

MINUTES

**UTAH
CONSTRUCTION SERVICES COMMISSION
MEETING**

May 26, 2010

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

CONVENED: 9:25 AM

ADJOURNED: 11:30 AM

Bureau Manager:

Dan S. Jones

Board Secretary:

Ann Naegelin

Board Members Present

David Told, Commission and Plumber Board Chair
Dirk Burton, Electrician Board Chair
Larry Love, Burglar Alarm Board Chair, excused
Jerry Preston
Wendy Gibbs

Board Members Absent

Carl Tippets, excused
C Reed Brown, excused
John Wilcox, excused
Steve Bowers, excused

Guests:

Jeff Pedersen, UPHCA
Sean Foote, Sean Foote Construction LLC
Jenna Williams, Utah Contractor License Center
Steve Nielson, 9Bar7, LLC
Lile Lavaki, DSB Construction, LLC
Shannon Sanders, Wildcat Electric, LLC
Mike Jessop, Boardwalk Custom Framing
Dennis Tapp, Aspen Electrical Service

DOPL Staff Present:

Mark Steinagel, Division Director
Ray Walker, Regulatory & Compliance Officer
Wayne Holman, Chief Investigator
Dennis Meservy, Bureau Manager
Ronda Trujillo, Compliance Specialist

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Approval of April Commission Minutes

The minutes from the April 28, 2010 meeting were reviewed. Mr. Love made a motion to approve the minutes as written. Mr. Burton seconded the motion. Motion passed by unanimous vote.

Probation Update
Ronda Trujillo

Ms. Trujillo reported there are 100 contractor licenses on probation. Nineteen of the probationary licenses are not in compliance with the terms of their probation. Ms. Trujillo asked for input from the Commission regarding how many months a licensee can be non compliant before we request a probation interview. After three months of non compliance, an appointment will be made for an interview. Serious non compliance issues will be handled sooner.

APPOINTMENTS:

Clinton Nielson
9Bar7, LLC

Mr. Nielson met to discuss his application and requirement of a bond. Mr. Jones reviewed the information in the application for 9Bar7, LLC. Mr. Love made a motion to uphold the prior decision to not issue the license without a bond. Mr. Preston seconded the motion. Motion passed by unanimous vote.

Sean Foote Construction, LLC

Mr. Jones reviewed the application and his recommendation. Mr. Foote answered questions from the Commission. He needs the B100 for the type of projects he may be doing. Mr. Preston made a motion to accept a bond amount of \$50,000 on probation for two years or alternatively, have a bond amount of \$150,000 without probation. Mr. Love seconded the motion. Motion passed by unanimous vote.

Aspen Electrical Service

Mr. Tapp met for his probation interview. He did not realize that filing an extension on his income taxes would create this problem. He made payment arrangements for his 2007 and 2009 taxes. He would like an extension of time to file his taxes. He will need to submit a new agreement to resolve the 2009 taxes and keep up on the payments of his past taxes.

Out of Compliance

Boardwalk Custom Framing
Mike Jessop

Mr. Jessop met for his probation interview. He did not realize that filing an extension on his income taxes would create this problem. He made payment arrangements and is making payments. He will meet with his CPA this afternoon to file his taxes.

Out of Compliance

Shannon Sanders, Wildcat Electric
Early Termination of Probation

Mr. Sanders is requesting early termination of his probation. Mr. Love made a motion to grant early termination of probation. Ms. Gibbs seconded the motion. Motion passed by unanimous vote.

REVIEW PROPOSED DISCIPLINARY ACTIONS:

Benjamin & Lile Lavaki
DSB Construction, LLC
Stipulation and Order

Mr. Jones gave a brief summary of the Stipulation and Order. Mr. Love made a motion to approve the Order as written. Ms. Gibbs seconded the motion. Motion passed by unanimous vote.

Jerry Gordon
J & B Enterprises
Stipulation and Order

Mr. Jones gave a brief summary of the Stipulation and Order. Mr. Love made a motion to approve the Order as written. Mr. Burton seconded the motion. Motion passed by unanimous vote.

Scott Jensen
Stipulation and Order

Mr. Jones gave a brief summary of the Stipulation and Order. Mr. Love made a motion to approve the Order as written. Mr. Burton seconded the motion. Motion passed by unanimous vote.

Joseph Edward Ellis
CJ's Flooring Outlet, Inc.
Stipulation and Order

Mr. Jones gave a brief summary of the Stipulation and Order. Mr. Ellis met to answer any questions from the Commission. Mr. Preston made a motion to accept the Order as written. Mr. Burton seconded the motion. Motion passed by unanimous vote.

Jody Riggs Construction, LLC
Stipulation and Order

Mr. Jones gave a brief summary of the Stipulation and Order. Mr. Love made a motion to approve the Order as written. Mr. Burton seconded the motion. Motion passed by unanimous vote.

Lani Hatch
dba Drywall Surgeons
Stipulation and Order

Mr. Jones gave a brief summary of the Stipulation and Order. Mr. Love made a motion to approve the Order as written. Mr. Burton seconded the motion. Motion

Clinton Frank Woodward
Apprentice Plumber
Memorandum of Understanding

passed by unanimous vote.

Mr. Meservy gave a brief summary of the Memorandum of Understanding. Mr. Love made a motion to approve the Memorandum of Understanding as written. Ms. Gibbs seconded the vote. Motion passed with four votes in favor. Mr. Told did not vote.

Zachary Kent Chipman
Apprentice Plumber
Memorandum of Understanding

Mr. Meservy gave a brief summary of the Memorandum of Understanding. Mr. Love made a motion to approve the Memorandum of Understanding as written. Ms. Gibbs seconded the vote. Motion passed with four votes in favor. Mr. Told did not vote.

Victor Montero
Clean Power Enterprises, LLC
Memorandum of Understanding

Mr. Jones gave a brief summary of the Memorandum of Understanding. Mr. Love made a motion to approve the Memorandum of Understanding. Mr. Burton seconded the motion. Motion passed by unanimous vote.

D-N-A Builder, Inc
Order Reinstating License

Mr. Love made a motion to approve the Order Reinstating License as written. Mr. Burton seconded the motion. Motion passed by unanimous vote.

DISCUSSION ITEMS:

Whitehead Construction, Inc
Application for S700
Maintenance of Electrostatic Precipitators and
Baghouses

Mr. Jones gave a brief summary of the application for an S700 classification for maintenance of electrostatic precipitators and baghouses. Mr. Burton made a motion to approve the application. Mr. Preston seconded the motion. Motion passed by unanimous vote.

Investigation Update

Mr. Holman gave an update on the investigations. The investigators did their monthly saturation and issued six citations.

CE Rules

A provider made a request to approve CE credits for individual, one-on-one business coaching. Mr. Jones reviewed the options available to the Commission. The Commission did not approve this type of continuing education at this time. The current rules do not allow for this type of CE.

ADJOURN:

11:30 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.

June 30, 2010
Date Approved (ss) David Told
Chairperson, Construction Services Commission

June 30, 2010
Date Approved (ss) Dan S. Jones
Bureau Manager, Division of Occupational & Professional
Licensing