CONTRACTORS LICENSE BOARD

Inetnon Malisensiayen Kontratista

542 North Marine Corp Drive A. – Tamuning, Guam 96913
(Tel) 649-2211/ 646-7626; (Fax) 649-2210

EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

EDUARDO R. ORDONEZ
EXECUTIVE DIRECTOR

February 1, 2017

VIA HAND DELIVERY

Speaker Benjamin J.F. Cruz
I Mina'trentai Kuattro Na Liheslaturan Guahan
155 Hesler Place
Hagatna, GU 96910

Speaker Benjamin J.F. Cruz
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SUBJECT: SUBMISSION OF AUGUST 17, 2016 BOARD MEETING MINUTES

Hafa Adai,

Enclosed is the Agenda and Minutes for the Contractors License Board Regualarly Monthly Meeting that was held on August 17, 2016.

If you have any questions or concerns please feel free to contact me or my private secretary Resiah Mae M. Nelsen at 671-647-2965.

Sincerely,

Eduardo R. Ordonez
Executive Director

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EXECUTIVE DIRECTOR

Regular Board Meeting
August 17, 2017
CLB Conference Room

AGENDA

I. Call to Order

II. Roll Call

III. Approval of Minutes – July 20, 2016

IV. Public Comment

V. Section Report

a. Administration Division – Maria Perez (Admin Officer)
b. Investigation Division – Eduardo Zapanta (Investigation Supervisor)

VI. Old Business

a. Letter of Appeal from Tereas, Inc. – Investigator N. Bailey
b. Update on CLB approval and assessment of Civil Penalties – Investigator V. Aguon

VII. New Business

a. Hearing Request – Case # 2016-02-05: CLB vs. Island Corner Stone Corp.
b. Hearing Request – Case # 2016-02-06: CLB vs. Island Corner Stone Corp.

VIII. Executive Directors Report

IX. Announcements – Next Scheduled Board Meeting for September 21, 2016 @ CLB Conf. Room.

X. Adjournment

CONTRACTORS LICENSE BOARD

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542 North Marine Corp Drive A. – Tamuning, Guam 96913
649-2211, 649-9676, 649-2210 (Fax)

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LIEUTENANT GOVERNOR

EDUARDO R. ORDONEZ
EXECUTIVE DIRECTOR

Regular Board Meeting
August 17, 2016
CLB Conference Room, Upper Tumon
Minutes of August 17, 2016

I. Call To Order

II. Roll Call:
   a. Reilly Ridgell, Chairman
   b. Adelia Custodio, Vice Chairman
   c. Robert Tongsong, Ex-Officio – Dept. of Rev & Tax (Alternate)
   d. James Casallo, Member

   CLB Staff Members Present:
   a. Eduardo Ordonez, Executive Director
   b. Resiah Mae Malaga, Private Secretary
   c. Maria Perez, Administrative Officer
   d. Nida Bailey, Investigator
   e. Vince Aguon, Investigator

   Guest(s) Present:
   a. Samuel Tereas, Tereas Inc.
   b. Jeremey Tereas, Tereas Inc.

III. Approval of Minutes for July 20, 2016 Board Meeting
   Motion Made by Adelia Custodio and Seconded by James Casallo

IV. Public Comment: No Public Comments were presented

V. Section Reports:
   a. Maria Perez – Ms. Maria Perez informed the Board that she was conducting research on penalties and fines in the states of California and Hawaii. Mentioned that the minimum fine starts at $100 and goes up to a maximum of $1000. Ms. Maria Perez also informed the Board that he has not moved forward with GCC and the examinations because she has not been able to contact Mr. Yanger since the Fall Semester had begun for GCC and its students.
   b. Eduardo Zapanta – Not Present

VI. Old Business:

a. Investigator Nida Bailey introduced Mr. Jeremey Tereas (Owner) and Mr. Samuel Tereas (RME) from Tereas, Inc. Mrs. Nida Bailey informed the Board that Tereas, Inc. was present to appear the Boards decision "to refuse to renew their License" that was made during the July 20th Board Meeting and renew their Contractors License. Tereas, Inc.
   - **Mrs. Nida summarizes the letter provided by Tereas, Inc.**: they request for their License to be renewed due to the following issues: **1**. They have proof of financial solvency, **2**. They currently have a payment plan between Tereas, Inc. and Mr. Tedtaotao and Mr. Nelson, and **3**. They promise the Board and its Members that they will be in good standings and will abide by the CLBs Rules & Regulations.
   - **Reilly Ridgell (Chairman):** We really do not have a choice in this because that was taken away from US by the Attorney General. The forms and procedure were not properly done according to the Administrative Adjudication Law (AAL). Chairman quotes the Letter from the AG, "The Board can bring these actions again, and they must do so properly and advise our office in pursuant to the AAL.
   - **James Casallo:** Mr. James Casallo questioned the current financial repayment plan for Mr. Tedtaotao (down payment of $10,000) and Mr. Nelson (payment of $14,000).
   - **Jeremy Tereas:** We currently do have a balance with Mr. Tedtaotao about $60,000. We have a contract to grade their property. The Family has altered the grading plan of the property, so what we are plan on doing is provide the service to offset the remaining balance. The grading work is pretty extensive, we will finalize the scope of work, give them the proposal and if they accept then we will offset the balance.

   Motion to administer a 90 days provisional license to Tereas, Inc. was made by James Casallo (that after the 90 days the Board will follow up with Tereas, Inc. and if they continue on their promise they will be issued a full Contractors License) seconded by Adelia Custodio. All Board Members voted in favor of the motion.

b. Investigator Vince Aguon stated that he had been in contact with the Board regarding the proposed "Approved Assessments of Civil Penalties". Ms. Maria Perez stated that she has a copy of the California Assessments of Civil Penalties. Also Ms. Maria Perez stated that she has had a problem conducting the needed research because she is currently taking procurement classes. Mentioned that the Safety violations in California is under OSHA. Ms. Maria Perez also mentioned again that in California minimum is $100-$200 (minimum). She also mentions that OUR Law states its minimum is $200, and it's for per incident and not per person. Mr. Vince Aguon mentions that in California they are able to cite any amount for their fees and assessments because California has a different economic status than Guam. Chairman states that he wants the Board to move forward with the "Approved Assessments of Civil Penalties". Mrs. Nida Bailey states that, Yes at the moment we do have some type of scheduled fees that have been in place since Sen. Morrison's time at the CLB, but she understands that Mr. Vince Aguon is trying to get the safety side of the fees since currently what they are doing is citing $200 per person. Mr. James Casallo mentioned that the best thing to do is to have the investigators together along with the Executive Director and the Administrative Office to work together to create an agreeable "Assessments of Civil Penalties".

VII. New Business:
   a. Case # 2016-02-05: CLB vs. Island Corner Stone
   b. Case # 2016-02-06: CLB vs. Island Corner Stone
      - Investigator Vince Aguon stated that Island Corner Stone is currently requesting a hearing regarding their current cases that are open with the CLB. Also stated that within the past three (3) years to date that they have a total of 5 citations/ cases with the CLB. According to Mr. Vince Aguon it has been a habitual for Island Corner Stone to have the same violations for each citation.

Hearing request made by Island Corner Stone has been granted by Chairman Reilly Ridgell for the next scheduled Board Meeting (September 21, 2016).

VIII. Executive Directors Report:

a. Director Eduardo Ordonez mentioned that as of August 17, majority of the Contractors have renewed their licenses, with a few still renewing every week.

IX. Announcements:

a. Next scheduled Board Meeting is scheduled for September 21, 2016 @ the CLB Conference Room.
b. Announcement made by Chairman Reilly Ridgell: his term expires on September 19, 2016 and he will not be renewing his membership.

X. Adjournment: 6:03 pm, motion to adjourn made by Adelia Custodio and seconded by James Casallo.