

# STATE CONSTRUCTION INDUSTRY LICENSING BOARD

## Division of Utility Contractors

October 31, 2018

### Open Session Minutes

A meeting of the Georgia State Construction Industry Licensing Board, Division of Utility Contractors was held on Wednesday, October 31, 2018, at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia for the purpose of conducting Board business.

#### Members present:

David P. Rawson, Chairman  
Edmund Zammit  
Keith James Steen

#### Members absent:

Maudine M. Wright  
Michael Miller, Consumer Member

#### Staff present:

Deborah Beard, Executive Director  
Ken English, Licensure Supervisor  
TiAndria Burke, Board Support Specialist  
Amanda Califf, Complaint/Compliance Analyst  
Reagan Dean, Senior Assistant Attorney General

#### Visitors present:

Peter Gabrielson

#### Call to Order:

At 9:19 a.m., Chairman Rawson established a quorum was present and called the meeting to order.

#### Approval of Open Session Minutes:

A motion was made by Rawson, seconded by Steen and the Board voted to approve the minutes of the June 27, 2018, July 26, 2018 and August 30, 2018 meetings. None opposed, motion carried.

#### Licenses Issued:

The Division of Utility Contractors reviewed the list of applicants that have been previously reviewed and administratively approved for licensure by board staff and Cognizant Board Members. A motion was made by Rawson, seconded by Steen, and the Board voted to ratify 12 Utility Contractor and 18 Utility Foreman licenses issued from June 1, 2018 thru September 30, 2018. None opposed, motion carried.

#### Utility Contractor

UC302466	BLD Services, LLC	UC302472	Armourco, Inc
UC302467	LouTex Contractors, Inc	UC302473	Ogeechee River Sand, LLC
UC302468	Crowder Industrial Construction LLC	UC302474	Wilhite Grading & Utilities, Inc.
UC302469	Telecom Fiber, LLC	UC302475	Cable East, Inc.
UC302470	Low Tide Piping L.L.C	UC302476	Total Earth Services, LLC
UC302471	Taylor & Sons Inc	UC302477	BD Garner Siteworks LLC

#### Utility Foreman

UF205253	Brad Louis Dutruch	UF205262	Shannon Paul Morgan
UF205254	Randy Reese Holbrooks	UF205263	Daniel Lee Plain
UF205255	Loyd Derek Akins	UF205264	James Compton Sams, Jr
UF205256	Matt Lanier Bryant, Jr	UF205265	Wesley Matthew Crawford
UF205257	Daniel Matthew Tribble	UF205266	Michael Dayne Purvis
UF205258	Dustin Scott Raines	UF205267	Michael E Alverson
UF205259	Judson Clinton Kittle	UF205268	Timothy Scott Townsend
UF205260	Michael A Spruell	UF205269	Kevin Zack Fletcher
UF205261	Cody Alan Morgan	UF205270	Jerry Vaughn Tipton, Jr

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#### **Board Orders:**

A motion was made by Rawson, seconded by Zammit, and the Board voted to ratify acceptance of the following Board Orders. None opposed, motion carried.

Takco, Inc.

Voluntary Cease and Desist Order

Soco Contracting Company, Inc.

Voluntary Cease and Desist Order

Matriarch Construction Company, Inc.

Voluntary Cease and Desist Order

Busker Communication

Voluntary Cease and Desist Order

Morgan, Cody

Public Consent Agreement for Licensure

Moody, Walter Scott

Public Consent Agreement for Reinstatement

#### **Review of Safety Training Providers Requests:**

A motion was made by Rawson, seconded by Zammit, and the Board voted to accept the following recommendations. None opposed, motion carried.

- Approve - Steve Arrowood with SRA Safety Consultants -Confined Spaces and Excavation Competent Person
- Submit outline of the course showing the time duration spent on each subject totaling four hours - Bobby Brown with Master Safety Solutions LLC Confined Space Training.
- Submit outline of the course showing the time duration spent on each subject totaling eight hours – Bobby Brown with Master Safety Solutions LLC – Trenching/Excavation Training.

#### **Correspondence:**

A motion was made by Steen, seconded by Rawson, and the vote was to accept the following recommendation. None opposed and motion carried with Zammit abstaining.

- Clay Smith – Grant a ninety grace period to hire a utility manager to qualify the company with an expiration of January 26, 2019. Prior to the expiration, a request for a second ninety day grace period may be submitted for the Board to review. An application for a utility foreman or utility manager license may be submitted, if meet licensure requirements.

A motion was made by Zammit, seconded by Rawson, and the Board voted to accept the following recommendation. None opposed, motion carried.

- Jeff Underwood – Based on the information provided, a Utility Foreman Contractor license is required to fulfill the duties and responsibilities as listed in the correspondence.

#### **Hearing:**

At 10:36 a.m. the Board conducted a hearing related to the purpose of considering sanctions and disciplinary actions against the respondent CB&R Construction UC302390, owner Peter Gabrielson (UC302390) Utility Contractor license. The court reporter holds the transcripts, exhibits, and all other documents presented at the hearing.

#### **Executive Session:**

At 11:18 a.m. a motion was made by Rawson, seconded by Steen, and the Division members present voted unanimously to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), and 50-14-2(1) to deliberate on the hearing. None opposed, motion carried.

At the conclusion of the Executive Session on Wednesday, October 31, 2018, Rawson declared the meeting to be “open” at 11:27 a.m. pursuant to the Open and Public Meeting Act, O.C.G.A. §§ 50-14-1 et seq. No votes were taken during executive session.

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### Open Session Minutes

#### Open Session:

##### Hearing

A motion was made by Steen, seconded by Zammit and the Board voted to indefinitely suspend the license of CB&R Construction UC302390 or until respondent's license has expired and been revoked by operation of law. If the Utility Contractor hires a utility manager they may submit a request to lift the suspension of the Utility Contractor license for the Board to consider. At the conclusion of the hearing, Rawson declared the hearing adjourned.

##### Rules Discussion:

Steen discussed requirements for licensure as listed in Board Rule 121-2-.08. There was discussion as to whether an applicant has to submit proof of completing safety training when applying for a utility manager license, if the applicant currently holds a utility foreman license. The discussion was about utility foremen maintaining the required number of safety training hours and therefore there is no need to resubmit the information when applying for a utility manager license. There was discussion as to how safety training is listed as a requirement for utility manager's.

Board Rules 121-2-.5, 121-2-.08, 121-2-.09, 121-4-.02, 121-6-.03, and 121-6-.05 were tabled for review by Keith Steen. The Board Members agreed to allow Keith Steen to review the rules and bring revisions back to the Board for review and discussion. No action was taken on revising the rules at the meeting.

##### Executive Director's Report:

Deborah Beard, the Executive Director informed the Board Members that it is time to complete their annual filing with the Georgia Government Transparency & Campaign Finance Commission. The filings are to be completed by January 31, 2019. She provided the Board with an update on the number of complaints and application processed since the start of the fiscal year of July 1, 2018, and the number of current licensee's for each license type. The current number of licenses are as follows: 1,350 Utility Managers, 1,021 Utility Foreman, and 965 Utility Contractors. There have been ten (10) complaints, seventy-five (75) Utility Manager applications, fifty-eight (58) Utility Foreman applications, and twenty-nine (29) Utility Contractor applications processed since July 1, 2018.

Beard also presented the 2019 proposed Division of Utility Contractors meeting dates for review and approval. After review of the proposed 2019 board meeting dates the Board voted. A motion was made by Rawson, seconded by Steen, and the Board voted to accept the following 2019 dates for the Division of Utility Contractors. None opposed, motion carried.

- 9:00 a.m. - March 13, 2019 –Location Professional Licensing Boards Division
- 9:00 a.m. - June 26, 2019 – Location Professional Licensing Boards Division
- 9:00 a.m. - October 30, 2019 - Location Professional Licensing Boards Division

##### Executive Session:

At 11:49 a.m. a motion was made by Rawson, seconded by Steen, and the Board members present voted to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), and 50-14-2(1) to approve executive session minutes, conduct appearances, review applications, review complaint cases, review executive correspondence, review disassociations and review the Attorney General's Report. None opposed, motion carried.

At the conclusion of the Executive Session on Wednesday, October 31, 2018, Rawson declared the meeting to be "open" pursuant to the Open and Public Meeting Act, O.C.G.A. §§ 50-14-1 et seq. No votes were taken during executive session.

**STATE CONSTRUCTION INDUSTRY LICENSING BOARD**

**Division of Utility Contractors**

**October 31, 2018**

**Open Session Minutes**

**Approval of Executive Session Minutes:**

A motion was made by Rawson, seconded by Steen and the Board voted to approve the minutes of the June 27, 2018, July 26, 2018 and August 30, 2018 meetings. None opposed, motion carried.

**Applicant Appearances:**

A motion was made by Rawson, seconded by Zammit and the Board voted to uphold previous motion on the following. None opposed, motion carried.

2648676

2740432

**Review of Applications Report:**

A motion was made by Steen, seconded by Zammit, and the Board voted to accept the recommendations on the applications reviewed. None opposed, motion carried.

Approve the following applicant(s) to sit for the exam and upon passing exam, may issue utility manager license.

2767849	2765369	2741726
2750152	2718511	2767382
2680294	2765744	2767382

Approve the following applicant(s) to sit for the exam and upon passing exam, may reinstate utility manager license.

2624210	2761450
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Approve the following applicant(s) for licensure by reinstatement as a utility foreman.

2724420

Approve the following applicant(s) for licensure as a utility foreman.

2727622	2758279	2752504	2752502
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Deny the following applicant(s) for failure to meet qualifications for licensure, lack of experience.

2711055	2767268	2766887	2758496
2764860	2767294	2767308	2767303
2764866	2767305	2752508	2762526

Send the following applicant(s) a deficiency letter for additional information.

2766410	2767285	2747601	2767300
2766773	2767289	2758491	2767305
2767301	2767296	2768627	

Inform applicant the application may be withdrawn if no longer needed.

2756258

**Case Review (Legal and Discipline cases):**

(UTIL=Utility Investigative Case Number)

A motion was made by Rawson, seconded by Steen, and the Board voted to accept the recommendations on the following complaint cases reviewed. None opposed, motion carried.

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Refer the following to the Attorney General's Office for a Voluntary Surrender.

UTIL180006

Rescind the previous motion, issue license and close case.

UTIL190001

Close the following cases with no action.

UTIL190009

Close the following cases with no violations.

UTIL180002

Close the following cases with no jurisdiction.

UTIL190010

Consent Agreement for Licensure docketed, close case.

UTIL190008

Consent Agreement for Reinstatement of Licensure docketed, close case.

UTIL190002

**Executive Correspondence:**

A motion was made by Rawson, seconded by Steen and the Board voted to accept the following recommendations. None opposed, motion carried.

1007887– Based on the information submitted, a Utility Contractor is allowed to make a water and/or sewer connection. However, a Utility Contractor license is not required for a roof drain.

**Review of Disassociation – Utility Contractor:**

A motion was made by Zammit, seconded by Steen, and the Board voted to accept the following recommendations on the following cases. None opposed, motion carried.

UTIL190011 – Refer to the Attorney General's Office for a Voluntary Surrender of license or issue a Cease and Desist Order.

**Attorney General's Report:**

A motion was made by Steen, seconded by Zammit, and the Board voted to accept the following recommendations on the below cases. None opposed, motion carried.

UTIL160001 – Schedule hearing before the Board.

UTIL180020 – Accept Voluntary Surrender and close case.

UTIL190003 – Accept Cease and Desist Order and close case.

UTIL190006– Accept Cease and Desist Order and close case.

With no other business to discuss, the meeting adjourned at 1:13 p.m.

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The next meeting is currently scheduled for 9:00 a.m. on Wednesday, March 13, 2019 at the Professional Licensing Boards Division.

Minutes recorded:

TiAndria Burke, Board Support Specialist

Minutes edited and reviewed:

Deborah Beard, Executive Director

**DAVID RAWSON**

Division Chairman

**DEBORAH BEARD**

Executive Director

These minutes were approved March 13, 2019.