

LANDSCAPE CONTRACTORS BOARD
Minutes of the May 4, 2015
Board Meeting
Conference Call

PRESENT

Board Members

Molly Dunston, Chair
William Bumgardner, Vice Chair
John Gawlista
Larry Hoekman
Christine Hollenbeck
Annie Lee

Excused

Loren Radford

Guests

None

Staff

Shelley Sneed, Interim Administrator
Kim Gladwill-Rowley, Program Manager
Michael Hintz, Investigator

1. CALL TO ORDER

The meeting was called to order at 3:05 pm by Ms. Dunston, Chair.

2. EMPLOYMENT/RECRUITMENT OF ADMINISTRATOR

A. Review of Applicant's Background and Reference Check

The Board reviewed Mr. Thomas's written report regarding Ms. Boxall's background and reference check. Mr. Thomas stated Elizabeth Boxall has passed the background check and he also spoke with several of her references and received positive reports. Everyone had so much praise and great stories to tell about how she tackled projects. Chair Dunston negotiated the pay rate with Ms. Boxall and she has agreed to accept the position at step 5 with a start date of May 15, 2015.

Chair Dunston thanked Mr. Thomas for all the work in checking the references.

BOARD ACTION: Moved by Mr. Bumgardner and seconded to hire Elizabeth Boxall as the LCB Administrator effective May 15, 2015 with the current Administrator's delegated authority of an annual salary of \$85,212. Vote: 6-0 (Radford absent).

B. Financial Authority

Ms. Sneed reported the Board needs to grant Ms. Boxall financial authority based on her hiring. Ms. Sneed's current credit card limit is \$12,000 and there was only one time that was close to that amount that included purchasing the David Sauter books.

BOARD ACTION: Moved by Mr. Bumgardner and seconded to grant Elizabeth Boxall financial authority upon signature registration at the banks and financial institutions with which the LCB conducts business. Vote: 6-0 (Radford absent).

BOARD ACTION: Moved by Mr. Bumgardner and seconded to authorize Elizabeth Boxall authority to obtain an LCB credit card with the current bank with which the LCB conducts business with a limit of \$12,000. Vote: 6-0 (Radford absent).

3. PUBLIC COMMENT

No members of the public were present on the conference call. No comments were made.

4. CLAIM NO. 8077-103, CHRISTINE SUSAN FURNISH vs.

GREG DEHAVEN dba: ARTSPACE BY DESIGN

At the March 20, 2015 Board meeting the Board reviewed the respondent's written response and the claimant's response to that and determined they needed further information regarding the irrigation system. Upon investigation, LCB Investigator Michael Hintz also found the pathways at the job site were getting confused by the respondent, so he obtained further information.

Claimant and respondent entered into a written contract for only a portion of the landscaping work completed for a total of \$7,100. During the project the scope of the work increased, but no contract or change orders were written for the additional work. Claimant has paid respondent a total of \$18,499.25.

Investigator's Hintz Original and Supplemental Reports are attached (see page 6). He found that they did not verbally agree to a drip irrigation system, but to re-landscape her front yard: remove the grass and put in the front fencing, front patio, gravel pathways and flower beds where the grass had been previously. The claimant stated she understood that he had to redo the sprinkler system to account for the pathways, patio, fence, and new plantings . re-route lines and put sprinkler heads in new locations. She stated to her recollection that a drip irrigation system was never discussed.

The respondent confirmed the same information about the irrigation system. He stated he had removed and capped three plugs where the patio and pathways were installed and put a plug in the funny pipe and extended one about 10 feet. He further confirmed that in his response to the LCB he had said that the gravel path pre-existed his work on her home and he only added a ½ yard of fine gravel to it. However, he had confused the existing gravel path on the side of the house with the one he installed in the front. His prior response was about the gravel path on the side of the house. He admitted he was the one to install the rock lined gravel pathways in the front. Based on the Board's prior discussion, staff believe the gravel pathway estimate should be reviewed again for \$1,095

Staff requested claimant submit a bid from another licensed landscape contracting business to renovate the existing irrigation in the front yard to achieve complete coverage (not install a drip system). The bid obtained was for \$1,925 and is attached for your information. (See page 5 of this packet).

Here are the irrigation and pathway items:

	Description of Claim Item	Issues	Estimated Cost for repair	Response dated 2/19/2015 from Mr. DeHaven
1	Irrigation System Update	Insufficient water coverage and spraying decks, fences, house, pathways, & driveways with some planting areas not being sprayed at all Bid to renovate existing irrigation system:	\$3,190 \$1,925	2 more popup heads need to be added to provide complete coverage. If a conversion to drip is undertaken, this is a complete change. I modified a system that was already in place by relocating some spray heads, moving some, adding some.
7	Gravel Path	No filter or barrier fabric . used thick layers of plastic which does not allow water to absorb into the ground; gravel runs off when raining	\$1,095	The gravel path pre-existed my work on her home. I added a ½ yard of fine gravel to it.

At the March 20, 2015 Board meeting the Board determined to award the amounts listed below. The total determined by the board at the March meeting together with the current bids for altering the existing irrigation system and the gravel path total \$10,503.

Issues	Board's Concensus	Supplemental Amount
Irrigation System	?	\$1,925
Outdoor lighting system	\$2,245	
Dead plants & trees	\$1,108	
Fence	\$2,935	
French drain	\$1,195	
Patio	\$0	
Gravel Path	\$0	\$1,095
Total each	\$7,483	\$3,020
Total together		\$10,503

STAFF RECOMMENDATION: Accept the bids as listed above and issue a Notice of Contested Case/Arbitration in the amount of \$10,503.

BOARD DISCUSSION

Mr. Hintz Supplement Investigation Report is dated 3/24/2014 and should be dated 3/24/2015. Mr. Hintz stated the bids for the irrigation system and the gravel pathway appear to be a reasonable amount.

BOARD ACTION: Moved by Ms. Dunston and seconded to uphold the staff recommendation of accepting the bids as listed above and issue a Notice of Contested Case/Arbitration of \$10,503. Vote: 5 ayes, 0 nays 2 absent (Radford & Hoekman).

5. ADJOURNMENT AND NEXT MEETING SCHEDULE

The meeting was adjourned at 3:34 pm. The next meeting of the Landscape Contractors Board will be May 15, 2015 in Keizer, Oregon.

Respectfully Submitted,

Kim Gladwill-Rowley
Program Manager