

Minutes: Occupational Safety and Health Review Board, Sept. 6, 2024

Call to order

- Board members present: Chair Robert Sogla; board members Christopher Strand and David Lillback; a quorum was met.
- Also present:
 - Erik Johnson, assistant attorney general, counsel for the board;
 - Peggy Charpentier, executive secretary for the board;
 - Ali Afsharjavan; attorney for Minnesota OSHA (MNOSHA);
 - Kevin Jonassen, assistant attorney general, attorney for MNOSHA;
 - Joseph Barnett, attorney for Central Roofing Company;
 - Jason Stock, Central Roofing Company;
 - Greg Coward, Mainstreet Bakery Holdings LLC; and
 - Ron Leaf, Mainstreet Bakery Holdings LLC.

Approval of agenda

- Motion to approve the agenda as rearranged by Robert Sogla, seconded by David Lillback. The board voted unanimously to approve the agenda.

Approval of minutes

- Motion to approve the June 7, 2024, minutes by Christopher Strand, seconded by David Lillback. The board voted to unanimously to approve the minutes.

New business

- Commissioner, et al. v. Central Roofing Company., OAH docket 21-1901-38138
 - Joseph Barnett presented oral argument on behalf of the respondent.
 - Kevin Jonassen presented oral argument on behalf of the complainant.
- Commissioner, et al. v. Mainstreet Bakery Holdings LLC, Federal inspection: 318204070
 - Greg Coward presented oral argument on behalf of the petitioner.
 - Ali Afsharjavan presented oral argument on behalf of MNOSHA.
- Commissioner, et al. v. Christopher J. Bluhm and Bluhm Building LLC, Federal inspection: 318179793
 - No appearance was made by or on behalf of the petitioner.
 - Ali Afsharjavan presented oral argument on behalf of MNOSHA.

Closed session

- Motion to close the meeting to obtain advice of counsel by Christopher Strand, seconded by David Lillback. The board voted unanimously to close the meeting.

Open session

- Commissioner, et al. v. Central Roofing Company, OAH docket 21-1901-38138
 - Motion to reverse and remand decision of administrative law judge by Christopher Strand, seconded by David Lillback. The board voted. The motion passed.
- Commissioner, et al. v. Mainstreet Bakery Holdings LLC, federal inspection 318204070
 - Motion to deny the petition to vacate by Christopher Strand, seconded by David Lillback. The board voted. The motion passed unanimously.
- Commissioner, et al. v. Christopher J. Bluhm and Bluhm Building LLC, federal inspection 318179793
 - Motion to grant the petition to vacate by David Lillback, seconded by Christopher Strand. The board voted. The motion passed unanimously.

Approval of adjournment

- There was a motion to adjourn by Christopher Strand, seconded by David Lillback. The board voted unanimously to adjourn and the meeting was adjourned.