

MINUTES
UTAH
CONSTRUCTION SERVICES COMMISSION
MEETING

December 18, 2013

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

CONVENED: 9:00 AM

ADJOURNED: 11:10 AM

Bureau Manager:
Board Secretary:

Dan S Jones
Ann Naegelin

Board Members Present

Jerry Preston, Chairman
Larry Gillett, Burglar Alarm Board Chair
Sean Conlon, Plumber Board Chair
Chris Martineau
Joseph Ligori
Robert Campbell

Board Members Absent

Kevin Clubb, Electrical Board Chair, excused
James Haslam

Guests:

Mike Moffatt, UTCLC
Ross Ford, Utah Home Builders Association
Brad Stevens, IEC of Utah
Ralph Tasker, SLCC
Chris Rowley, SEUALG
David Ross, Advanced Exteriors, LLC
Will Christensen, Advanced Exteriors, LLC
Stacy Christensen, Advanced Exteriors, LLC
Wade Thompson, State of Utah WAP
Robert Daniels, Daniels Painting
Robert Hughes, attorney, Daniels Painting

DOPL Staff Present:

Mark Steinagel, Division Director
Ray Walker, Regulatory and Compliance Officer
David Furlong, Chief Investigator
Gordon Summers, Investigations Supervisor
Stephen Duncombe, Bureau Manager
Robyn Barkdull, Continuing Education Coordinator
Grant Allen,

Stephanie Wells, Auditor
Bowen Call, Auditor
Neena Bowen, Compliance Specialist
Danielle Healy, Licensing Tech

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

Rules Hearing

Approval of November 18, 2013 Commission Minutes

Investigation Update

DISCUSSION ITEMS:

Continuing Education Discussion

Manuel Brother Inc
Order of Dismissal

Ross Edward Mead
Order Reinstating License

All Serve Hearing and Air Conditioning LLC
Order Reinstating License

Tyler Orfanos
Apprentice Plumber
Stipulation and Order

DECISIONS AND RECOMMENDATIONS

Jennie Jonsson held a rules hearing.

Mr. Gillett made a motion to approve the minutes from the November 18, 2013 meeting. Mr. Martineau seconded the motion. Motion passed by with five votes in favor. Mr. Campbell abstained from the vote.

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

Mr. Steinagel gave an overview of the UBC Education Fund. He asked for help fro Commissioner to make it known the Fund is available for building code continuing education courses.

Mr. Jones reviewed the Order with the Commission. Mr. Campbell made a motion to accept the recommended Order. Mr. Ligori seconded the motion. Motion passed by unanimous vote.

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Kim Howell Construction Co Inc
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

RJG Construction Inc
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

Travis John Engels
Journeyman Electrician
Order Reinstating License

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

Anab Construction LLC
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

Daniel Ray Lindquist
Journeyman Electrician
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

Rock Hard Excavation LLC
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

Kolby James Martinez
Apprentice Electrician
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

David Francis Kast
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

J & M Painting Plus LLC
Order of Dismissal

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

Innovative Counter Tops Inc
Order Reinstating License

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

Western Piping & Supply LLC
Order of Dismissal

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

Mark Austin
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

Legacy Construction and Development Inc
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

Mesquite General Contracting Inc
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

Adam J Burt
Apprentice Electrician
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

Structure Design Inc
Order Reinstating License

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

True Phaze Electric LLC
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

Hammer Time LLC
Stipulation and Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the
recommended Order. Mr. Ligori seconded the motion.
Motion passed by unanimous vote.

Tri-State Construction Services LLC
Default Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the recommended Order. Mr. Ligori seconded the motion. Motion passed by unanimous vote.

Advanced Central Services LLC
Default Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the recommended Order. Mr. Ligori seconded the motion. Motion passed by unanimous vote.

SVG Group LLC
Default Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the recommended Order. Mr. Ligori seconded the motion. Motion passed by unanimous vote.

Chief Fire Protection LLC
Default Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the recommended Order. Mr. Ligori seconded the motion. Motion passed by unanimous vote.

Gayle E McMurray
Default Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the recommended Order. Mr. Ligori seconded the motion. Motion passed by unanimous vote.

N J M Enterpises
Default Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the recommended Order. Mr. Ligori seconded the motion. Motion passed by unanimous vote.

Curtis Jay McMerrick
Order for Public Reprimand

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the recommended Order. Mr. Ligori seconded the motion. Motion passed by unanimous vote.

Joshua Leion Brown
Default Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the recommended Order. Mr. Ligori seconded the motion. Motion passed by unanimous vote.

Beau Chris James
Default Order

Mr. Jones reviewed the Order with the Commission.
Mr. Campbell made a motion to accept the recommended Order. Mr. Ligori seconded the motion. Motion passed by unanimous vote.

Probation Update

Ms. Bowen reported on the contractors on probation for criminal history.

Ms. Healy reported on the contractors on probation for financial responsibility. Contractors who are non compliant with their probation will not be allowed to renew their license.

Pro Quality Polishing LLC

Mr. Jones reviewed the history for Pro Quality Polishing LLC. Mr. Gillett made a motion to approve recommendation by the Division for revocation of license. Mr. Ligorì seconded the motion. Motion passed by unanimous vote.

Advance Exteriors LLC

Mr. Jones reviewed the history for Advance Exteriors LLC. Mr. Campbell made a motion to accept the recommendation of the Division to revoke the license and assess a \$500 fine for misrepresentation. They will not need to wait 90 days before they reapply. Mr. Conlon seconded the motion. Motion passed by unanimous vote.

Closed Portion of Meeting

Mr. Martineau made a motion to close the meeting to the character, professional competence, or physical or mental health of an individual. Mr. Gillett seconded the motion. Motion passed with a unanimous vote.

Meeting was re-opened to the public

Daniel's Painting

Mr. Jones gave a brief history for Robert Daniels. Mr. Gillett made a motion to table to this item to allow time for the Assistant Attorney General to draft a Stipulation and Order. The license will be conditionally renewed until January 31, 2014. Mr. Campbell seconded the motion. Motion passed by unanimous vote.

Timothy Hunt Roofing Company

Mr. Jones reviewed the history for Timothy Hunt Roofing Company. Mr. Gillett made a motion to approve recommendation from the Division for a reprimand and \$500 fine. Mr. Ligorì seconded the motion. Motion passed by unanimous vote.

Winkel Construction Co

Mr. Jones reviewed the history for Winkel Construction. Mr. Gillett made a motion to approve Order of Dismissal. Mr. Ligori seconded the motion. Motion passed by unanimous vote.

Southeastern Utah Association of Local Governments

Mr. Rowley met to discuss his experience for the S350 HVAC classification. Mr. Martineau made a motion to approve the experience of Mr. Rowley for the S350 classification. Mr. Gillett seconded the motion. Motion passed by unanimous vote.

ADJOURN:

11:10 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.

1-29-14

Date Approved



Chairperson, Construction Services Commission

1-29-14
Date Approved



Bureau Manager, Division of Occupational & Professional Licensing

SWORN STATEMENT
SUPPORTING CLOSURE OF BOARD MEETING

DOPL-FM-010 05/02/2006

I Jerry Preston acted as the presiding member of the Construction Service Commission Board, which met on 12-18-13

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.

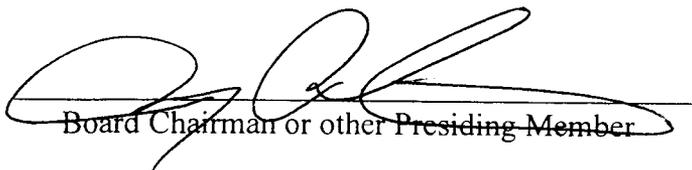
A record was not made

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

12-18-13
Date of Signature