

**MINUTES**

**UTAH  
RESIDENCE LIEN RECOVERY FUND  
ADVISORY BOARD  
MEETING**

**December 14, 2011  
North Conference Room – 8:15 am  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 8:22

**ADJOURNED:** 9:08

Board Members Present:

Douglas Darrington, Chair  
Patty Fullmer, Vice Chair  
Jeff Richards  
Merlin Taylor  
Bradley Stevens

Board Members Absent:

Calvin Bowen

DOPL Staff Present:

Program Manager, Dane Ishihara  
Fund Secretary, Tracy Naff

Guests:

Frank Powell, Frank Flintstone Engineering  
Chad Wright, Cedar Fence Company Inc  
Adam Kaas, counsel for Kevin Pulley

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**

Review and approve November 9, 2011 board minutes:

Mr Stevens made a motion to approve the November 9, 2011 minutes. Mr Richards seconded the motion. Motion passed by unanimous vote.

Recognition of Merlin Taylor's final board meeting

Division and board members thanked Mr Taylor for his dedication to the Lien Recovery Fund Board.

Fund balance update

Mr Ishihara gave a brief explanation of the current fund balance and updated information regarding contractor renewal percentages.

Homeowner Applications for Review

1. Recommended for Approval & Explanation Required
  - a) DAEFLE001 George & Janis Fleming v Daedalus USA Inc - Mr Ishihara gave a brief explanation of the application. Mr Powell questioned whether his

lien is included in the Daedalus lien. Mr Ishihara recommended Mr Powell seek legal counsel to determine the validity of his lien. Open discussion regarding the contracts being separate. Mr Richards made a motion to approve the application. Mr Taylor seconded the motion. Motion passed by unanimous vote.

2. Recommended for Denial & Explanation Required

- a) CHRNIE001 Blaine Nielsen v Chris Robinson Homes Inc - Mr Ishihara gave a brief explanation of the application. Mr Richards made a motion to deny the application. Mrs Fullmer seconded the motion. Motion passed by unanimous vote.
- b) JEFBAR001 Timothy & Paula Barney v Jeff Armstrong Services LLC - Mr Ishihara gave a brief explanation of the application. Mr Stevens made a motion to deny the application. Mr Taylor seconded the motion. Motion passed by unanimous vote.
- c) JEFJAR001 Walter Jarvis v Dumas Concrete Construction LLC – Mr Darrington recused himself. Mr Ishihara gave a brief explanation of the application. Mr Richards made a motion to deny the application. Mr Stevens seconded the motion. Motion passed by unanimous vote.
- d) MARCAL001 Lucille Caldwell v Marcella Meadows LLC - Mr Ishihara gave a brief explanation of the application. Open discussion regarding the lack of relationship between the two entities. Mr Taylor made a motion to deny the application. Mr Richards seconded the motion. Motion passed by unanimous vote.
- e) PULFED001 Kevin Fedor v Pulley Construction Inc dba Craftbuilt Construction Co - Mr Ishihara gave a brief explanation of the application. Open discussion regarding cost plus contracts. Mr Kaas Attempted to explain relationship of Charles Gordon to Pulley Construction Inc. Mr Richards questioned why payment was made to Zetabil. Mr Kaas responded. Mr Stevens made a motion to deny the application. Mr Ishihara noted the owner occupied requirement be included in the motion. Mr Stevens confirmed his motion to deny the application. Mr Taylor seconded the motion. Mr Kass remarked statute not including a time line for owner occupied residence. Motion stands. Motion passed by unanimous vote.
- f) ROBDUG001 Radu Dugala v Robert Fuca Construction Inc - Mr Ishihara gave a brief

explanation of the application. Mr Taylor made a motion to deny the application. Mrs Fullmer seconded the motion. Motion passed by unanimous vote.

Informal Claims for Review:

1. Recommended for Approval & Explanation Required

- a) LRF-2011-0811-01 Cedar Fence Company v Midwest Vinyl Fence & Gates (Hudson) - Mr Ishihara gave a brief explanation of the application. Mr Richards made a motion to approve the application. Mr Stevens seconded the motion. Motion passed by unanimous vote.
- b) LRF-2011-0811-02 Cedar Fence Company v Midwest Vinyl Fence & Gates (Elder) - Mr Ishihara gave a brief explanation of the application. Mr Richards made a motion to approve the application. Mr Stevens seconded the motion. Motion passed by unanimous vote.

2. Recommended for Approval & No Explanation Required

- a) LRF-2011-0831-01 Sunroc Corporation v All Seasons Masonry LLC (Thomas) – Mr Richards made a motion to approve the application. Mr Taylor seconded the motion. Motion passed by unanimous vote.
- b) LRF-2011-0908-02 Ralph Ponds Plumbing & Radiant Inc v Advanzt Enterprises NT LLC dba Upscale Downstairs (Carling) - Mr Richards made a motion to approve the application. Mr Taylor seconded the motion. Motion passed by unanimous vote.
- b) LRF-2011-0919-01 NHF Distributing LLC dba Beehive Brick & Stone v Lake City Exteriors Inc (Knapp) - Mr Richards made a motion to approve the application. Mr Taylor seconded the motion. Motion passed by unanimous vote.
- c) LRF-2011-1013-01 Sunroc Corporation v Benchmark Construction LLC - Mr Richards made a motion to approve the application. Mr Taylor seconded the motion. Motion passed by unanimous vote.
- d) LRF-2011-1018-01 United Subcontractors Inc dba Superior Insulation Company (Culberston) - Mr Richards made a motion to approve the application. Mr Taylor seconded the motion. Motion passed by unanimous vote.
- e) LRF-2011-1101-01 Harper Ready Mix Company v Rigby Construction Inc - Mr Richards made a

motion to approve the application. Mr Taylor seconded the motion. Motion passed by unanimous vote.

ADJOURN: Meeting adjourned at 9:08

*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.*

02/08/2012  
Date Approved

(ss) Douglas Darrington  
Chairperson, Residence Lien Recovery Fund Advisory Board

02/08/2012  
Date Approved

(ss) Dane Ishihara  
Program Coordinator, Division of Occupational & Professional  
Licensing