

MINUTES
UTAH
CONSTRUCTION SERVICES COMMISSION
MEETING

November 28, 2012

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

CONVENED: 9:00 AM

ADJOURNED: 1:45 PM

Bureau Manager:

Dan S. Jones

Board Secretary:

Ann Naegelin

Board Members Present

Jerry Preston, Chairman
Ed Gongaware, Plumber Board Chair
Scott Sessions, Burglar Alarm Board Chair
Kevin Clubb, Electrical Board Chair
Chris Martineau
Robert Campbell Jr.

Board Members Absent

Daniel Schoenfeld, excused
C Reed Brown, excused
Steve Bowers, excused

Guests:

Glade Thompson
Art Hovley
Mike Moffatt, Utah Contractor Licensing Center
Joe Leavitt
Camille Jones, Exteriors, LLC
Sean Conlon, Plumber Board Member
Jeron S Mahoney, Mahoney Masonry
Dean Johnson
Jorge Avila, Global Hardwood Floors
Ryan Robison, Attorney for Lake City Custom Homes
David Brown, Lake City Custom Homes
Cory Atkinson, Universal Contracting, LLC
Craig Winder, Attorney, Universal Contracting, LLC

DOPL Staff Present:

Ray Walker, Regulatory and Compliance Officer
David Furlong, Chief Investigator
April Ellis, Bureau Manager
Neena Bowen, Compliance Specialist

Steven Duncombe, Auditor
Bowen Call, Auditor
Danielle Healy, Licensing Tech

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

Approval of October 2012 Commission Minutes

Compliance Update

Investigation Update

APPOINTMENTS:

Exteriors LLC

Fibrwrap Construction Service
S700 Application

Mahoney Masonry
Reinstatement Application

Dean Johnson
Review Experience

DECISIONS AND RECOMMENDATIONS

Mr. Clubb made a motion to approve the October minutes as written. Mr. Gongaware seconded the motion. Motion passed by unanimous vote.

Ms. Bowen gave a probation report for contractors on probation for reasons other than financial responsibility.

Mr. Furlong gave an investigations update. Item noted with no action taken.

Mr. Jones reviewed the history for Exteriors LLC. Camille Jones answered questions from the Commission. Mr. Martineau made a motion to approve the Order of Revocation, effective in 15 days to allow time for Exteriors LLC to submit a bond. The Order includes a \$500 fine for misrepresentation. Mr. Sessions seconded the motion. Motion passed by unanimous vote.

A representative from this company did not attend the meeting to answer questions from the Commission. Application for S700 classification will be denied..

Mr. Jones reviewed the history for Mahoney Masonry. Mr. Mahoney answered questions from the Commission. Mr. Sessions made a motion to issue the license with a \$250 fine for two misrepresentations on his renewal forms. Mr. Gongaware seconded the motion. Motion passed by unanimous vote.

Mr. Jones explained the work history for Dean Johnson. Mr. Johnson answered questions from the Commission. Mr. Martineau made a motion to accept the experience of Mr. Johnson for license as an S293

and S490 classifications. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Global Hardwood Floor
Non Compliance with Probation

Mr. Jones reviewed the history for Global Hardwood Floor. Mr. Avila answered questions from the Commission. He brought in some of the items requested by the Division. He still needs to submit his individual tax returns, payment arrangements with Workforce Services and he needs to submit a Notice of Change in Ownership form. The Commission will table this issue until the December 19th meeting to see if Mr. Avila can come into compliance.

Rubio Construction
Probation Interview

A representative from Rubio Construction did not appear for their interview. A Notice of Agency Action will be filed.

Patch's Majestic Metals
Probation Interview

A representative from Patch's Majestic Metals did not appear for their interview. A Notice of Agency Action will be filed.

Jeff Dumas Concrete Construction
Probation Interview

A representative from Jeff Dumas Concrete Construction did not appear for their interview. A Notice of Agency Action will be filed.

First Fire Protection
Probation Interview

A representative from First Fire Protection did not appear for their interview. A Notice of Agency Action will be filed.

Lake City Custom Homes
Probation Interview

Ms. Healy reviewed the history for Lake City Custom Homes. Mr. Robison and Mr. Brown answered questions from the Commission. Mr. Sessions made a motion to have Ms. Healy report on the repayment progress for Lake City Custom Homes each month. If they have any new judgments or they are not making progress, a Notice of Agency Action will be filed. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Universal Contracting

Cory Atkinson and Craig Winder met to discuss their response to the Notice of Agency Action. Mr. Jones gave a brief history for Universal Contracting LLC. Mr. Sessions made a motion to require Universal Contracting to pay \$20 as requested on every new ownership change. The Commission tabled the item

until December to allow for someone from the Attorney General's Office to advise them what they can and should do to make a decision on potential violations. Mr. Campbell seconded the motion. Motion passed with five votes in favor. Mr. Martineau recused himself and did not vote.

DISCUSSION ITEMS:

Caleb Steven Sharpe
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Gongaware made a motion to approve the Order as written. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Abrams Plumbing Inc
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Gongaware made a motion to approve the Order as written. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Simply Topzz LLC
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Gongaware made a motion to approve the Order as written. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Tate Construction & Remodel LLC
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Gongaware made a motion to approve the Order as written. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

High Voltage Inc
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Gongaware made a motion to approve the Order as written. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Quicksilver Painting Inc
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Gongaware made a motion to approve the Order as written. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

United Subcontractors Inc
Order Reinstating License

Mr. Jones reviewed the Order with the Commission. Mr. Gongaware made a motion to approve the Order as written. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Steven Eugene Hudson
Order Reinstating License

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

Eli Corrie Aldous
Order Reinstating License

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

Cole Bruce Silcox
Journeyman Plumber
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

Nolan Anthony Rasmussen
Apprentice Plumber
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

Ross Edward Mead
Apprentice Plumber
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

Charles Herbert
Review Order
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

Kevin Durham
Apprentice Electrician
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

Roberto Larios
Apprentice Electrician
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

Michael Brandon Edwards
Apprentice Electrician
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

Edward Cody Fairbanks
Apprentice Electrician
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order
as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

Robby Hatch Snow
Apprentice Plumber
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order
as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

Michael Albert Jensen
Apprentice Plumber
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order
as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

James Edwin Wilde
Apprentice Electrician
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order
as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

Mountain View Drywall Systems Inc
Default Order
Failure to Comply with Probation

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order
as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

Euro Craft Cabinetry & Design Inc
Default Order
Failure to Comply with Probation

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order
as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

Southwest Drywall & Plaster Inc
Default Order
Failure to Comply with Probation

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order
as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

Omega Pools Inc
Default Order
Failure to Replace Qualifier

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order
as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

Davis Concrete Inc
Default Order
Failure to Replace Qualifier

Mr. Jones reviewed the Order with the Commission.
Mr. Gongaware made a motion to approve the Order
as written. Mr. Campbell seconded the motion.
Motion passed by unanimous vote.

Dagwood Construction Co LLC
Default Order
Failure to Replace Qualifier

Mr. Jones reviewed the Order with the Commission. Mr. Gongaware made a motion to approve the Order as written. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Discuss classification and qualifier requirements including:
– step up in classification
– experience time period (within last 10 years)
– qualifiers failing to perform
– unlawful experience
– alternative means of experience

The Commission continued their discussion on several issues regarding qualifiers, experience and how to step up to another classification.

Mr. Walker suggested the Commission should set a standard for qualifying experience for the B100 and R100 classifications.

The Commission discussed allowing someone who has been a qualifier in the past be able to be the qualifier without having experience in the last ten years. Mr. Jones will draft some language for the Commission to review at their next meeting. The Commission will continue to discuss these issues for possible solutions.

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.

February 1, 2013
Date Approved

Jerry Preston
Chairperson, Construction Services Commission

February 1, 2013
Date Approved

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