

CONTRACTORS LICENSE BOARD
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

Minutes of Meeting

Date: Friday, September 23, 2011

Place: King Kalakaua Conference Room, King Kalakaua Building
Department of Commerce and Consumer Affairs
335 Merchant Street, 1st Flr., Honolulu, Hawaii 96813

Present: Neal Arita, Chairperson
Randall B. C. Lau, Vice Chairperson
Guy Akasaki, Member
Anacleto "Joey" Alcantara, Jr., Member
John E. K. Dill, Member
William Kamai, Member
Peter Lee, Member
Harold Martin, Member
Aldon Mochida, Member
John Polischeck, Jr., Member
Daryl Suehiro, Member
Gerald Yamada, Member
Charlene L.K. Tamanaha, Executive Officer
Rodney J. Tam, Deputy Attorney General
Jan Shimizu, Secretary

Excused: Denny R. Sadowski, Member

Guests: Randy Potochney, BMK Construction LLC
Garrett Fultz, Irwin Industries
Primo S. Quesada, Ramar Foods International
Emilio Placencia, Heavy Tibbitts Builders
Stuart Wong, Board of Water Supply
Lance Inouye, GCA
Glenn Nohara, GCA
Rodney Nohara, GCA
Gladys Hagemann, GCA
Ronald Oshiro, GCA
Gerard Sakamoto, GCA
Toni Figueroa, Laborers Local 368
Toby (?) S. North, II, Laborers Local 368
Peter A. Ganaban, Laborers Local 368
Alfonso Oliver, Laborers Local 368
Lorna Woo, IUPAT DC50
Maurice Morita, Hawaii LECET
Clyde Hayashi, Hawaii LECET
Tom Sofos, John H. Connor
Gary B. K. T. Lee, Contractors Recovery Fund Attorney

Call to Order: There being a quorum present, Chairperson Arita called the meeting to order at 8:39 a.m.

Agenda: The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Hawaii Revised Statutes ("HRS") section 92-7(b).

Minutes: It was moved by Mr. Lee, seconded by Mr. Yamada, and unanimously carried to approve the meeting minutes and executive session minutes of August 18, 2011, with the following amendment to the Board minutes:

Page 9, paragraph 5, last sentence, with deletion in brackets and amendment underlined to read, "The Committee is also still investigating issues [raised by the Electrical Contractor's Association of Hawaii in its comments regarding the installation of duct lines by "A" general engineering contractors.] regarding the NEC."

Amendments to Agenda:

It was moved by Mr. Mochida, seconded by Mr. Lau, and unanimously carried to approve the following amendments to the agenda:

Delete from Appearances

- a. Benito K. Deluna, Jr. (Individual) (Additional classification)
C-9 Cesspool

Add to Appearances

- c. Tevita Tongotea, Jr., RME (Additional classification)
H. T. M. Contractors Inc.
"A" General Engineering
- d. Garrett W. Fultz, RME
Irwin Industries Inc.
"A" General Engineering
- e. Randy L. Potochney, RME (Additional classification)
BMK Construction LLC
C-31a Cement concrete
C-49 Swimming pool

Chapter 91, HRS, Adjudicatory Matters:

Chairperson Arita called for a recess from the Board's meeting at 8:46 a.m. to discuss and deliberate on the following adjudicatory matters pursuant to HRS chapter 91.

1. **Settlement Agreements**

- a. In the Matter of the Contractors' Licenses of Pool Pro, Inc.;
Derek G. Smith; CLB 2010-230-L

A complaint was filed with RICO alleging that Pool Pro, Inc. and Derek G. Smith ("Respondents") engaged in unlicensed electrical contractor activity by installing conduit as part of a swimming pool construction. Respondents allege that they relied upon a 1999 scope description of the C-49 license and was unaware that the installation and repair of "electric pool lights" was removed from that scope.

The Board discussed the settlement agreement for Respondents, who do not admit to violating any law or rule, but agree to pay a fine of \$250.00.

After discussion, it was moved by Mr. Yamada, seconded by Mr. Akasaki, and unanimously carried to approve the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order in the above case.

- b. In the Matter of the Contractor's License of Chris K. Young, Sr.; CLB 2010-107-L; CLB 2010-173-L; CLB 2010-379-L

RICO received complaints alleging that Chris K. Young, Sr. ("Respondent") violated the Boards laws and rules as follows: failure to make required disclosures; failure to include information required in homeowner contracts; failure to perform work in a workmanlike manner; abandoning project; failure to complete project; willful failure to complete project; failure to make required disclosures; professional misconduct, incompetence, gross negligence, or manifest incapacity in the practice of the licensed profession or violation; failure to maintain a record or history of competency, trustworthiness, fair dealing, and financial integrity; and engaging in business under a past or present license issued pursuant to the licensing laws, in a manner causing injury to one or more members of the public.

Respondent does not admit to violating any law or rule, but agrees to pay an administrative fine in the amount of \$5,000.00, with monthly payments in the amount of \$250.00 to be due the first business day of each month.

After discussion, it was moved by Mr. Akasaki, seconded by Mr. Martin, and unanimously carried to approve the Settlement Agreement After Filing of Petition for Disciplinary Action and Board's Final Order in the above case.

2. Board's Final Orders

- a. In the Matter of the Contractors' Licenses of Shannon K. J. Kaopua and All Pacific Plumbing & Mechanical, LLC; CLB 2007-134-L

The Board discussed the Hearings Officer's Findings of Fact, Conclusions of Law and Recommended Order for Shannon K. J. Kaopua and All Pacific Plumbing & Mechanical, LLC ("Respondents").

On May 10, 2011, Petitioner RICO filed and served on Respondents a Motion for Summary Judgment. A hearing on Petitioner's Motion for Summary Judgment was held on May 27, 2011, and on June 8, 2011, the Hearings Officer entered Findings of Fact, Conclusions of Law; Order Partially Granting and Partially Denying Petitioner's Motion for Summary Judgment. On June 13, 2011, a hearing was conducted by the Senior Hearings Officer.

The primary concern was Respondents' incorrect answers on their license renewal applications; however, the evidence established that those incorrect answers were not deliberately or intentionally incorrect.

Judgments in general, and unpaid judgments in particular, relate to an applicant's or licensee's financial integrity, a violation of HRS chapter 436B-19(8).

On recommendation by the Petitioner and order by the Senior Hearings Officer, the following conditions shall be met:

- (1) Respondents shall fully pay the Lani Properties and Paradise Media judgments, and provide evidence to Petitioner of recorded satisfactions of those judgments, no later than 9 months from the date of the Board's Final Order.
- (2) Respondent Kaopua shall fully pay the Midland judgment and provide evidence to Petitioner of a recorded satisfaction of that judgment no later than 9 months from the date of the Board's Final Order; and
- (3) Respondents shall jointly pay a fine in the amount of \$5,000.00 no later than 9 months from the date of the Board's Final Order.

If Respondents fail to meet any of the above conditions in a timely manner, Respondents' licenses shall immediately be suspended.

After discussion, it was moved by Mr. Lee, seconded by Mr. Dill, and unanimously carried to adopt the Hearings Officer's Findings of Fact, Conclusions of Law, and Recommended Order, as the Board's Final Order.

Following the Board's review, deliberation and decisions in these matters, pursuant to HRS chapter 91, Chairperson Arita announced that the Board was reconvening to its open meeting at 8:49 a.m.

Executive
Session:

At 8:50 a.m., it was moved by Mr. Martin, seconded by Mr. Lau, and unanimously carried to enter into Executive Session to consult with Rodney J. Tam, deputy attorney general, on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pursuant to HRS section 92-5(a)(4).

At 9:05 a.m., it was moved by Mr. Suehiro, seconded by Mr. Lau, and unanimously carried to move out of executive session and to reconvene to the Board's regular order of business.

Appearances
Before the
Board:

- b. Primo Quesada
Ramar Foods International Corporation
Owner-Builder Permit for Commercial Warehouse

Mr. Quesada requested to appear before the Board as he is requesting approval for an owner-builder permit to construct a 23,335 square-foot warehouse and cold storage at Kapolei Business Park. Mr. Quesada, president of Ramar Foods, is a licensed California general contractor, and all work will be performed by Hawaii licensed general and specialty contractors. The building will not be open to the public, and only the owners and their employees will be using the building. This item is part of the Scope Committee discussion.

Mr. Quesada stated that he does not want to hire a licensed contractor, because the contractor will then have to hire licensed subcontractors, which can mark up the costs. He has not started yet, but is already over budget. If he does it as an owner-builder, he will hire a project manager and will carry their own insurance. After researching, he could not find a contractor who builds this type of building, and the banks will usually require the general contractor to obtain a bond, whereas if he does the work as an owner-builder, a bond will not be required. His attorney said it is possible for him to build as an owner-builder; however, the building department said they will usually not issue an owner-builder permit for this type of building unless he obtains approval by the Board.

Mr. Quesada also stated that he has been doing business in Hawaii for approximately 15 years and wants to build this facility in Waipahu. He has three similar plants in California. He stated that the warehouse will not be open to the public, trucks will come to the building to deliver and transport goods, and he may invite the people he intends to do business with to come and see the facility, but it will not be open for the public to come and go as they please.

Mr. Mochida stated that if he has his contractor license in California, he should consider applying for a license here and not be subject to the limitations of the owner-builder.

Executive
Session:

At 9:16 a.m., it was moved by Mr. Lau, seconded by Mr. Yamada, and unanimously carried to enter into Executive Session pursuant to HRS section 92-5(a)(1) to consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in HRS section 26-9, and to consult with Rodney J. Tam, deputy attorney general, on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pursuant to HRS section 92-5(a)(4).

At 9:20 a.m., it was moved by Mr. Dill, seconded by Mr. Lee, and unanimously carried to move out of executive session and to reconvene to the Board's regular order of business.

The Board informed Mr. Quesada that because the public may have access to the warehouse and cold storage facility he proposes to build (i.e., the buildings are not limited to use and access solely by employees), they will not be able to grant his request to do the project as an owner-builder. He was also informed that he can submit an application for the Board to review in October; however, if it is approved, he will need to take and pass an exam.

After discussion, it was moved by Mr. Yamada, seconded by Mr. Alcantara, and unanimously carried to deny Mr. Quesada's request to build his project as an owner-builder, because the public may have access to the warehouse and cold storage facility he proposes to build (i.e., the buildings are not limited to use and access solely by employees).

- c. Tevita Tongotea, Jr., RME (Additional classification)
H. T. M. Contractors Inc.
"A" General Engineering

Mr. Tongotea was not present.

- d. Garrett W. Fultz, RME
Irwin Industries Inc.
"A" General Engineering

Executive
Session:

At 9:27 a.m., it was moved by Mr. Dill, seconded by Mr. Lee, and unanimously carried to enter into Executive Session pursuant to HRS section 92-5(a)(1) to consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in HRS section 26-9, and to consult with Rodney J. Tam, deputy attorney general, on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pursuant to HRS section 92-5(a)(4).

At 9:37 a.m., it was moved by Mr. Lau, seconded by Mr. Dill, and unanimously carried to move out of executive session and to reconvene to the Board's regular order of business.

After discussion, it was moved by Mr. Lau, seconded by Mr. Dill, and unanimously carried to deny Mr. Fultz's application for licensure in the "A" General Engineering classification, and to amend and approve his application for licensure in the C-68RH Refinery and resource recovery equipment (repair and installation of refinery process equipment and piping, and resource recovery equipment) classification.

- e. Randy L. Potochney, RME (Additional classification)
BMK Construction LLC
C-31a Cement concrete
C-49 Swimming pool

Executive
Session:

At 9:40 a.m., it was moved by Mr. Yamada, seconded by Mr. Kamai, and unanimously carried to enter into Executive Session pursuant to HRS section 92-5(a)(1) to consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in HRS section 26-9, and to consult with Rodney J. Tam, deputy attorney general, on questions and

issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pursuant to HRS section 92-5(a)(4).

At 10:15 a.m., it was moved by Mr. Yamada, seconded by Mr. Lee, and unanimously carried to move out of executive session and to reconvene to the Board's regular order of business.

After discussion, it was moved by Mr. Lau, seconded by Mr. Yamada, and unanimously carried to approve Mr. Potochney's application for licensure in the C-31a Cement concrete classification and defer his C-49 classification pending additional projects that may date back beyond ten years.

The agenda was taken out of order and continued with "Committee Reports, 2. Recovery/Education Fund Committee".

Committee Reports:

2. Recovery/Education Fund Committee:

Executive Session:

At 10:16 a.m., it was moved by Mr. Dill, seconded by Mr. Yamada, and unanimously carried to enter into Executive Session pursuant to HRS section 92-5(a)(4) to consult with Gary B.K.T. Lee, the Board's recovery fund attorney, on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

At 10:28 a.m., it was moved by Mr. Lee, seconded by Mr. Yamada, and unanimously carried to move out of executive session and to reconvene to the Board's regular order of business.

1. Examination Committee:
Guy Akasaki, Chairperson

None.

3. Legislation Committee:
Denny Sadowski, Chairperson

None.

4. Rules Committee:
Randall B. C. Lau, Chairperson

None.

The agenda was taken out of order and continued with "6. Scope of Activity Committee".

6. Scope of Activity Committee:
Gerald Yamada, Chairperson

Board of Water Supply

The Board of Water Supply (“BWS”) requests a formal determination on whether an “A” General Engineering contractor may perform corrosion protection work, including electrical connections, installation of test stations, valve boxes, bond cables, insulating flange kits, exothermic welds, anodes, cables and all appurtenances.

Recommendation: The Board reaffirms its January 2008 determination that the “A” General Engineering and C-43 Sewer, sewage disposal, drain, contractor may perform cathodic protection work, provided that any electrical work is subcontracted to the C-13 Electrical contractor.

Shredco

Shredco requests determination on whether a license is required to non-invasively shred trees and brush. The shredder cuts and mulches grown trees.

Recommendation: A contractor’s license is not required for recycling, such as scrap metal or green waste. However, a C-27 Landscaping or C-27b Tree trimming and removal contractor’s license is required when using an excavator with a shredder unit attached that non-invasively shred trees, overgrown hau, brush, etc., and clears the land without disturbing the soil in heavily vegetated areas.

Clifford Okinaga

Mr. Okinaga requests determination on whether he can install laminate products (countertops and wall panels) with his C-51 Tile license. Installation is similar to the C-51a Cultured marble work.

Recommendation: The installation of laminate countertops and wall panels does not fall within the scope of the C-51 Tile contractor’s license, and requires a C-5 Cabinet, millwork, and carpentry remodeling and repairs, or a “B” General Building contractor’s license.

Hawaii LECET

1. Hawaii LECET requests determination on whether a contractor license is required for soil boring, drilling for soil testing, and pouring cement to fill the void.

Recommendation: The Board reaffirms its September 2005 and January 2008 scope determinations that a license is not required for soil boring, drilling for soil testing, and pouring of cement to fill the void; provided that the work is performed under the supervision of a geotechnical engineer.

2. Hawaii LECET requests determination on whether the C-32 Ornamental, guardrail and fencing license is required to bid on a DLNR project to install 18.9 miles of 6-foot high wire mesh fencing, and vehicle and pedestrian gates, on the slopes of Mauna Kea.

Recommendation: A C-32 Ornamental, guardrail and fencing license is required for the above project because it appears that the public will have access to the area (e.g., for camping purposes) using “pedestrian” gates called for in the specifications.

C-68TP Power station cooling tower

An applicant applied for a license, but it was determined that the work does not fall under the C-52 Ventilating and air conditioning classification. Therefore, it is being recommended that the scope of the C-68TP Power station cooling tower classification, which was created on April 18, 2008, be clarified to include the demolition, removal, repair, and replacement of various sized pre-fabricated or pre-manufactured cooling towers as follows (amendments are underlined):

“C-68TP Power station cooling tower – to demolish, remove, repair, replace, or install various sized cooling towers for process cooling in refineries, power plant, food processing, manufacturing facilities, and HVAC systems for building comfort. The work includes pre-fabricated, pre-manufactured, and field-erected towers.”

Executive Session:

At 11:19 a.m., it was moved by Mr. Suehiro, seconded by Mr. Yamada, and unanimously carried to enter into Executive Session pursuant to consult with Rodney J. Tam, deputy attorney general, on questions and issues pertaining to the Board’s powers, duties, privileges, immunities, and liabilities pursuant to HRS section 92-5(a)(4).

At 11:47 a.m., it was moved by Mr. Suehiro, seconded by Mr. Yamada, and unanimously carried to move out of executive session and to reconvene to the Board’s regular order of business.

Recess:

Chairperson Arita called for a short recess at 11:48 a.m.

The Board reconvened at 11:56 a.m.

After further discussion, it was moved by Mr. Dill, seconded by Mr. Lee, and unanimously carried to approve the above scope recommendations except for the BWS recommendation.

DAG Tam reviewed paragraphs I.B and I.C. of the BWS letter and explained the items which are electrical and must be performed by the C-13 Electrical contractor and items which may be performed by the “A” General Engineering contractor.

It was moved by Mr. Dill, seconded by Mr. Lee, and carried (Mr. Suehiro recused himself) to approve the following recommendation:

Recommendation: Under paragraph I.B. of BWS' letter:

"L.S. Corrosion protection system, inclusive of anodes, test stations, valve boxes, and all appurtenances, in place complete."

- a. An "A" General Engineering or C-13 Electrical contractor may perform work involving anodes and valve boxes.
- b. Only a C-13 Electrical contractor can perform work involving test stations.

Under paragraph I.C. of BWS letter:

"This item of work shall include providing a complete system as indicated including electrical connections, installation of test stations, bond cables, insulating flange kits, exothermic welds, anodes, cables, and all accessories required for complete operable system, including testing the system after installation.

"This item of work also requires that one Supplier accept responsibility for the WORK as indicated but without altering or modifying the contractor's responsibilities under the Contract Documents.

"This item of work also includes coordination of assembly, installation and testing."

- a. An "A" General Engineering or C-13 Electrical contractor may perform work involving anodes.
- b. Only a C-13 Electrical contractor can perform work involving electrical connections, installation of test stations, bond cables, insulating flange kits, exothermic welds, and cables.

The agenda was taken out of order and continued with "5. Investigation Committee" under "Committee Reports".

5. Investigation Committee:
Neal Arita, Chairperson

- a. Proposed amendments to Subchapter 6, HAR, to codify the scope of work of the "A" General Engineering, "B" General Building, and "C" specialty license classifications.

Chairperson Arita reported that the Investigation Committee met with Craig Uyehara, Hearings Officer, and Dave Karlen, Senior Hearings Officer, of the Office of Administrative Hearings ("Hearings Office"). Mr. Arita stated that the Hearings Officer is limited to the information that is presented to them and can only suggest that the parties involved go to the Board for a scope or license classification determination, but both parties must agree to go to the Board. The Hearings Officers are aware that the Board is the expert and should make these decisions; however, time does not always permit the Board's determination. The hearing in procurement cases have to commence within

21 days and thus there may be insufficient time to obtain a "Board's position" which may only be made at a noticed Board meeting. If determinations are made by the Board after a procurement decision has been made by the Hearings Office, the Board's determination can be shared with the Hearings Office for future cases.

Chairperson Arita also acknowledged that the Committee did receive the Laborers Union letter giving their support of the GCA's language amendment to the Board's rules.

Chairperson Arita stated that the Committee does not accept GCA's proposed language to its rules amendment as is, but feels it is a serious issue that needs continued discussions with the trades and GCA.

It was then moved by Mr. Lau, seconded by Mr. Suehiro, with Mr. Dill opposing, and carried to not accept the proposed language amendment of GCA with the understanding that the Board agrees that the current rules need to be amended, and the Committee will continue to work on these issues.

Chairperson Arita stated that he knows that interested people have raised concerns that the Investigation Committee is not "balanced" between general and specialty contractors. He then recommended the following members to the Investigation Committee: Randall Lau, John Polischeck, Jr., and Aldon Mochida representing general contractors, and Guy Akasaki, Daryl Suehiro, and himself representing the specialty contractors.

While the Board is not agreeable to the language as proposed by the GCA, it is not opposed to other suggestions for change and the Investigation Committee will try to do the right thing by continuing to look into and discuss these matters. The Committee welcomes suggestions from the interested parties but feels that the trades and GCA should also work together to come up with consensus language or suggestions to bring to the Committee. The Investigation Committee will hear comments and suggestions before it makes its recommendations to the Board and the Rules Committee for commencement of the rule amendment process.

When asked if the GCA and other groups could attend the Committee meetings, it was suggested that they try to work together to come up with consensus language to present to the Committee. Mr. Ganaban of the Laborers Union stated that they tried working with other trades before on this issue but some trades were unwilling. It is the Board's hope that the industry will work towards finding consensus.

It was moved by Mr. Dill, seconded by Mr. Kamai, and unanimously carried to appoint Randall Lau, John Polischeck, Aldon Mochida, Guy Akasaki, Daryl Suehiro, and Neal Arita to the Investigative Committee to continue to discuss, seek input on, and work on the scope of work that general and specialty contractors may perform and address the Okada Trucking issues.

The agenda was taken out of order and continued with "Committee Reports, 8. Applications Committee".

8. Applications Committee:
Daryl Suehiro, Chairperson

Mr. Suehiro presented the Applications Committee report:

New
Business:

1. **Request for Change in Business Status:**

- SC-1 Perfecto M. Acosta, RME
ISPECS Inc.
Licensed: "A" General Engineering
"B" General Building
Request: Dual status (Perfecto Engineering
& Construction Services Inc.)
Recommend: Deferral
- SC-2 Helu P. Alatini (Individual)
Licensed: C-27 Landscaping
Request: Dual status (Alatini Landscape Inc.)
Recommend: Approval
- SC-3 Robert K. Fujikawa, RME
R. K. Fujikawa LLC
Licensed: "A" General Engineering
"B" General Building
C-4 Boiler, hot-water heating
& steam fitting
Request: Dual status (Fujikawa Associates Inc.)
Recommend: Approval
- SC-4 Lolo Builders LLC
Joel F. Lolo, Sr., RME
Licensed: "B" General Building
C-31 Masonry
Request: Reactivate
Recommend: Deferral
- SC-5 Malafu Contractors LLC
Matthew H. Deal, RME
Licensed: "B" General Building
Request: Reactivate
Recommend: Deferral
- SC-6 Arthur R. McDonald, Jr., RME
Power Partners Mastec LLC
Licensed: C-13 Electrical
Request: Dual status (Mastec North America
Inc.)
Recommend: Approval

- SC-7 Narito Sheetmetal & Mechanical Corporation
Lance C. Narito, RME (Additional classification)
Licensed: "B" General Building
Request: Reactivate
Recommend: Deferral
- SC-8 Pool Pond Hawaii Inc.
John P. Carothers, RME
Licensed: "B" General Building
C-49 Swimming pool
Request: Reactivate
Recommend: Approval
- SC-9 Tyrone J. Takahashi, RME
Solarcity Corporation
Licensed: C-13 Electrical
Request: Reactivate
Recommend: Deferral
- SC-10 Henry D. Thomas, RME
Fibrwrap Construction Services Inc.
Licensed: "A" General Engineering
Request: Dual status (Insituform Technologies Inc. & Fibrwrap Construction Services USA Inc.)
Recommend: Approval
- SC-11 Kris J. Vadla, RME
Viking Renewable Energy LLC
Licensed: "B" General Building
Request: Dual status (Viking Construction Inc.)
Recommend: Approval
- SC-12 Edward A. Vares (Individual)
Licensed: "B" General Building
C-17 Excavating, grading & trenching
Request: RME to sole
Recommend: Deferral

It was moved by Mr. Lee, seconded by Mr. Akasaki, and unanimously carried to approve the above recommendations.

2. Request for Waiver of Bond Requirement

- WB-1 Jack A. Delos Santos (Individual)
Licensed: C-7 Carpet laying
Request: Waiver of \$18,000 bond
Recommend: Approval

WB-2 Hadley & Bermoy Enterprises LLC
William W. Hadley, RME
Licensed: C-44a Gutters
Request: Waiver of \$45,000 bond
Recommend: Approval

WB-3 Home Depot USA Inc.
Susan I. Amaral, RME
Licensed: C-53 Miscellaneous retail products
Request: Waiver of \$50,000 bond
Recommend: Approval

WB-4 Sonshine Electric & Solar LLC
Edwin Q. Gutierrez, RME
Licensed: C-13 Electrical
Request: Waiver of \$10,000 bond
Recommend: Approval

The Applications Committee reviewed the financial statements and documentation provided, and makes the above recommendations.

It was moved by Mr. Lee, seconded by Mr. Akasaki, and unanimously carried to approve the request for waiver of bond in items WB-1 through WB-4.

Applications

A:

Approve applications, subject to all requirements except examinations.

1. Akua Air Conditioning LLC
Calbert H. Baitlon, RME
C-52 Ventilating & air conditioning
Bond: \$61,000
2. Aloha Alarm LLC
Mark A. Plischke, RME
C-15 Electronic systems
3. California Sandblasting &
Coating Inc.
Roberto Robles, RME
C-33 Painting & decorating
Bond: \$168,000
4. Delta AG LLC
Eric K. Kunimura, RME
C-13 Electrical
C-62 Pole & line
5. Details International Inc.
Edward S. Honda, RME
"B" General Building
C-22 Glazing & tinting
Bond: \$147,000

6. Fibrwrap Construction Services Inc.
Henry D. Thomas, RME
"A" General Engineering
(Dual status – Insituform Technologies Inc. & Fibrwrap Construction Services USA Inc.)
7. Fibrwrap Construction Services USA Inc.
Henry D. Thomas, RME
"A" General Engineering
(Dual status – Insituform Technologies Inc. & Fibrwrap Construction Services Inc.)
8. R. K. Fujikawa LLC
Robert K. Fujikawa, RME
"A" General Engineering
"B" General Building
C-4 Boiler, hot-water heating & steam fitting)
(Dual status – Fujikawa Associates Inc.)
9. Helix Electric Inc.
Thomas C. Nuetzel, RME
C-15 Electronic systems
C-62 Pole & line
(Additional classification)
10. Iopono Holdings Group LLC
Dana C. Bergeman, RME
"B" General Building
Bond: \$15,000
11. David J. Jamisen (Individual)
Edward B. Butac, RME
C-15 Electronic systems
Bond: \$5,000
12. Johnson's Plumbing LLC
Elton A. K. Johnson, RME
C-37 Plumbing
13. Ksalectric LLC
Keith I. Sasaki, RME
C-13 Electrical
14. Larry's Plumbing & Solar Inc.
Larry B. Pascua, RME
C-37 Plumbing
Bond: \$5,000
15. Na Ke Akua Construction Group Inc.
Keith Kaneshiro, RME
"A" General Engineering
C-24 Building, moving & wrecking

16. Ocean Paradise Builders LLC
Gary D. Phillips, RME
"B" General Building
17. Ohana Control Systems Inc.
Danny W. Colton, RME
C-13 Electrical
18. Plumbing Projects LLC
Marc I. Ryusaki, RME
C-37 Plumbing
Bond: \$9,000
19. Power Partners Mastec LLC
Arthur R. McDonald, Jr., RME
C-13 Electrical (Dual status – Mastec
North America Inc.)
20. RMA Land Construction Inc.
Rogelio P. Buccat, RME
C-13 Electrical (Additional classification)
21. E. M. Rivera and Sons Inc. (Conditional)
Hiram P. Rivera, RME
"A" General Engineering
C-31b Stone masonry
Bond: \$1,000,000
22. Brendon E. Schoch (Individual)
"B" General Building
23. Sea Engineering Inc. (Additional classification)
Bruce C. Gilbert, RME
"B" General Building
C-23 Guniting
C-31 Masonry
24. Shafer's Roofing LLC
Bernadette S. Robins, RME
C-42 Roofing (Additional classification)
"B" General Building (defer)
25. Viking Renewable Energy LLC
Kris J. Vadla, RME
"B" General Building (Dual status – Viking
Construction Inc.)
26. Glennon K. N. Young (Individual)
dba Hi-Tech Services
C-7 Carpet laying
C-21 Flooring
C-51 Tile

It was moved by Mr. Lee, seconded by Mr. Akasaki, and unanimously carried to approve items A-1 through A-26 as recommended by the Applications Committee subject to all requirements for licensure excluding examinations.

Applications
B:

Approve applications; subject to all requirements including examinations in Parts I and II, except as otherwise noted.

1. AIS Construction Company (Additional classification)
Andrew Sheaffer, RME
"A" General Engineering
2. Aldhi Inc.
Philip S. Meckley, RME
C-37 Plumbing
Bond: \$12,000
3. All Island Bath Remodeling LLC
Guy K. Kakugawa, RME
C-5 Cabinet, millwork, & carpentry
remodeling & repairs
4. Avar Construction Systems Inc.
Michael A. Pagano, RME
"A" General Engineering
5. BMK Construction LLC (Additional classification)
Randy L. Potochney, RME
C-31a Cement concrete
C-49 Swimming pool (defer)
6. Paul G. Burnham (Individual)
"B" General Building
Bond: \$22,000
7. CM Construction LLC (Additional classification)
Mark D. Inoshita, RME
"B" General Building
Bond: \$11,000
8. Shi Jin Cao (Individual)
"B" General Building
Bond: \$5,000
9. Concord General Contracting Inc.
Dale A. Marr, RME
"B" General Building
10. Cooling Tower Depot Inc.
Michael A. Kast, RME
C-68TP Power station cooling tower

11. Dave's General Construction LLC
Davelyn M. U. K. Leong, RME
"B" General Building
12. ERM-West Inc.
David F. Scrivner, RME
"A" General Engineering
13. Rene A. Figueredo (Individual)
"B" General Building
Bond: \$42,000
14. Garrett W. Fultz, RME
Irwin Industries Inc.
C68RH Refinery & resource recovery
equipment (repair & installation
of refinery process equipment &
piping, & resource recovery
equipment)
"A" General Engineering (deny)
15. Ronnie V. Gamiao (Individual)
C-13 Electrical
16. Jeffrey J. Gilbert (Individual)
C-37 Plumbing
Bond: \$24,000
17. Michael B. Goodyear (Individual)
"B" General Building
18. Ground Shakers Limited Liability
Company
Bushrod G. Meyers, RME
C-17 Excavating, grading & trenching
19. Haskell Corporation
dba F. M. Haskell Corporation
Evan M. Haskell, RME
"B" General Building
20. Bronson S. Haunga (Individual)
"B" General Building
21. Hellas Construction Inc. (Additional classification)
Reed J. Seaton, RME
C-3 Asphalt paving & surfacing
C-17 Excavating, grading & trenching
C-31a Cement concrete

22. Heritage Construction Inc.
Shane T. Vincent, RME
"B" General Building
"A" General Engineering (deny)
C-1 Acoustical & insulation (withdraw)
C-12 Drywall (withdraw)
C-36 Plastering (withdraw)
Bond: \$8,000
23. Robson K. Hind, RME
Neil J. Wiedemann, RME
C-40 Refrigeration
C-52 Ventilating & air conditioning
24. Hudco Inc.
Steven R. Hudson, RME
"B" General Building
25. Daren Kaneshiro, RME
MD Cleaners LLC
"B" General Building
26. Shane M. Kea (Individual)
C-32 Ornamental, guardrail & fencing
27. King's Painting LLC
Keoni P. Krause, RME
C-33 Painting & decorating
28. Kirkland Construction R. L. L. P.
Baxter W. Kirkland, RME
"A" General Engineering
29. Colin J. Lacno, RME
American Piping & Boiler Co.
"A" General Engineering
C-13 Electrical (defer)
30. J. R. Lennen Construction Inc.
Jack R. Lennen, RME
"B" General Building
31. Madison Industries
John S. Frey, Jr., RME
C-48 Structural steel
"B" General Building (approve 8/11)
Bond: \$599,000
32. Efren V. Mateo (Individual) (Additional classification)
"A" General Engineering
Bond: \$27,000

33. Maui Renovations LLC
Stephen Douglas, RME
C-5 Cabinet, millwork, & carpentry
remodeling & repairs
Bond: \$7,000
34. Ricky R. Miles (Individual)
C-42 Roofing
C-60 Solar power systems (withdraw)
Bond: \$5,000
35. Donald L. Morrison, RME
Honu'apo I LLC
"B" General Building
36. Na Ke Akua Construction Group Inc.
Russell K. H. Luke, RME
"A" General Engineering
"B" General Building
37. Gary E. Riggan, RME
Kirkland Construction R. L. L. P.
"A" General Engineering
38. Julian Rillamas, III (Individual)
C-22 Glazing & tinting
Bond: \$10,000
39. Roofing Constructors, Inc.
Mark G. Bledsoe, RME
C-42 Roofing
40. Sakoda Painting & Services LLC
Travis K. K. Sakoda, RME
C-33 Painting & decorating
Bond: \$8,000
41. Edward G. Sanchez (Individual)
C-17 Excavating, grading & trenching
C-24 Building, moving & wrecking
Bond: \$19,000
42. Gerald Scheltens (Individual)
C-5 Cabinet, millwork, & carpentry
remodeling & repairs
"B" General Building (deny)
43. Jean G. Schnetzler (Individual)
C-51 Tile
**C-5 Cabinet, millwork, & carpentry
remodeling & repairs (approve 8/11)
C-33 Painting & decorating (approve 8/11)**

44. Michael T. Sharp (Individual)
C-21 Flooring
45. Sok Su Inc. (Additional classification)
Sok Su Kim, RME
"B" General Building
Bond: \$5,000
46. C. Summo Construction LLC (Additional classification)
Christopher Summo, RME
C-32 Ornamental, guardrail & fencing
47. Superior Concrete Services Inc. (Additional classification)
Kevin K. Mashino, RME
"B" General Building
C-31 Masonry (defer)
48. Christopher G. Sutherland, RME
Up-Country Electric Company Inc.
C-13 Electrical
49. 2005 Work Smart Corp.
Robert M. Vavul, RME
C-25 Institutional & commercial equipment
50. Benjamin T. Tapat (Individual) (Additional classification)
"B" General Building
51. Neil G. Thompson (Individual) (Additional classification)
C-17 Excavating, grading & trenching
C-43 Sewer, sewage disposal, drain,
& pipe laying
52. Charijean A. Watanabe, RME
Akamai Glass Company Inc.
C-22 Glazing & tinting
53. Brent J. Williams (Individual)
"B" General Building
54. Mark H. Witkowski (Individual)
C-12 Drywall
55. Woodstock Builders LLC
Stanford G. Higuchi, RME
"B" General Building
56. Patrick A. Young (Individual)
C-33 Painting & decorating

57. Yuanda USA corporation
David C. Rodney, RME
C-22 Glazing & tinting

It was moved by Mr. Lee, seconded by Mr. Akasaki, and unanimously carried to approve items B-1 through B-57 as recommended by the Applications Committee, subject to all requirements for licensure including examinations.

Applications

C:

Withdraw applications; previously deferred.

1. Heritage Construction Inc.
Shane T. Vincent, RME
"A" General Engineering
C-1 Acoustical & insulation
C-12 Drywall
C-36 Plastering
"B" General Building (approve)
2. Ricky R. Miles (Individual)
C-60 Solar power systems
C-42 Roofing (approve)
3. Edwin S. Valdez, RME
2005 Work Smart Corp.
C-25 Institutional & commercial equipment

Applications

D:

Deny applications; failure to show requisite experience and/or failure to show good reputation for honesty, truthfulness, financial integrity, and fair dealing.

1. Archive Decorative Finishing Company
Robert E. Del Signore, RME
C-12 Drywall
C-36 Plastering
C-33 Painting & decorating (approve 3/11)
2. Sione Filimoehala (Individual)
C-31 Masonry
3. Garrett W. Fultz, RME
Irwin Industries Inc.
"A" General Engineering
C68RH Refinery & resource recovery equipment (repair & installation of refinery process equipment & piping, & resource recovery equipment) (approve)
4. Brian C. Hattal (Individual)
C-40 Refrigeration
C-52 Ventilating & air conditioning

5. Viliami P. Kaho (Individual)
C-31 Masonry
6. Anthony W. Laglia, RME
Solarcity Corporation
C-13 Electrical
7. Powerhouse Solar Hub Hawaii LLC
Jacob B. Thoene, RME
"B" General Building
C-61 Solar energy systems
8. Gerald Scheltens (Individual)
"B" General Building
**C-5 Cabinet, millwork, & carpentry
remodeling & repairs (approve)**
9. Dana M. Shaffer, RME
Safety Systems Hawaii, Inc.
C-14 Sign
C-32 Ornamental, guardrail, & fencing
10. Sokol Construction LLC
Paul V. Sokolov, RME
C-32 Ornamental, guardrail, & fencing
11. Southam and Associates Inc.
David L. Southam, RME
C-42a Aluminum & other metal shingles
**C-42 Roofing (deny 7/11)
C-44 Sheet metal (approve 6/11)**
12. William H. Stanley, II (Individual)
C-3 Asphalt paving & surfacing
13. Tevita Tongotea, Jr., RME (Additional classification)
H. T. M. Contractors Inc.
"A" General Engineering
14. XY Construction LLC
Xiuyun Xie, RME
"B" General Building

It was moved by Mr. Lee, seconded by Mr. Akasaki, and unanimously carried to deny applications D-1 through D-14 as recommended by the Applications Committee.

Applications

E:

Defer applications; for further investigation or request for additional documentation.

1. Paulino A. Abad (Individual)
"B" General Building
C-31 Masonry
C-33 Painting & decorating
C-36 Plastering
C-51 Tile
2. Alafale LLC
Sautia Lave, RME
C-42 Roofing
3. All Things Electrical LLC (Additional classification)
Steven R. Maratta, RME
C-49 Swimming pool
4. Arcadia Painting Inc.
Dean Richarde, RME
C-33 Painting & decorating
5. Douglas K. Awai, Jr. (Individual) (Additional classification)
C-41 Reinforcing steel
6. BMK Construction LLC (Additional classification)
Randy L. Potochney, RME
C-49 Swimming pool
C-31a Cement concrete (approve)
7. BSE PV LLC
Gregory D. Stewart, RME
"B" General Building
8. Balfour Beatty Construction LLC
Mark R. Finucane, RME
"B" General Building
9. Flavio Bermejo Barrera (Individual) (Additional classification)
C-55 Waterproofing
10. Basalt LLC
Tony R. Johnson, RME
C-31a Cement concrete
11. Blackrock Stone & Tile LLC
Benjamin J. Watts, RME
C-51 Tile
12. Blue Moon Apple Inc.
Tyler L. Hedemark, RME
C-22a Glass tinting

13. Lawrence S. Brown, RME
URS Energy & Construction Inc.
"A" General Engineering
"B" General Building
14. Scott A. Clark, RME
Longhouse Development LLC
"B" General Building
15. Clean Sewer Lines Hawaii Incorporated (Additional classification)
Jonathan M. Madsen, RME
C-5 Cabinet, millwork, & carpentry
remodeling & repairs
16. Cobra BEC Inc.
Aaron W. Nuss, RME
C-42 Roofing
17. Covanta Projects Inc.
Bradley J. Hooper, RME
C-4 Boiler, hot-water heating &
steam fitting
C-56 Welding (approve 8/11)
18. Covenant Construction LLC
Shawn T. Delos Santos, RME
"B" General Building
19. Dalton Hydro LLC
Todd J. Dorny, RME
"B" General Building
20. Benito K. Deluna, Jr. (Individual) (Additional classification)
C-9 Cesspool
21. Alexander L. Denoyer, RME
Kirkland Construction R. L. L. P.
"A" General Engineering
22. Jeffrey A. Durham, RME
C. C. Engineering & Construction Inc.
C-41 Reinforcing steel
C-48 Structural steel
"A" General Engineering (approve 6/11)
"B" General Building (approve 6/11)

23. Eliam Construction LLC
Erick M. Allende, RME
"B" General Building
C-12 Drywall
C-17 Excavating, grading & trenching
C-31 Masonry
C-49 Swimming pool
24. Esunis Builders Limited
William D. Esunis, RME
"B" General Building
C-6 Carpentry framing
C-21 Flooring
C-31a Cement concrete
C-42 Roofing
C-51 Tile
25. Evolution Builders LLC
Cameron M. Heide, RME
"B" General Building
C-17 Excavating, grading & trenching
C-31 Masonry
26. Penitila Faamoe (Individual)
C-31 Masonry
27. Stephen S. Futa (Individual)
"B" General Building
28. Brett P. Gontarek (Individual)
C-5 Cabinet, millwork, & carpentry
remodeling & repairs
29. Chelsie L. Haunga (Individual)
"B" General Building
30. Hawaii Industrial Structures Inc. (Additional classification)
William R. Crocker, RME
C-1 Acoustical & insulation
C-20a Fire repressant systems
C-42g Roof coatings
31. Timothy J. Hawks, RME (Additional classification)
RMA Land Construction Inc.
C-13 Electrical
32. James B. Higgs, RME
Kirkland Construction R. L. L. P.
"A" General Engineering
33. Christopher Hilacion (Individual)
C-60 Solar power systems

34. Dean A. Huhane (Individual)
"B" General Building
35. ISPECS Inc.
Perfecto M. Acosta, RME
"A" General Engineering
"B" General Building
(Dual status – Perfecto Engineering & Construction Services Inc.)
36. Imua Builders LLC
King Wong, RME
C-7 Carpet laying
C-21 Flooring
(Additional classification)
37. Integrity Builders & Associates Inc.
Edward A. Padilla, Jr., RME
"B" General Building
38. Ironwood Construction LLC
Clifton K. Bailey, Sr., RME
"B" General Building
39. Island Window Tinting LLC
Lance K. Gomes, RME
C-22a Glass tinting
40. J. J. A. Electric & Kold-Draft LLC
Xan Chen, RME
C-52 Ventilating & air conditioning
(Additional classification)
41. J5 Asphalt & Excavating Inc.
Jacob L. Medeiros, RME
C-3 Asphalt paving & surfacing
C-17 Excavating, grading & trenching
C-37a Sewer & drain line
42. Kaha Construction LLC
Milton Kaha, Sr., RME
"A" General Engineering
"B" General Building
43. Mark J. Kennedy (Individual)
"B" General Building
44. Koa Systems Hawaii LLP
Joey J. Kau, RME
C-15a Fire & burglar alarm
45. George T. Krail (Individual)
"B" General Building

46. Colin J. Lacno, RME
American Piping & Boiler Co.
C-13 Electrical
“A” General Engineering (approve)
47. Brian M. Lamb, RME
Wastewater & Pump Specialties of Kona LLC
“A” General Engineering
C-37e Treatment & pumping facilities
48. Kai K. Lau (Individual) (Additional classification)
C-13 Electrical
49. Siao Si Lautaha (Individual)
C-27 Landscaping
C-31 Masonry
50. Allen S. Lee (Individual)
“B” General Building
51. C. A. Lindman Inc.
Robert G. Pusheck, RME
“B” General Building
C-31 Masonry
C-38 Post tensioning
C-55 Waterproofing
52. Isaac C. Lopes (Individual)
“B” General Building
53. Andrew Lozano (Individual)
“A” General Engineering
54. MDR Group LLC
Sean R. Grealis, RME
C-33 Painting & decorating
55. Ana F. Makoni, RME
Niu Pacific LLC
C-27 Landscaping
**C-27b Tree trimming & removal
(qualifies)**
56. Faleaka L. Masaniai (Individual)
C-31 Masonry
C-31b Stone masonry (qualifies)
57. Masterpiece Construction LLC
Christopher Oxendine, RME
“B” General Building
C-51 Tile

58. Garth Masters Masonry Inc.
Garth H. Masters, RME
C-31 Masonry
C-49 Swimming pool
59. Andrew C. Matsik (Individual)
"B" General Building
60. Robert W. McClintock (Individual)
"B" General Building
61. Nah Security Services Inc.
Norman J. Ah Hee, RME
C-27 Landscaping
62. New View Inc.
Jeffrey G. Satterwhite, RME
"B" General Building
C-22 Glazing & tinting
63. Efren O. Nicolas (Individual)
"B" General Building
**C-5 Cabinet, millwork, & carpentry
remodeling & repairs (qualifies)**
64. Kenny Noe (Individual)
"A" General Engineering
"B" General Building (approve 6/11)
65. Pacific Islands Group LLC (Additional classification)
Dennis P. Swart, RME
C-60 Solar power systems
66. Pua Ohana Tree Trimming &
Landscaping LLC
Iasinita Finau, RME
C-27 Landscaping
67. R & L Ohana Insulation Inc. (Additional classification)
Ronald G. Labanon, Jr., RME
C-1 Acoustical & insulation
68. RBK Construction Inc.
John E. Neumeister, RME
"A" General Engineering
69. RPM Remodeling LLC
Glen M. Yoshikane, RME
"B" General Building
**C-5 Cabinet, millwork, & carpentry
remodeling & repairs (approve 5/11)**

70. Rockline LLC
Tevita S. Lauaki, RME
C-27 Landscaping
71. Chris J. Ronco, RME
Underground Construction Co. Inc.
C-15 Electronic systems
“A” General Engineering (approve 6/11)
72. Rosendin Electric Inc.
Mark J. Penner, RME
C-13 Electrical
73. Ross & Associates of River Falls
Wisconsin Limited
Daniel H. Ross, RME
“B” General Building
74. Shawn Santos Construction Inc.
Shawn A. Santos, RME
“B” General Building
75. Martin Schmieder (Individual)
C-13 Electrical
76. Patrick D. Senckowski, RME
Purair Hawaii II Ltd.
C-52 Ventilating & air conditioning
77. Shafer’s Roofing LLC
Bernadette S. Robins, RME (Additional classification)
“B” General Building
C-42 Roofing (approve)
78. Roy Y. Shioi, RME (Additional classification)
Shioi Construction Inc.
C-31 Masonry
C-33 Painting & decorating
C-55 Waterproofing
79. Solar Rayes Services LLC
Thomas Raye, RME
C-13 Electrical
C-40 Refrigeration
C-60 Solar power systems
C-61 Solar energy systems
80. Superior Concrete Services Inc. (Additional classification)
Kevin K. Mashino, RME
C-31 Masonry
“B” General Building (approve)

81. TMRK Hawaii Inc. (Additional classification)
Paul M. Yoshida, RME
C-6 Carpentry framing
82. Colin P. Thompson (Individual)
C-5 Cabinet, millwork, & carpentry
remodeling & repairs
C-24 Building, moving & wrecking
83. James M. Towsley, RME (Additional classification)
Hellas Construction Inc.
"A" General Engineering
"B" General Building
84. UT & S Drywall Corp.
Ubaldo Trujillo, RME
C-12 Drywall
85. Universal Welding LLC
Matthew F. Jumalon, RME
C-48 Structural steel
C-56 Welding
86. Philip J. Vaichis (Individual)
"B" General Building
**C-5 Cabinet, millwork, & carpentry
remodeling & repairs (qualifies)**
87. Dennis J. Wills (Individual)
C-5 Cabinet, millwork, & carpentry
remodeling & repairs
C-33 Painting & decorating
88. J. Wright & Associates Inc.
John W. Bowers, RME
C-7 Carpet laying
C-51 Tile

It was moved by Mr. Lee, seconded by Mr. Akasaki, and unanimously carried to accept the recommendations made by the Applications Committee on items E-1 through E-88.

The agenda was taken out of order and continued with "Correspondence".

Correspondence: Nicholas Bredimus

Nicholas Bredimus filed a complaint with RICO against a contractor and its RME for failure to complete the project, workmanship issues, out-of-scope activity, utilizing unlicensed contractors, and submitting false information regarding the RME's work experience. The complaint was placed on inactive status by RICO for insufficient evidence.

Mr. Bredimus has provided copies of his complaint and accompanying documents to the Board for review and possible action against the contractor, as nothing has come of his filing the complaint with RICO.

The Board discussed this matter and indicated that there is a process to go through when filing and investigating complaints which cannot be circumvented. RICO is the Board's investigative arm and because licensees are afforded due process, a complaint must go through the established process.

It was moved by Mr. Dill, seconded by Mr. Lee, and unanimously carried to send a staff initiated complaint to RICO.

The agenda was taken out of order and continued with "Committee Reports, 7. Conditional License Report".

7. Conditional License Report
Verna Oda, Executive Officer

E. M. Rivera and Sons Inc./Hiram P. Rivera, RME

Executive Session:

At 12:20 p.m., it was moved by Mr. Dill, seconded by Mr. Suehiro, and unanimously carried to enter into Executive Session pursuant to HRS section 92-5(a)(1) to consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in HRS section 26-9, and to consult with Rodney J. Tam, deputy attorney general, on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pursuant to HRS section 92-5(a)(4).

At 12:30 p.m., it was moved by Mr. Kamai, seconded by Mr. Lee, and unanimously carried to move out of executive session and to reconvene to the Board's regular order of business.

After discussion, it was moved by Mr. Dill, seconded by Mr. Lee, and carried (Messrs. Suehiro, Lau, and Yamada recused themselves) to approve Mr. Rivera and E. M. Rivera and Sons Inc. for a conditional license, subject to the following conditions:

- a. Submittal of quarterly updates on the status of the mechanic's liens and civil suits until such time they are released and verification is provided the Board;
- b. Submittal of quarterly financial statements prepared and signed by a licensed CPA; and
- c. Submittal of a \$1,000,000 surety bond executed by Mr. Rivera as principal and by a surety company authorized to do business in this State as surety.

The agenda was taken out of order and continued with the Owner-Builder Exemption Applications under the Applications Committee report.

8. Applications Committee:
Daryl Suehiro, Chairperson

Owner-Builder Exemption Applications

- a. Robert & Julie Irwin
- b. Bruce L. Terry
- c. David Ghee
- d. Douglas L. Deasy

Executive Session:

At 12:31 p.m., it was moved by Mr. Mochida, seconded by Mr. Lau, and unanimously carried to enter into Executive Session pursuant to HRS section 92-5(a)(1) to consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in HRS section 26-9, and to consult with Rodney J. Tam, deputy attorney general, on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pursuant to HRS section 92-5(a)(4).

At 12:36 p.m., it was moved by Mr. Lee, seconded by Mr. Yamada, and unanimously carried to move out of executive session and to reconvene to the Board's regular order of business.

After discussion, it was moved by Mr. Akasaki, seconded by Mr. Martin, with Mr. Mochida opposed, and carried to approve the owner-builder exemption applications of Robert and Julie Irwin, Bruce L. Terry, David Ghee, and Douglas L. Deasy.

The agenda continued with "Unfinished Business".

Unfinished Business:

None.

New Business:

None.

Other Business:

None.

Industry Concerns:

None.

Next Meeting:

Friday, October 21, 2011

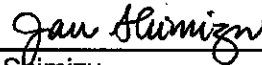
Adjournment: There being no further business to discuss, the meeting was adjourned at 12:37 p.m.

Reviewed and approved by:

Taken and recorded by:



Charlene L.K. Tamanaha
Executive Officer



Jan Shimizu
Secretary

[] Minutes approved as is.

[] Minutes approved with changes. See Minutes of 10/21/11.

10/20/11