MINUTES

UTAH
CONSTRUCTION SERVICES COMMISSION
MEETING

September 25, 2013

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

CONVENED: 9:10 AM	**ADJOURNED:** 1:20 PM
Bureau Manager:	Dan S Jones
Board Secretary:	Ann Naegelin
Board Members Present	Kevin Clubb, Acting Chair, Electrical Board Chair Larry Gillett, Burglar Alarm Board Sean Conlon, Plumber Board Chair Robert Campbell Joseph Ligori
Board Members Absent	Jerry Preston, Chairman, excused Chris Martineau, excused James Haslam
Guests:	Will Pierce, DATC Mike Moffatt, UTCLC Cort Andrews, Snell & Wilmer Ross Ford, Utah Home Builders Association Shawn Harding, H & H Steel Fabrication Inc Brian Draney, Cornerstone Painting Kees Versteeg, Utah Structures Denise Larkin, Attorney for Rob Fowers Rob Fowers, First Fire Protection
DOPL Staff Present:	Mark Steinagel, Division Director Ray Walker, Regulatory and Compliance Officer April Ellis, Bureau Manager Stephen Duncombe, Bureau Manager Gordon Summers, Investigations Stephanie Wells, Auditor Bowen Call, Auditor Neena Bowen, Compliance Specialist Danielle Healy, Licensing Tech

TOPICS FOR DISCUSSION	DECISIONS AND RECOMMENDATIONS
ADMINISTRATIVE BUSINESS:	
Approval of August 28, 2013 Commission Minutes	Mr. Conlon made a motion to approve the minutes from the August 28, 2013 meeting. Mr. Ligori seconded the motion. Motion passed by unanimous vote.
Investigation Update	Mr. Summers gave an investigations update. Item was noted with no action taken.
DISCUSSION ITEMS:	
SB 102 – Two year experience requirement for all classifications Proposed Rules - Qualifier requirements - S211 rules requiring 4 years experience - Experience for step up or adding a classification - Shawn Hardy – experience review request	Mr. Steinagel explained the changes necessary due to SB 102. The Commission discussed proposed changes to the rules. Mr. Campbell made a motion to accept the proposed changes recommended by the Division. Mr. Conlon seconded the motion. Motion passed by unanimous vote. The Commission will continue to discuss the rules at the October meeting. The Commission discussed the requirements to step up to a higher classification. The Commission requested suggestions from the UHBA for step up requirements. The Commission reviewed the experience for Shawn Hardy. Mr. Hardy needs to submit an application in order for the Commission to review his experience.
Quality Electric Order Reinstating License	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
Richard Aaron Rodenbaugh Order Reinstating License	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.

Randall Iverson Property Development, Inc Order Reinstating License	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
Yamay General Contracting Inc Stipulation and Order	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
Jocelin Ranae Shephard Stipulation and Order	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
Jesse Wayne Beckstead Stipulation and Order	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
Clancy Painting LLC Stipulation and Order	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
Kemper Refrigeration Stipulation and Order	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
C Buehner Countertops Stipulation and Order	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
Ideal Remodel LLC Order of Dismissal	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
Comflors Inc Order of Dismissal	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.

CH2M Hill E & C Inc Order of Dismissal	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
Christopher Oman Stipulation and Order	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
Jason Deke Taylor Stipulation and Order	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
Titensor Construction Stipulation and Order	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
Lee Company Oder of Dismissal	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
Hal Ray Huddleston Stipulation and Order	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
Aspen Paving Inc Stipulation and Order	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
Dillon Edward Noble Stipulation and Order	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
John Edward Rasch Stipulation and Order	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.

Frank Eddie Stricker Stipulation and Order	Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to approve the Order as written. Mr. Gillett seconded the motion. Motion passed by unanimous vote.
Darren Ivison Burglar Alarm Company Agent Default Order Failure to Comply with Probation	Mr. Jones reviewed the Default Order with the Commission. Mr. Conlon made a motion to approve the Default Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.
Mountain View Builders Inc Default Order Failure to Maintain Financial Responsibility and Misrepresentation	Mr. Jones reviewed the Default Order with the Commission. Mr. Conlon made a motion to approve the Default Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.
Jazabra Construction LC Default Order Failure to Maintain Financial Responsibility	Mr. Jones reviewed the Default Order with the Commission. Mr. Conlon made a motion to approve the Default Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.
A & J Roofing LLC Default Order Failure to Maintain Financial Responsibility and Misrepresentation	Mr. Jones reviewed the Default Order with the Commission. Mr. Conlon made a motion to approve the Default Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.
Right Touch Tile LC Default Order	This item was canceled.
Swenson Construction Company Inc Default Order Failure to Maintain Financial Responsibility	Mr. Jones reviewed the Default Order with the Commission. Mr. Conlon made a motion to approve the Default Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.
Premier Marble and Granite Default Order Failure to Maintain Financial Responsibility	Mr. Jones reviewed the Default Order with the Commission. Mr. Conlon made a motion to approve the Default Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.
Complete Construction Services and Management LLC Default Order Failure to Maintain Financial Responsibility	Mr. Jones reviewed the Default Order with the Commission. Mr. Conlon made a motion to approve the Default Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.
SRB Transmission Partners LLC Default Order Failure to Replace Qualifier	Mr. Jones reviewed the Default Order with the Commission. Mr. Conlon made a motion to approve the Default Order. Mr. Campbell seconded the

	motion. Motion passed by unanimous vote.
Home Warranty LLC Default Order Failure to Replace Qualifier	Mr. Jones reviewed the Default Order with the Commission. Mr. Conlon made a motion to approve the Default Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.
Hardrives Construction Inc Default Order Failure to Replace Qualifier	Mr. Jones reviewed the Default Order with the Commission. Mr. Conlon made a motion to approve the Default Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.
Clyde Homes LLC Default Order Failure to Replace Qualifier	Mr. Jones reviewed the Default Order with the Commission. Mr. Conlon made a motion to approve the Default Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.
Arete Devco Corp Default Order Failure to Replace Qualifier	Mr. Jones reviewed the Default Order with the Commission. Mr. Conlon made a motion to approve the Default Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.
Jeremy John Jay McCollum Default Order Failure to Comply with Probation	Mr. Jones reviewed the Default Order with the Commission. Mr. Conlon made a motion to approve the Default Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.
MLD Properties LLC Default Order Failure to Maintain Financial Responsibility	Mr. Jones reviewed the Default Order with the Commission. Mr. Conlon made a motion to approve the Default Order. Mr. Campbell seconded the motion. Motion passed by unanimous vote.
Compliance Report	Ms. Bowen reported there are 16 contractors on probation for criminal history. Three licensee are non compliant. Ms. Bowen explained the reasons Tams Drywall Inc is non compliant. Mr. Jones suggested having Tams Drywall Inc come to the October Commission meeting for an interview. Ms. Healy reported there are 141 contractors on probation for financial responsibility. Thirteen are non compliant.
Closed Portion of Meeting	Mr. Conlon made a motion to close the meeting to discuss the character, professional competence, or

	physical or mental health of an individual. Mr. Campbell seconded the motion. Motion passed by unanimous vote.
	Meeting was reopened.
Utah Structures Notice Of Agency Action Financial Responsibility and Misrepresentation Continued from July Meeting	The Commission discussed the history for Utah Structures. Mr. Versteeg asked the Division and Commission to consider a Stipulation that he would agree to not renew the license for Utah Structures and not seek new business in the mean time. Mr. Conlon made a motion to table this item until next month to allow the Division time to draft a Stipulation. Mr. Campbell seconded the motion. Motion passed by unanimous vote.
Closed Portion of the Meeting	Mr. Conlon made a motion to close the meeting to discuss the character, professional competence, or physical or mental health of an individual. Mr. Ligori seconded the motion. Motion passed by unanimous vote.
First Fire Protection Notice Of Agency Action Financial Responsibility Continued from July Meeting	The Commission discussed the history for First Fire Protection. Mr. Campbell made a motion to table this item until the November meeting. Mr. Ligori seconded the motion. Motion passed by unanimous vote.
W V Tile and Stone Inc Notice Of Agency Action Financial Responsibility - Bond Cancellation	The Commission discussed the history for W V Tile and Stone, Inc. Mr. Campbell made a motion to revoke the license for failure to maintain financial responsibility. Mr. Conlon seconded the motion. Motion passed by unanimous vote.
HDR Construction Notice Of Agency Action Financial Responsibility and Misrepresentation	Appointment cancelled
J Vander Veur Notice Of Agency Action Financial Responsibility and Misrepresentation	Mr. Jones reviewed the history for J Vander Veur. Mr. Gillett made a motion to approve the proposed Order imposing a $500 fine and revoking the license to be effective October 3, 2013, unless a $50,000 bond is received. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Cornerstone Custom Painting Inc Notice Of Agency Action Financial Responsibility	Mr. Jones reviewed the history for Cornerstone Custom Painting Inc. Mr. Gillett made a motion to revoke effective this license effective October 3, 2013, unless a $15,000 bond is received. Mr. Campbell seconded the motion. Motion passed by unanimous vote.
Spraywell Inc Notice Of Agency Action Financial Responsibility and Misrepresentation	Mr. Jones reviewed the history for Spraywell Inc. Mr. Gillett made a motion to table this item until the November meeting. Mr. Ligori seconded the motion. Motion passed by unanimous vote.
Brent Dayley Drywall dba Artisan Drywall Notice Of Agency Action Practicing Without a License	Mr. Jones reviewed the history for Brent Dayley Drywall. Mr. Conlon made a motion to approve the proposed Order to impose a Cease and Desist and a $500 fine. Mr. Ligori seconded the motion. Motion passed by unanimous vote.
ADJOURN:	1:20 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.

10-30-13
Date Approved

Chairperson, Construction Services Commission

10-30-13
Date Approved

Bureau Manager, Division of Occupational & Professional Licensing

SWORN STATEMENT
SUPPORTING CLOSURE OF BOARD MEETING

DOPL-FM-010 05/02/2006

I Kevin Clubb acted as the presiding member of the Construction Service Commission Board, which met on 9-25-13

Appropriate notice was given of the Board's meeting as required by §52-4-202.

A quorum of the Board was present at the meeting and voted by at least a two-thirds vote, as detailed in the minutes of the open meeting, to close a portion of the meeting to discuss the following:

- ☒ the character, professional competence, or physical or mental health of an individual (52-4-205(1)(a))
- ☐ strategy regarding pending or reasonably imminent litigation (§52-4-205(1)(c))
- ☐ deployment of security personnel, devices, or systems (§52-4-205(1)(f))
- ☐ investigative proceedings regarding allegations of criminal misconduct (§52-4-205(1)(g))

The content of the closed portion of the Board meeting was restricted to a discussion of the matter(s) for which the meeting was closed.

With regard to the closed meeting, the following was publically announced and recorded, and entered on the minutes of the open meeting at which the closed meeting was approved:

(a) the reason or reasons for holding the closed meeting;
(b) the location where the closed meeting will be held; and
(c) the vote of each member of the public body either for or against the motion to hold the closed meeting.

If required, and/or kept or maintained, the recording and any minutes of the closed meeting will include:

(a) the date, time, and place of the meeting;
(b) the names of members present and absent; and
(c) the names of all others present except where such disclosure would infringe on the confidentiality necessary to fulfill the original purpose of closing the meeting.

☐ Pursuant to §52-4-206(5), a sworn statement is required to close a meeting under §52-4-205 (1)(a) or 52-4-205(1)(f), but a record by tape recording or detailed minutes is not required.

- ☐ A record was not made
- ☐ A record was made by: ☐ Tape Recording ☐ Detailed Written Minutes

☐ Pursuant to §52-4-206(1), a record by tape recording is required for a meeting closed under §52-4-205(1)(c) or 52-4-205(1)(g), and was made.

- ☐ Detailed written minutes of the content of a closed meeting although not required, are permitted and were kept of the meeting.

I hereby swear or affirm under penalty of perjury that the above information is true and correct to the best of my knowledge.

Board Chairman or other Presiding Member

9-25-13
Date of Signature