

**MINUTES**

**UTAH  
CONSTRUCTION SERVICES COMMISSION  
MEETING**

**October 27, 2010**

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

**CONVENED:** 9:28 AM

**ADJOURNED:** 12:33 PM

**Bureau Manager:**

Dan S. Jones

**Board Secretary:**

Ann Naegelin

**Board Members Present**

David Told, Commission and Plumber Board Chair  
Larry Love, Burglar Alarm Board Chair  
Frank Rydalch, Electrician Board Chair  
Carl Tippetts  
Chris Martineau  
Jerry Preston  
Wendy Gibbs

**Board Members Absent**

C Reed Brown, excused  
Steve Bowers, excused

**Guests:**

Jeff Pedersen, UPHCA  
Renee McDonough, IEC of Utah  
Nathan Wilcox, APX Alarm Security Solutions, Inc  
Eli Corrie Aldous, Applicant  
Bruce Jeppson, Lone Peak Natural Gas, Inc  
Jason Fritz, Cooper Creek Construction, Inc  
Chris Evans, Cooper Creek Construction, Inc  
Derek Kobe, Skylake Enterprises, LC  
Drew Page, attorney for Star Mountain Construction  
Preston Snedeker, Sned's General Construction, LLC  
Kristen Snedeker, Sned's General Construction, LLC

**DOPL Staff Present:**

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

## **TOPICS FOR DISCUSSION**

### **ADMINISTRATIVE BUSINESS:**

Rules Hearing

Approval of August Commission Minutes

Probation Update  
Ronda Trujillo

### **APPOINTMENTS:**

M J Hayes Construction  
Request for early termination of probation

Lippincott Construction Group LLC  
Set bond amount

Lone Peak Natural Gas Inc  
Application Review and Set Bond Amount  
Memorandum of Understanding

Absolute Power, LLC  
Probation Interview

## **DECISIONS AND RECOMMENDATIONS**

Judge Eklund conducted a rules hearing for the elevator mechanics, electricians, plumbers and construction trades rules.

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

Ms. Trujillo reported on the non compliant contractor licenses on probation.

Mr. Hayes met to request early termination of his probation. Mr. Jones reviewed his probation terms and his progress. The Commission commends Mr. Hayes for the hard work he is doing to change his life. Mr. Tippetts made a motion to leave the probation as written with no changes. Mr. Rydalch seconded the motion. Motion passed by unanimous vote.

Mr. Jones recommended a bond amount of \$150,000. Mr. Love made a motion to set the bond amount at \$150,000. If the licensee changes their classification to an R101 the bond amount will be reduced \$50,000. Mr. Tippetts seconded the motion. Motion passed with six votes in favor. Mr. Preston voted against the motion.

Mr. Jeppson met to discuss his application for contractor license. He requested to change his application to an S350 classification. Mr. Tippetts made a motion to accept the MOU as written with an S350 classification. Mr. Preston seconded the motion. Motion passed by unanimous vote.

Mr. Jones reviewed the deficiencies with the probation requirements. Ms. Gibbs made a motion to file a

Notice of Agency Action as recommended by the Division. Mr. Preston seconded the motion. Motion passed by unanimous vote.

Cooper Creek Construction, Inc  
Probation Interview

Jason Fritz and Chris Evans met for a probation interview. Mr. Jones reviewed the deficiencies with the probation requirements. Mr. Love made a motion to proceed with filing a Notice of Agency Action. Ms. Gibbs seconded the motion. Motion passed by unanimous vote.

DRCX, Inc  
Probation Interview

Mr. Jones reviewed the deficiencies with the probation requirements. Ms. Gibbs made a motion to file a Notice of Agency Action as recommended by the Division. Mr. Preston seconded the motion. Motion passed by unanimous vote.

J Nelson Plumbing, Inc  
Probation Interview

Mr. Jones reviewed the deficiencies with the probation requirements. This appointment will be rescheduled for November.

Skylake Enterprises, LC  
Probation Interview

Mr. Kobe met for a probation interview. He submitted credit reports and tax returns. He is current with the State Tax Commission. He is currently making payments to the IRS. Mr. Rydalch made a motion that if he has any further violations to the terms of his probation, the Division can go forward with the Notice of Agency Action without first bringing the non-compliance to the Commission. Mr. Love seconded the motion. Motion passed by unanimous vote.

Star Mountain Construction Inc  
Probation Interview

Drew Page, attorney for Star Mountain Construction, Inc met for the probation interview. Star Mountain Construction, Inc is in the process of redoing their complete accounting system in order to be able to file their tax returns. Mr. Tippetts made a motion approve the Division to move forward with the Notice of Agency Action if compliance is not completed immediately. If Star Mountain should submit the information, it will be reviewed to determine whether they are in compliance. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

**REVIEW PROPOSED DISCIPLINARY  
ACTIONS:**

Casper Plastering & Sons, LLC  
Order Reinstating License

Mr. Preston made a motion to reinstate the license in good standing. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Pro V Painting, Inc  
Default Order  
Failure to Replace Qualifier

Pro V failed to replace their qualifier. Mr. Love made a motion to approve the Default Order as written. Mr. Rydalch seconded the motion. Motion passed by unanimous vote.

Al's Custom Tile, LC  
Default Order  
Failure to Replace Qualifier

Al's Custom Tile, LC failed to replace their qualifier. Mr. Love made a motion to approve the Default Order as written. Mr. Rydalch seconded the motion. Motion passed by unanimous vote.

Rogelio Ramos Jr.  
Default Order  
Failure to Replace Qualifier

Rogelio Ramos, Jr. failed to replace their qualifier. Mr. Love made a motion to approve the Default Order as written. Mr. Rydalch seconded the motion. Motion passed by unanimous vote.

First Choice Home Construction  
Default Order  
Failure to Replace Qualifier

First Choice Home Construction failed to replace their qualifier. Mr. Love made a motion to approve the Default Order as written. Mr. Rydalch seconded the motion. Motion passed by unanimous vote.

Senston Homes, Inc  
Default Order  
Failure to Replace Qualifier

Senston Homes, Inc failed to replace their qualifier. Mr. Love made a motion to approve the Default Order as written. Mr. Rydalch seconded the motion. Motion passed by unanimous vote.

Utah Solar Energy & Alternative Energy, LLC  
Default Order  
Failure to Replace Qualifier

Utah Solar Energy & Alternative Energy, LLC failed to replace their qualifier. Mr. Love made a motion to approve the Default Order as written. Mr. Rydalch seconded the motion. Motion passed by unanimous vote.

Advanz Enterprises NT, LLC  
Default Order  
Failure to Replace Qualifier

Advanz Enterprises NT, LLC failed to replace their qualifier. Mr. Love made a motion to approve the Default Order as written. Mr. Rydalch seconded the motion. Motion passed by unanimous vote.

Nilex Construction LLC  
Default Order  
Failure to Replace Qualifier

Nilex Construction, LLC failed to replace their qualifier. Mr. Love made a motion to approve the Default Order as written. Mr. Rydalch seconded the motion. Motion passed by unanimous vote.

Earl & Sons  
Default Order  
Failure to Replace Qualifier

Earl & Sons failed to replace their qualifier. Mr. Love made a motion to approve the Default Order as written. Mr. Rydalch seconded the motion. Motion passed by unanimous vote.

Sundial Construction  
Default Order  
Financial Responsibility

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

Hansen Construction, Inc  
Default Order  
Financial Responsibility

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

Intercity Heating & Air Conditioning, LC  
Default Order  
Financial Responsibility

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

Xcellerated Builders, LLC  
Default Order  
Financial Responsibility

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

Sun Castles, Inc  
Default Order  
Financial Responsibility

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

CHS Construction  
Default Order  
Financial Responsibility

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

Greenwood Construction Co  
Default Order  
Financial Responsibility

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

Curtis R Muir Construction  
Default Order  
Financial Responsibility

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

Pinnacle Homes, Inc  
Default Order  
Financial Responsibility

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

Footing Specialist, Inc  
dba Horizon Concrete  
Default Order  
Financial Responsibility

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

Spectrum Development Corp  
Default Order  
Financial Responsibility

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

Rich Aire Heating & Air Conditioning, Inc  
Default Order  
Financial Responsibility

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

Tony Lovato Painting, Inc  
Default Order  
Financial Responsibility

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

AB Stoneworks, LLC  
Default Order  
Financial Responsibility

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

Six Pence, Inc  
Default Order  
Financial Responsibility

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

Ridge Rock Builders, LLC  
Default Order  
Financial Responsibility

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

Buchanan Development, LLC  
Stipulation and Order

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

Beehive Roofing, LLC  
Stipulation and Order

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

Sundance Demolition, Inc  
Stipulation and Order

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

Eric Maynes  
E M Excavating  
Stipulation and Order

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

Van and Bobbie Frampton  
Southwest Drywall & Plaster Inc  
Stipulation and Order

Mr. Jones reviewed the terms of the Stipulation and Order. Mr. Tippetts made a motion to accept the Stipulation and Order as written subject to coming into compliance with the terms of probation on Southwest Industries Inc. Ms. Gibbs seconded the motion. Motion passed by unanimous vote.

Mark Noren General Contractor  
Stipulation and Order

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

Raymond D Morin  
Pineridge Homes, Inc  
Stipulation and Order

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

Kingi Mosaia Mateaki  
Stipulation and Order

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

P K White Construction, Inc  
Stipulation and Order

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

Peter David Bird  
Fidalgo Restoration  
Memorandum of Understanding

Mr. Jones reviewed the terms of the Memorandum of Understanding. Ms. Gibbs made a motion to approve as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Michael Joseph Leamon  
Memorandum of Understanding

Mr. Jones reviewed the terms of the Memorandum of Understanding. Mr. Love made a motion to approve as written. Mr. Rydalch seconded the motion. Motion passed by unanimous vote.

Jay Howard Willis  
Memorandum of Understanding

Mr. Jones reviewed the terms of the Memorandum of Understanding. Mr. Love made a motion to approve as written. Mr. Rydalch seconded the motion. Motion passed by unanimous vote.

Eli Thomas Howarth  
Memorandum of Understanding

Mr. Jones reviewed the terms of the Memorandum of Understanding. Mr. Love made a motion to approve as written. Mr. Rydalch seconded the motion. Motion passed by unanimous vote.

Eli Corrie Aldous  
Apprentice Electrician  
Memorandum of Understanding

Mr. Jones reviewed the terms of the Memorandum of Understanding. Mr. Aldous answered questions from the Commission members. Mr. Love made a motion to accept the Memorandum of Understanding as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Sned's General Construction, LLC

Preston and Kristen Snedeker met to review the terms of the Memorandum of Understanding. Mr. Preston made a motion to approve as written. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

**DISCUSSION ITEMS:**

- Investigation Update Mr. Holman gave a brief summary of the investigations for the last two months.
- Discuss proposed changes to the plumber rules Mr. Steinagel discussed the proposed changes to the plumbing rules regarding incidental practice. The Commission is concerned that the proposed language will require a plumber install appliances such as dishwashers and refrigerators. The Commission agrees that water heaters and combustion systems need to be installed by a plumber. Mr. Preston made a motion to have the Plumbers board review this item for their input regarding appliance installations. Mr. Martineau seconded the motion. Motion passed by unanimous vote.
- Discuss qualifications for S350 HVAC license EPA section 608 certification requirements Mr. Steinagel asked for input from the Commission regarding requiring an S350 contractor to have the EPA refrigerant certification. Not all HVAC contractors install items that use refrigerants. Suppliers check for EPA certification before they will sell refrigerant to a contractor.
- Discuss meeting dates for 2011 The meetings will continue to be held on the last Wednesday of each month, with the exception of November and December, which will be held on the third Wednesday.

**ADJOURN:** 12:33 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.*

November 24, 2010 (ss) David Told  
Date Approved Chairperson, Construction Services Commission

November 24, 2010 (ss) Dan S. Jones  
Date Approved Bureau Manager, Division of Occupational & Professional Licensing