Gordon Lamone Apprentice Plumber	This item will be reviewed at the next meeting.
Dan Curtis Construction Inc Stipulation and Order	This item will be reviewed at the next meeting.
Joe's D-Zine Construction LLC Stipulation and Order	This item will be reviewed at the next meeting.
Troy Lindsay Default Order	This item will be reviewed at the next meeting.
Aaron Jeppson Default Order	This item will be reviewed at the next meeting.
Jose Talavera Default Order	This item will be reviewed at the next meeting.
U.S. General Construction Group LLC, Default Order	This item will be reviewed at the next meeting.

Siemans Industry Inc
Default Order
This item will be reviewed at the next meeting.

S & D Plumbing LLC
Default Order
This item will be reviewed at the next meeting.

Tyson James Aucoin
Default Order
This item will be reviewed at the next meeting.

Jean C Flesher
Default Order
This item will be reviewed at the next meeting.

ADJOURN: 12:05 PM

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.

May 1, 2013
Date Approved
(ss) Jerry Preston
Chairperson, Construction Services Commission

May 1, 2013
Date Approved
(ss) Dan S Jones
Bureau Manager, Division of Occupational & Professional
Licensing