

State Of Nevada



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STATE CONTRACTORS' BOARD

MINUTES OF THE MEETING November 20, 2008

MEMBERS

Guy M. Wells, Chairman
Margaret Cavin
Michael Efstratis
Spiridon G. Filios
Jerry Higgins
William "Bruce" King
Randy Schaefer

1. CALL TO ORDER:

Chairman Guy Wells called the meeting of the State Contractors Board to order at 9:00 a.m., Thursday, November 20, 2008, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Mr. Guy Wells, Chairman
Ms. Margaret Cavin
Mr. Spiridon G. Filios
Mr. Jerry Higgins
Mr. Randy Schaefer
Mr. Bruce King
Mr. Michael Efstratis

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. George Lyford, Director of Investigations
Mr. Dan Hammack, Chief of Enforcement
Ms. Nancy Mathias, Licensing Administrator

LEGAL COUNSEL PRESENT:

Mr. Bruce Robb, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on November 14, 2008, at Las Vegas City Hall, Sawyer State Building and Clark County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board Internet Website.

AMENDED AGENDA:

Ms. Grein reported that item # 12, Daniel Scott Fromhart has been vacated.

It was moved and seconded to approve the agenda as amended. MOTION CARRIED.

2. PUBLIC COMMENT:

None

3. APPROVAL OF MINUTES: October 23, 2008

It was moved and seconded to approve the minutes of October 23, 2008. MOTION CARRIED.

4. EXECUTIVE SESSION:

a. EXECUTIVE'S OFFICER'S REPORT:

b. DISCUSSION OF PROCEDURES FOR CONSENT AND SETTLEMENT AGREEMENTS

It was moved and seconded that Settlement Agreements negotiated by staff must be brought before the Board for review and approval. MOTION CARRIED.

c. DISCUSSION OF PROCEDURES CONCERNING INVESTIGATION AND RESOLUTION OF FAILURE TO PAY COMPLAINTS

It was moved and seconded to allow implementation of a Settlement Agreement process to allow staff to negotiate certain money owing complaint settlements within a time frame not to exceed six months. MOTION CARRIED.

d. DISCUSSION AND REVIEW OF RESPONSES UNDER NRS 40.6887

It was moved and seconded to table the matter for further staff review. MOTION CARRIED.

e. DISCUSSION AND REVIEW OF 2009 HEARING SCHEDULE CHANGES

Ms. Grein provided the proposed 2009 Hearing and Board meeting schedules.

f. DISCUSSION OF BILL DRAFT REQUEST 54-348

It was moved and seconded to approve the revised language of Bill Draft Request (BDR) 54-348. MOTION CARRIED.

g. DISCUSSION OF HEARING OFFICER PROCEDURES

It was moved and seconded to allow the Chairman or his designee to appoint former Board members to act as Hearing Officers. MOTION CARRIED.

Staff was directed to work with legal counsel on procedural requirements.

h. DEPARTMENTAL REPORTS:

This matter was continued.

5. SUBCOMMITTEE REPORTS: Executive Subcommittee, Recovery Fund Subcommittee, Classification/Regulation Subcommittee, Finance Subcommittee, Subcommittee(s) Discussion

This matter was continued.

6. NEW APPLICATION DENIAL HEARING:

It was moved and seconded to deny the application for Craftsman Masonry, LLC. MOTION CARRIED.

7. STATUS REPORT:

REYNEN & BARDIS COMMUNITIES OF NEVADA, INC., License No. 61631

It was moved and seconded to hold in abeyance the Notice of Complaint and Requirement to Answer for failure to establish financial responsibility. **MOTION CARRIED.**

8. FINANCIAL RESPONSIBILITY HEARING:

THE UNTOUCHABLES, INC., dba RASTELLI BURGARELLO CONSTRUCTION COMPANY, License No. 68354

Licensee was present.

It was moved and seconded to lower the licensee's monetary limit to \$140,000.00 and require a financial review at the time of renewal. **MOTION CARRIED.**

9. NEW APPLICATION DENIAL HEARING:

CUTTER ELECTRIC, LLC.

It was moved and seconded to deny the application. **MOTION CARRIED.**

10. NEW APPLICATION DENIAL HEARING:

M A C CONCRETE, INC.

Applicant was present.

It was moved and seconded to approve the license application with a monetary limit of \$150,000.00 and a bond of \$10,000.00. **MOTION CARRIED.**

11. FINANCIAL RESPONSIBILITY HEARING:

WESTWOODS, INC., License No. 68425

Licensee was present.

It was moved and seconded to allow the limit to remain at \$100,000.00. **MOTION CARRIED.**

12. FINANCIAL RESPONSIBILITY HEARING:

DANIEL SCOTT FROMHART, License No. 69113

This matter was vacated.

13. NEW APPLICATION DENIAL HEARING:

GREEN PLANET LANDSCAPING, LLC

Applicant was present with counsel, Doris Nehme, Esq.

It was moved and seconded to allow Mr. Lang to sit for the exam. **MOTION CARRIED.**

14. NEW APPLICATION DENIAL HEARING:

S A S CONSTRUCTION, INC.

Applicant was present.

It was moved and seconded to approve the license applications, classification B2 and C5, with a monetary limit of \$950,000.00 and bond of \$20,000.00. MOTION CARRIED.

15. APPROVAL OF CONSENT AGENDA:

a. RATIFICATION OF STAFF APPROVED LICENSE APPLICATIONS, CHANGES OF LICENSURE, REINSTATEMENTS OF LICENSURE, VOLUNTARY SURRENDERS:

Mr. Wells abstained from item # 223.

It was moved and seconded to approve the consent agenda. MOTION CARRIED.

16. APPLICATIONS (INITIAL AND RENEWAL) IN QUESTION: (Closed meeting pursuant to NRS 241.030, list attached)

1. AQUA CALIENTE, INC. (C17B-PLASTERING); NEW APPLICATION; RECONSIDERATION - WAIVER OF TRADE EXAM

Applicant was present.

It was moved and seconded to approve the license application limited to pool plastering only with a monetary limit of \$5,000.00 and a bond of \$1,000.00. The trade exam was waived. MOTION CARRIED.

5. UNITY ONE TIIME, (C21-REFRIGERATION AND AIR CONDITIONING); NEW APPLICATION; RECONSIDERATION – WAIVER OF TRADE EXAM

Applicant was present.

It was moved and seconded to table the application for completion of the CMS and C21B exams. MOTION CARRIED.

7. ENGLE HOMES, (B-GENERAL BUILDING); FINANCIAL STATEMENT REVIEW

Mr. Filios and Mr. Schaefer abstained from this matter.

It was moved and seconded to table the matter for Financial Responsibility Hearing. MOTION CARRIED.

It was moved and seconded to approve all applications not specifically discussed. MOTION CARRIED.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Wells at 11:26 a.m.

Respectfully Submitted,

Janet Brinkley, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Guy Wells, Chairman