

MINUTES

**UTAH
CONSTRUCTION SERVICES COMMISSION
MEETING**

April 28, 2011

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

CONVENED: 9:00 AM

ADJOURNED: 11:45 AM

Bureau Manager:

Dan S. Jones

Board Secretary:

Ann Naegelin

Board Members Present

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

Board Members Absent

C Reed Brown, excused

Guests:

Renee McDonough, IEC of Utah
Jeff Pedersen, UPHCA
Mike Moffatt, Utah Contractor License Center
Jeremy Powell, Ace HVAC, LLC
Ronald Powell, Ace HVAC, LLC
Teresa Powell, Ace HVAC, LLC
Shane Bandy, Caribbean Creations
Ellen Bandy, Caribbean Creations
Kim Lesh, DOPL Administrative Secretary
Carlo J. Mead, applicant

DOPL Staff Present:

Ray Walker, Regulatory and Compliance Officer
Wayne Holman, Chief Investigator
Clyde Ormond, Bureau Manager, Alarm Systems
Ronda Trujillo, Compliance Specialist
Tracy Drage, Board Secretary
Bowen Call, Auditor
Louise McMillian, Licensing Specialist

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

Approval of March 2011 Commission Minutes

The minutes from the March 2011 meeting were reviewed. Mr. Love made a motion to approve the minutes as written. Mr. Preston seconded the motion. Motion passed by unanimous vote.

Investigation Report

Mr. Holman gave an investigation report. This item was noted with no action taken.

Probation Update
Ronda Trujillo

Ms. Trujillo reported on the non compliant contractor licenses on probation. Non compliant licensees will be asked to meet with the Commission next month.

APPOINTMENTS:

Tyler Olsen
Streamline Heating & Air Conditioning
Financial Responsibility

Mr. Jones reviewed the Notice of Agency Action for financial responsibility. Mr. Olsen answered questions from the Commission. A Stipulation will be drafted for a signature with the usual provisions. He will be fined \$250 for misrepresentation on his renewal.

Gustin Construction Inc
Financial Responsibility

Mr. Jones reviewed the Notice of Agency Action for financial responsibility. Mr. Love made a motion to approve the proposed order. Mr. Tippetts seconded the motion. Motion passed by unanimous vote.

Jeremy Powell
Ace HVAC LLC
Stipulation and Order

Mr. Jones reviewed the criminal history and proposed Stipulation and Order. Mr. Powell answered questions from the Commission. Mr. Love made a motion to accept the Stipulation and Order. Mr. Rydalch seconded the motion. Motion passed by unanimous vote.

Triton Grading & Paving LLC

This item has been postponed.

Justin-Case Inc

Mr. Jones reviewed the Notice of Agency Action for financial responsibility. Ms. Gibbs made a motion to approve the proposed order. Mr. Love seconded the motion. Motion passed by unanimous vote.

Shane Bandy
Caribbean Creations Inc

Mr. Jones reviewed the prior Order for Caribbean Creations Inc. Mr. Bandy filed a motion to set aside the Order. Mr. Bandy reviewed his position. After discussion, Mr. Bowers made a motion to deny the motion to set aside the original order; reduce the bond amount to \$50,000; a new license will not be approved until the bond is received; and Mr. Bandy can submit financial information prior to the bond expiring to determine if he can qualify for licensure without the bond. Mr. Preston seconded the motion. Motion passed with seven votes in favor. Mr. Tippetts voted against the motion.

Milton Shaw Bachman

Mr. Jones reviewed the proposed Stipulation and Order. Mr. Bachman and his attorney, Cara Tangaro, discussed the proposed Stipulation and Order. Mr. Preston made a motion to accept the Stipulation and Order. Mr. Tippetts seconded the motion. Motion passed by unanimous vote.

Allied West Construction, Inc
Probation Interview

Allied West Construction did not appear for their interview. An Order to Show Cause will be filed.

Southwest Industries, Inc
Probation Interview

Southwest Industries will be rescheduled for next month.

Carlo Jafet Mead

Mr. Jones reviewed the history for Carlo Jafet Mead. Mr. Mead answered questions from the Commission. Mr. Love made a motion to approve the application with an S263 classification. He will receive a citation of \$250 for unlicensed contracting. Mr. Bowers seconded the motion. Motion passed by unanimous vote.

REVIEW PROPOSED DISCIPLINARY ACTIONS:

Continuing Education Correspondence Courses

The Commission discussed proposed changes to rules regarding randomized test questions for self study courses. Mr. Love made a motion to accept the proposed changes to the rules. Ms. Gibbs seconded the motion. Motion passed by unanimous vote.

Immediate Supervision for Plumbers

The Commission discussed changes to the rules to clarify direct supervision for plumbers. Mr. Preston

Jaide Clark
Burglar Alarm Agent
Amended Memorandum of Understanding

made a motion to accept the proposed rule change. Mr. Martineau seconded the motion. Motion passed by unanimous vote.

Mr. Jones reviewed the amendment to the Memorandum of Understanding. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

Glen Aaron Shumway
Apprentice Plumber
Memorandum of Understanding

Mr. Jones reviewed the Memorandum of Understanding. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

Travis William White
Apprentice Plumber
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

Glasmann Custom Painting, Inc.
Order Reinstating License

Mr. Jones reviewed the Order Reinstating License. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

G & J Construction Inc
Default Order
Failure to Replace Qualifier

Mr. Jones reviewed the Default Order. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

JRJ Construction LLC
Default Order
Failure to Replace Qualifier

Mr. Jones reviewed the Default Order. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

The Deer Creek Corporation
Default Order
Failure to Replace Qualifier

Mr. Jones reviewed the Default Order. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

Thermal Floors
Default Order
Failure to Replace Qualifier

Mr. Jones reviewed the Default Order. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

Beautiful Tile Inc
Default Order
Financial Responsibility

Mr. Jones reviewed the Default Order. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

Double Diamond Inc
Default Order
Financial Responsibility

Mr. Jones reviewed the Default Order. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

Extreme Plumbing & Mechanical Inc
Default Order
Financial Responsibility

Mr. Jones reviewed the Default Order. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

GLBY Paving LLC
Default Order
Financial Responsibility

Mr. Jones reviewed the Default Order. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

Mountain Lakes Construction Inc
Default Order
Financial Responsibility

Mr. Jones reviewed the Default Order. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

USA-International Dateline
Default Order
Financial Responsibility

Mr. Jones reviewed the Default Order. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

Madsen Custom Homes, Inc
Default Order
Financial Responsibility

Mr. Jones reviewed the Default Order. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

Jackson Framing & Remodeling LLC
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

Ryan Thomas Clark
Stipulation and Order
Surrender of License

Mr. Jones reviewed the Stipulation and Order. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

Gordon Case & Company

Action dismissed.

Bruce Winter Salle
Apprentice Plumber
Memorandum of Understanding

Mr. Jones reviewed the Memorandum of Understanding. The Commission would like the Plumbing Board to review this MOU.

Brett D. Ashworth
Apprentice Plumber
Memorandum of Understanding

Mr. Jones reviewed the Memorandum of Understanding. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

Jordan T. Gleave
Alarm Company Agent
Memorandum of Understanding

Mr. Jones reviewed the Memorandum of Understanding. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

Frank Montoya Sr.
Stipulation and Order

Mr. Jones reviewed the Stipulation and Order. Mr. Preston made a motion to accept the proposed Order. Mr. Love seconded the motion. Motion passed by unanimous vote.

ADJOURN:

11:45 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.

05/25/2011
Date Approved

(ss) Dave Told
Chairperson, Construction Services Commission

05/25/2011
Date Approved

(ss) Dan S. Jones
Bureau Manager, Division of Occupational & Professional Licensing