

MINUTES

**UTAH
RESIDENCE LIEN RECOVERY FUND
ADVISORY BOARD
MEETING**

June 10, 2009

**North Conference Room – 8:15 am
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 8:15 am

ADJOURNED: 8:50 am

Board Members Present:

Joanne Martin
Patty Fullmer
Karyn Bunnell
Merlin Taylor

Board Members Absent:

James Havell, Chair
Jeff Richards, Vice-Chair

Guests:

Leslie W. Slauch, Attorney for the Kendrick's
Rob Reynard, Attorney for KYCO Service
Phil Dyer
Cary Seyer
Richard D. Young, homeowner
James Ernest Miller, Miller Construction Services Inc
Greg Sanders, Attorney

DOPL Staff Present:

Program Manager, Dane Ishihara
Claims Examiner, Jon Uriarte
Operations Manager, Dave Taylor
Board Secretary, Ann Naegelin

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Review and approve minutes from the May 2009 board meeting.

Ms. Bunnell made a motion to approve the minutes as written. Ms. Martin seconded the motion. Motion passed by unanimous vote.

Ms. Martin was thanked for her service on the Lien Recovery Fund Board. Her appointment on the Board expires June 30, 2009.

Homeowner Applications Approved by the Division:

The following application were approved by the Division:

- a) Christopher & Fabiola Muller v Frontgate-Sundance Alliance LLC
- b) Ramona Carpenter v EG Management LLC
- c) Kevin Christensen v Velocity Concrete & Design
- d) Chante & Gary Hammond v Ross Construction Inc
- e) William A & Carole J Thurman v Dave Baxter Landscapes
- f) Mark Neihart v Scotts Pro Form LLC
- g) Daniel & Rebecca Simpson v Boulder Creek Homes & Construction Inc
- h) Joseph L Diaz v Esprit Construction
- i) Joe & Patricia Svitak v Boulder Creek Homes & Construction Inc
- j) Stephen & Tara Sansom v No Sweat Construction, LLC
- k) Troy & Tamra L Ostmark v Boulder Creek Homes & Construction Inc
- l) Thomas K & Suzanne Jones v Mike Stauffer Masonry Inc

Homeowner Applications for Review:

1. Recommended for Approval & Explanation Required
 - a) WOLCRE001 Steve R Creamer v Wolverine Footings & Foundations – Mr. Ishihara gave a brief explanation of this application. Ms. Fullmer made a motion to approve the application. Ms. Martin seconded the motion. Motion passed by unanimous vote.
 - b) ESPYOU001 Richard Dale Young v Esprit Construction – Mr. Uriarte gave a brief explanation of this application. Ms. Martin made a motion to approve the application. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
2. Recommended for Denial & Explanation Required
 - a) KENMIL001 John T & Sarah A Kendrick v Miller Construction Services Inc – Ms. Fullmer made a motion to table this application for 60 days to allow for the parties involved to resolve. If the parties cannot resolve within 60 days, the application will be denied. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
 - b) RIVAVE001 River Pines LLC v Averi Construction, LLC – This item has been continued.
 - c) ROSZIM001 John B & Davidene Zimmerman v Ross Construction Inc – Ms. Martin and Ms. Fullmer asked to be recused. This item will be reviewed at the next meeting.

Informal Claims for Review:

1. Recommended for Approval & No Explanation required
 - a) LRF-2007-1005-01 BMC West Corporation v S Moss Construction Group (Thurman) – Ms. Fullmer asked to be recused which does not leave a quorum. BMC West Corporation waived the requirement for a quorum. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Taylor seconded the motion. Motion passed with three votes in favor. Ms. Fullmer did not vote.
 - b) LRF-2008-1007-01 United Subcontractors Inc v Evolution Custom Homes Inc (Ludlow) – Ms. Martin made a motion to approve the claim as recommended by the Division. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
 - c) LRF-2008-1215-01 Turner Concrete Inc v Espirit Homes LLC (Clark) – Ms. Martin made a motion to approve the claim as recommended by the Division. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
 - d) LRF-2008-1229-01 CH DRYWALL INC v Ryan Allen Construction INC (Wood) - Ms. Martin made a motion to approve the claim as recommended by the Division. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
 - e) LRF-2009-0122-01 Vinyl Guys Inc v Keepsake Homes Inc (Horrocks) - Ms. Martin made a motion to approve the claim as recommended by the Division. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
 - f) LRF-2009-0210-01 Bullett Electric Inc v Evolution Custom Homes Inc (Penderghast) - Ms. Martin made a motion to approve the claim as recommended by the Division. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
 - g) LRF-2009-0210-02 Bullett Electric Inc v Evolution Custom Homes Inc (Ludlow) - Ms. Martin made a motion to approve the claim as recommended by the Division. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
 - h) LRF-2009-0302-02 Stock Building Supply West Inc v G 3 Construction (Blatter) - Ms. Martin made a motion to approve the claim as recommended by the Division. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
 - i) LRF-2009-0309-01 KYCO Services LLC v Sundance Homes LLC (Brito) - Ms. Martin made a

motion to approve the claim as recommended by the Division. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.

- j) LRF-2009-0316-01 L K L Associates Inc v Backcountry Construction LLC (Dutton) – Ms. Martin asked to be recused. L K L Associates waived their right to a quorum. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Taylor seconded the motion. Motion passed with three votes in favor. Ms. Martin did not vote.
- k) LRF-2009-0316-02 L K L Associates Inc v Backcountry Construction LLC (Cox) - Ms. Martin asked to be recused. L K L Associates waived their right to a quorum. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Taylor seconded the motion. Motion passed with three votes in favor. Ms. Martin did not vote.
- l) LRF-2009-0316-03 L K L Associates Inc v Backcountry Construction LLC (Greer) - Ms. Martin asked to be recused. L K L Associates waived their right to a quorum. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Taylor seconded the motion. Motion passed with three votes in favor. Ms. Martin did not vote.
- m) LRF-2009-0316-04 L K L Associates Inc v Backcountry Construction LLC (Corsini & Karen Whiting) - Ms. Martin asked to be recused. L K L Associates waived their right to a quorum. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Taylor seconded the motion. Motion passed with three votes in favor. Ms. Martin did not vote.
- n) LRF-2009-0316-05 L K L Associates Inc v Backcountry Construction LLC (Stonebraker) - Ms. Martin asked to be recused. L K L Associates waived their right to a quorum. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Taylor seconded the motion. Motion passed with three votes in favor. Ms. Martin did not vote.
- o) LRF-2009-0316-06 L K L Associates Inc v Backcountry Construction LLC (Farnsworth) - Ms. Martin asked to be recused. L K L Associates waived their right to a quorum. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Taylor seconded the motion. Motion passed with three votes in favor. Ms. Martin did not vote.

- p) LRF-2009-0325-01 CH DRYWALL INC v Ryan Allen Construction INC (Chilcote) - Ms. Martin made a motion to approve the claim as recommended by the Division. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
- 2. Recommended for Denial & Explanation Required
 - a) LRF-2009-0114-02 L & W Supply Corporation v Vega Drywall Inc (Shipp Family Investments Ltd) – Mr. Ishihara gave a brief explanation of this claim. Ms. Martin made a motion to allow 30 days for the parties to file the necessary papers. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.

ADJOURN: Meeting adjourned at 8:50 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.

July 8, 2009
Date Approved (ss) James Havell
Chairperson, Residence Lien Recovery Fund Advisory Board

July 8, 2009
Date Approved (ss) Dane Ishihara
Program Coordinator, Division of Occupational &
Professional Licensing