

**MINUTES**

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

**July 9, 2008**

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

**CONVENED:** 8:25 am

**ADJOURNED:** 9:20 am

**Board Members Present:**

Merlin Taylor, Vice-Chair  
Patty Fullmer  
Karyn Bunnell  
Jeff Richards  
Joanne Martin

**Board Members Absent:**

James Havell, Chair

**Guests:**

Chris C. Rogers, attorney  
Randy Eves, homeowner  
Chris Jessop, attorney

**DOPL Staff Present:**

Division Director, David Stanley  
Associate Director, Ross Ford  
Program Manager, Dane Ishihara  
Claims Examiner, Jessica Giatras  
AAG, Tony Patterson  
Board Secretary, Ann Naegelin  
Lead Investigator, Dan T. Jones

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**

Review and approve minutes from the June 2008 board meeting.

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

Staffing Update

Interviews will be conducted for another claims examiner next week.

**Homeowner Applications Approved by Division:**

The Board was given the Open and Public Meetings Act information. They will direct any questions to Mr. Ishihara.

The following applications were approved by the Division:

- a. Todd v Concrete Specialties Inc
- b. Kathleen Loveh v DB Landscaping LLC
- c. Skoby & Anne Downs v Wolverine Construction Inc
- d. Troy & Natalie Crosland v Big 4 Development
- e. Brian J Winter v Valles Construction Contractors Inc
- f. Christopher Reilly v CDB Construction Inc
- g. Brent A & Mary Kay Kirkland Trustees v Majestic Construction & Development Inc
- h. Max & Cindy Hardman v Scott B Kirby
- i. Victor, Jutta, and Reyna Rocha v Largo LC
- j. David & Linda Chesworth v Tipton Landscaping Inc
- k. Paul Lavar Millring v CDB Construction aka 3B Construction
- l. Scott J Bringhurst v CDB Construction aka 3B Construction

**Homeowner Applications for Review:**

1. Recommended for Approval & Explanation Required
  - a. DRESMI001 Jamison & Amy Smith v Dreamscape Pools & Spas – Mr. Ishihara gave a brief explanation of the application. The contractor did not respond to the Division’s request for information. Mr. Richards made a motion to approve the application. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
  - b. MCGMMAR001 Alfred P & Lillian Martinez v MGM Concrete Inc – Ms. Giatras gave a brief explanation of the application. Ms. Bunnell made a motion to approve the application. Ms. Martin seconded the motion. Motion passed by unanimous vote.
  - c. CITEVE001 Randy Eves v Citadel Builders – Ms. Fullmer asked to be recused. Mr. Ishihara gave a brief explanation of the application. Ms. Bunnell made a motion to approve the application. Ms. Martin seconded the motion. Motion passed with five votes in favor. Ms. Fullmer did not vote.
2. Recommended for Denial & Explanation Required
  - a. MCKTEM001 Ben & Megan Templeton v David McKeeth – Mr. Ishihara gave a brief explanation of this application. David McKeeth pulled the building permit as an owner builder. The Templeton’s entered into the contract with Mr. McKeeth before the home was complete. Mr. Richards made a motion to deny the application. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.

b. PARBUR001 David Burningham v Paramount Homes Inc – Mr. Ishihara gave a brief explanation of the claim. Mr. Burningham was building on multiple properties. The contract does not identify which property the contract is for. It does not appear this property is a personal residence. Mr. Burningham is in the business of building and selling homes. Mr. Richards made a motion to deny the application. Ms. Martin seconded the motion. Motion passed by unanimous vote.

c. GMKWHI001 Tex White v GMK Construction LLC – Mr. Ishihara gave a brief explanation of this application. The start date is prior to the date of the signed contract. The attorney argued that work did not begin until after the scope of work agreement was signed. There was a verbal agreement to begin work. Ms. Martin made a motion to deny the application. Mr. Richards seconded the motion. Motion passed by unanimous vote.

**Informal Claims for Review:**

Recommended for Approval

a. LRF-2007-0815-01 Henries Electric Company v Basements 4-U – Ms. Martin made a motion to approve the claim for payment as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.

b. LRF-2008-0124-01 No Sweat Construction LLC v Basements 4-U – Mr. Richards asked to be recused. Ms. Bunnell made a motion to approve the claim for payment as recommended by the Division. Ms. Martin seconded the motion. Motion passed by a vote of five in favor. Mr. Richards did not vote.

c. LRF-2008-0416-01 Metro Ready Mix LLC v Skowronek Builders Inc – Mr. Martin made a motion to approve the claim for payment as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.

d. LRF-2008-0213-01 Staker Parsons Companies v Scotland Construction & Development Inc – Ms. Martin asked to be recused. Ms. Fullmer made a motion to approve the claim as recommended by the Division. Mr. Richards seconded the motion. Motion passed by a vote of five in favor. Ms. Martin did not vote.

e. LRF-2008-0425-01 Stock Building Supply West Inc v Cody Lewis Construction Inc – Applicant requested this claim be continued.

**ADJOURN:**

Meeting adjourned at 9:20 am

Page 4 of 4

Minutes

Residence Lien Recovery Fund Advisory Board

July 9, 2008

*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 13, 2008

Date Approved

(ss) James Havell

Chairperson, Residence Lien Recovery Fund Advisory Board

August 13, 2008

Date Approved

(ss) Dane Ishihara

Program Coordinator, Division of Occupational &  
Professional Licensing