

MINUTES

**UTAH
CONSTRUCTION SERVICES COMMISSION
MEETING**

June 22, 2011

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

CONVENED: 9:00 AM

ADJOURNED: 12:30 PM

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
Chris Martineau
Carl Tippets
Steve Bowers

Board Members Absent

C Reed Brown, excused

Guests:

Breck Little, PA Construction
Cameron Whatcott, CW Construction
Brad Hopkinson, plumber applicant
Michael Robison, Bowler Development
Lani Hatch, The Drywall Surgeons
Kevin Stratton, attorney, The Drywall Surgeons
Paul Becker, Becker Electric, Inc

DOPL Staff Present:

Ray Walker, Regulatory and Compliance Officer
Wayne Holman, Chief Investigator
Clyde Ormond, Bureau Manager, Alarm Systems
Ronda Trujillo, Compliance Specialist
Neena Bowen, Compliance Specialist
Melanie Reif, Auditor
April Ellis, Auditor
Bowen Call, Auditor

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

Approval of May 2011 Commission Minutes

The minutes from the May 2011 meeting were reviewed. Mr. Love made a motion to approve the minutes as written. Mr. Martineau 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 and Neena Bowen

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

Ms. Bowen reported on the non compliant electricians and plumbers that will be meeting with the Commission.

Tom Harper
SCR Update

Mr. Harper gave a presentation of the changes to the State Construction Registry.

APPOINTMENTS:

All American Construction Inc
Set Bond Amount

Mr. Jones reviewed the information for All American Construction Inc. Mr. Love made a motion to approve the recommendations to revoke the license and assess a \$500 fine for misrepresentation. If they apply for reinstatement they will need to have a \$150,000 bond. Mr. Martineau seconded the motion. Mr. Love modified his motion to allow 30 days to obtain the bond before the revocation takes effect. Motion passed by unanimous vote.

Lani Hatch
The Drywall Surgeons
Order to Show Cause
Failure to Comply with Probation

Kevin Stratton, attorney, gave a brief background of the situation. A payment agreement has been made with the IRS and the supplier. They are currently working with the State Tax Commission to work out a settlement agreement. Mr. Jones indicated that the payment agreements in place will not result in repayment of the judgments. Interest each month is more than the payments. Mr. Preston commends Mr. Hatch for trying to work through this situation but he needs to be compliant with the terms of his probation.

Tyler Olsen
Streamline Heating and Air Conditioning
Financial Responsibility

Mr. Martineau made a motion to hold off on any action for six months allowing time to resolve the financial responsibility problems. Mr. Bowers seconded the motion. Motion passed with seven votes in favor. Mr. Tippetts recused himself and did not vote.

Mr. Jones reviewed the response received from Tyler Olsen. He still has two creditors he has not made payments arrangements with. Mr. Rydalch made a motion to accept the recommendation for revocation of license. Ms. Gibbs seconded the motion. Mr. Bowers was not present for the vote.

Bowler Development
Michael Robison
Replace Qualifier

Mr. Jones reviewed the information for the new qualifier. Mr. Robison gave an explanation and answered questions from the Commission. Mr. Tippetts made a motion to deny his application as a qualifier. Mr. Love seconded the motion. Motion passed with five votes in favor. Mr. Rydalch, Ms. Gibbs and Mr. Bowers voted against the motion.

Becker Electric LLC
Paul Becker
Probation Interview

Mr. Becker met for his probation interview. He submitted copies of his tax returns. He represented all tax liens and judgments have been paid. He is now in compliance with his probation. Mr. Jones will review for possible release from probation.

P A Construction Inc
Breck Little
Probation Interview

Mr. Little met with the Commission regarding his non compliance with the terms of probation. Mr. Love made a motion to give PA Construction 10 days to come into compliance. If they do not come into compliance, the Division will move forward with an Order to Show Cause. Mr. Tippetts seconded the motion. Motion passed by unanimous vote.

Trevor W Black
Probation Interview

Trevor Black submitted the information needed for compliance with his probation prior to the meeting. He is now in compliance with the terms of his probation.

C M & K LLC
Kevin Stevens
Probation Interview

Mr. Stevens met with the Commission regarding non compliance with his probation. He answered questions from the Commission regarding his non compliance. Mr. Bowers made a motion to continue

with probation. Any additional violations will result in filing an Order to Show Cause. Mr. Love seconded the motion. Motion passed by unanimous vote.

David William Black
Apprentice Electrician
Probation Interview

David William Black did not appear for his interview. An Order to Show Cause will be filed.

Jasen Stuart Hamilton
Journeyman Electrician
Probation Interview

Mr. Hamilton appeared for his probation interview. He was not aware of the charges until he received the warrant. He will submit the necessary documentation.

Kelly Jed Hardman
Apprentice Electrician
Probation Interview

David William Black did not appear for his interview. An Order to Show Cause will be filed.

Eli Thomas Howarth
Apprentice Electrician
Probation Interview

Eli Thomas Howarth did not appear for his interview. An Order to Show Cause will be filed.

Todd Glenn Jacobs
Apprentice Electrician
Probation Interview

Mr. Jacobs appeared for his probation interview. He has new criminal charges since he signed his Stipulation. He did not report the new charges to the Division. Mr. Love made a motion to continue with probation. Any more violations will result in filing an Order to Show Cause. The new charges will be monitored awaiting an outcome. Ms. Gibbs seconded the motion. Motion passed by unanimous vote.

Brian Jeffrey Jorgensen
Apprentice Electrician
Probation Interview

Brian Jeffrey Jorgensen did not appear for his interview. An Order to Show Cause will be filed.

Robert Andrew Larsen
Journeyman Electrician
Probation Interview

Robert Andrew Larsen did not appear for his interview. An Order to Show Cause will be filed.

Shon Baird
Apprentice Plumber
Probation Interview

Mr. Baird met for a probation interview. He is out of compliance with the terms of his probation. His reports have been received, but they were late. He will make sure the reports are received on time in the future.

Glenn Shumway
Apprentice Plumber
Probation Interview

Glenn Shumway did not appear for his interview. An Order to Show Cause will be filed.

Bradley Hopkinson
Residential Journeyman Plumber
Stipulation and Order

Mr. Jones reviewed the application for Bradley Hopkinson. The application has not been reviewed by the Plumbers Board. Mr. Hopkinson answered questions from the Commission. Mr. Love made a motion to accept the Stipulation without review by the Plumbers Board. Mr. Bowers seconded the motion. Motion passed by unanimous vote.

CW Construction
Cameron Whatcott
Review Bond Amount

Mr. Jones reviewed the information for CW Construction. Mr. Whatcott answered questions from the Commission. Mr. Tippets made a motion to allow Mr. Whatcott to be issued an R100 license and maintain the \$50,000 bond or continue with a B100 and post a \$150,000 bond. Mr. Love seconded the motion. Mr. Jones is concerned allowing CW Construction to continue to do complete buildings. Motion passed with seven votes in favor. Mr. Preston voted against the motion.

REVIEW PROPOSED DISCIPLINARY ACTIONS:

Action Property Investment LLC
Order Reinstating License

Mr. Jones reviewed the Order Reinstating the License. Mr. Love made a motion to approve the Order. Mr. Preston seconded the motion. Motion passed with six votes in favor. Mr. Bower and Ms. Gibbs were not present for the vote.

John A Snyder
Default Order
Financial Responsibility

Mr. Jones reviewed Default Order. Mr. Love made a motion to approve the Order. Mr. Preston seconded the motion. Motion passed with six votes in favor. Mr. Bower and Ms. Gibbs were not present for the vote.

IG Group LLC
Memorandum of Understanding
Financial Responsibility

Mr. Jones reviewed the Memorandum of Understanding. Mr. Love made a motion to approve the MOU. Mr. Preston seconded the motion. Motion passed with six votes in favor. Mr. Bower and Ms. Gibbs were not present for the vote.

Cole Bruce Silcox
Apprentice Plumber

Mr. Jones reviewed the Stipulation and Order. Mr. Love made a motion to approve the Order. Mr. Preston seconded the motion. Motion passed with six votes in favor. Mr. Bower and Ms. Gibbs were not present for the vote.

Douglas Balzly
Apprentice Plumber

Mr. Jones reviewed the Memorandum of Understanding. Mr. Love made a motion to approve the MOU. Mr. Preston seconded the motion. Motion passed with six votes in favor. Mr. Bower and Ms. Gibbs were not present for the vote.

Trevor Lamont Flitton
Apprentice Electrician

Mr. Jones reviewed the Memorandum of Understanding. Mr. Love made a motion to approve the MOU. Mr. Preston seconded the motion. Motion passed with six votes in favor. Mr. Bower and Ms. Gibbs were not present for the vote.

Jeremiah Mathews
Apprentice Electrician

Mr. Jones reviewed the Stipulation and Order. Mr. Love made a motion to approve the Order. Mr. Preston seconded the motion. Motion passed with six votes in favor. Mr. Bower and Ms. Gibbs were not present for the vote.

Jaide Clark
Burglar Alarm Company Agent
Surrender of License

Mr. Jones reviewed the Stipulation for Surrender of License. Mr. Love made a motion to approve the Order. Mr. Preston seconded the motion. Motion passed with six votes in favor. Mr. Bower and Ms. Gibbs were not present for the vote.

Ned B Mitchell Inc
Order Reinstating License

Mr. Jones reviewed the Order Reinstating License. Mr. Love made a motion to approve the Order. Mr. Preston seconded the motion. Motion passed with six votes in favor. Mr. Bower and Ms. Gibbs were not present for the vote.

Beautiful Tile Inc
Financial Responsibility

Mr. Jones reviewed the Stipulation and Order. Mr. Love made a motion to approve the Order. Mr. Preston seconded the motion. Motion passed with six votes in favor. Mr. Bower and Ms. Gibbs were not present for the vote.

ADJOURN:

12:30 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.

July 27, 2011
Date Approved

(ss) Dave Told
Chairperson, Construction Services Commission

July 27, 2011
Date Approved

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