

BRIAN SANDOVAL
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State Of Nevada

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MEMBERS
Kevin E. Burke, Chairman
Thomas "Jim" Alexander
Donald L. Drake
Nathaniel W. Hodgson, III
William "Bruce" King
Stephen P. Quinn
Guy M. Wells



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING April 21, 2011

1. CALL TO ORDER:

Chairman Burke called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, April 21, 2011, 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. Kevin Burke, Chairman
Mr. Jim Alexander
Mr. Donald L. Drake
Mr. Nathaniel W. Hodgson, III
Mr. Bruce King
Mr. Stephen P. Quinn
Mr. Guy Wells

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. George Lyford, Director of Investigations
Mr. Daniel 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 April 15, 2011, at Las Vegas City Hall, Sawyer State Building, Clark County Library and Reno City Hall, Washoe County Court House and Washoe County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board Internet Website.

APPROVAL OF AGENDA:

Bobby T's Commercial Building Maintenance, item number 6 on the Agenda was continued.

It was moved and seconded to approve the Agenda. MOTION CARRIED.

FUTURE AGENDAS

Mr. Quinn requested that item number 19 h. on the Agenda be heard earlier in the Hearing.

2. PUBLIC COMMENT

Mr. Mitch Altman, President and Owner of Safe Step Tubs commented regarding licensure requirements.

3. APPROVAL OF MINUTES: March 24, 2011.

It was moved and seconded to approve the Minutes of March 24, 2011. MOTION CARRIED.

4. LEGISLATIVE REPORT

- a. Discussion and Board Action on Proposed Legislation including, but not limited to: AB 1; AB 21; AB 31; AB 37; AB 32; AB 44; AB 60; AB 144; AB 153; AB 203; AB 251; AB 363; AB 441; AB 474; AB 479; SB 3; SB 18; SB 19; SB 56; SB 81; SB 141; SB 181; SB 192; SB 351; SB 354; and SB 487

Mr. Grein presented a summary of legislative issues.

5. DISCUSSION OF PROPOSED ADVISORY OPINION CONCERNING INSPECTION, MAINTENANCE, REPAIR AND INSTALLATION OF PRIVATE FIRE HYDRANTS

Mr. Doug Sartain, President for Certified Fire Protection and Mr. Chad Hastings, Deputy Chief Assistant Fire Marshall were present for the discussion.

Written comments were received from Doug Sartain and Chief James Wright.

It was moved and seconded to amend and issue the Advisory Opinion. MOTION CARRIED.

6. NEW APPLICATION DENIAL HEARING:

BOBBY T'S COMMERCIAL BUILDING MAINTENANCE

This matter was continued.

7. NEW APPLICATION DENIAL HEARING:

BEAUTY WITH PAVERS, LLC

Applicant was present.

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

8. NEW APPLICATION DENIAL HEARING:

L C PROPERTY GROUP, LLC, dba L C PROPERTY GROUP

Applicant was present with counsel, Mr. Stan Bus, Esq.

It was moved and seconded to approve the license application with a monetary limit of \$100,000.00 and a bond of \$10,000.00. MOTION CARRIED.

Mr. Drake opposed the Motion.

9. NEW APPLICATION DENIAL HEARING:

DAIMLER CONSTRUCTION, INC.

Applicant was present.

It was moved and seconded to approve the license application with a monetary limit of \$250,000.00 and a bond of \$15,000.00, contingent upon passing required exams and verification of work performed. MOTION CARRIED.

Mr. Bruce King opposed the Motion.

10. NEW APPLICATION DENIAL HEARING:

CUSTOM CABINETS OF NEW YORK, INC.

Applicant was present

It was moved and seconded to approve the application contingent upon receipt of a CPA prepared financial statement that supports the license limit, verification of income, and a one year business review. MOTION CARRIED.

Mr. Wells, Mr. King and Mr. Alexander opposed the Motion.

11. NEW APPLICATION DENIAL HEARING:

VALLEY'S BEST GARAGE DOOR

Applicant was present.

It was moved and seconded to approve the license application with a monetary limit of \$10,000.00 and a bond of \$2,000.00, contingent upon receipt of personal indemnification agreements by the officers, and a one year business review. MOTION CARRIED.

12. NEW APPLICATION DENIAL HEARING:

KEITH D. BATORY GENERAL CONTRACTOR

Applicant was present.

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

13. NEW APPLICATION DENIAL HEARING CONTINUED:

HOME MEDIC, LLC, dba HOME MEDIC

Applicant was present.

It was moved and seconded to continue this matter. MOTION CARRIED.

14. NEW APPLICATION DENIAL HEARING CONTINUED:

ROBERT MANUEL HERRERA, dba HERR-ERA ENTERPRISE

Applicant was not present.

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

15. NOTICE OF INTENT TO AWARD CLAIM:**NET COM COMMUNICATION SERVICES, INC.,** License No. 69619

Licensee was not present.

It was moved and seconded to award payment to Sun Valley Electric and Pen Hall. MOTION CARRIED.

16. APPROVAL OF CONSENT AGENDA:

Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders

Mr. Drake recused himself from item numbers:

- #129 and #130 – Eikelbergers Awning and Drapery, Inc. recused based on a personal relationship.
- #249 – M & M Framing, recused based on a personal relationship.
- #456 – Wayne Construction Company, recused based on a personal relationship.
- #463 and #464 – Young Electric Sign Company recused based on a personal relationship.

Mr. Wells made disclosures, or recused himself from item numbers:

- #35 – Amalgamated Safety Company, recusal based on a legal dispute.
- #185 – Hirschi Masonry, LLC, disclosed a personal relationship.
- #192 and #193 – Hydro Arch, recused based on a current business relationship.
- #219 and #220 – Jakes Crane Rigging and Transport International, disclosed a personal relationship.
- #242 – Legacy Construction and Development, Inc. recused based on a personal relationship.
- #272 - #274 – Mesa Plumbing, Inc. recused based on a personal and business relationship.
- #354 - #357 – S W F Construction, LLC, recused based on a personal relationship.

Mr. Hodgson made disclosures or recused himself from item numbers:

- #99 - D & K Drywall, Inc. disclosed a personal and business relationship.
- #185 – Hirschi Masonry, LLC, recused based on a personal and business relationship.
- #207 - #209 – Interstate Plumbing and Air Conditioning, LLC, recused based on a past business relationship.
- #210 and #211 – Interstate Services, recused based on a past business relationship.
- #242 – Legacy Construction and Development, Inc. recused based on a current business relationship.
- #268 and #269 – Masco Cabinetry, LLC, recused based on a current business relationship.
- #320 – 323 – Pulte Building Systems, LLC, recused based on a current employee.
- #364 and #365 – Selectbuild Nevada, Inc. recused based on a current business relationship.

Mr. Burke made disclosures or recused himself from item numbers:

- #65 - C M D Door and Trim, LLC, recused based on a current business relationship.
- #185 – Hirschi Masonry, LLC, disclosed a personal and past business relationship.
- #207 - #209 – Interstate Plumbing and Air Conditioning, LLC, recused based on a personal and current business relationship.

- #210 and #211 - Interstate Plumbing and Air Conditioning, LLC, recused based on a personal and business relationship.
- #292 – Noorda Sheet Metal Company, recused based on current business relationship.
- #457 – Westar Fire Protection, Inc., recused based on a current business relationship.

Mr. Quinn recused himself from item numbers:

- #9 – A G Spanos Construction, Inc., recused based on a personal relationship.
- #65 – C M D Door and Trim, LLC, recused based on a past business relationship.
- #100 – D & K Landscape, Inc., recused based on a personal relationship.
- #185 – Hirschi Masonry, LLC, recused based on a business relationship.
- #189 – HBParko Construction, Inc, recused based on a business relationship.
- #190 – HUF COR Desert West, recused based on a business relationship.
- #219 and #220 – Jakes Crane Rigging and Transport International, recused based on a business relationship.
- #292 – Noorda Sheet Metal Company, recused based on a current business relationship.
- #497 – Westar Fire Protection, Inc., recused based on a business relationship.

Mr. King recused himself from item numbers:

- #185 – Hirschi Masonry, LLC, recused based on a personal relationship.
- #395 – Summit Painting and Drywall, recused based on a personal and business relationship.
- #292 – Noorda Sheet Metal Company, recused based on a personal relationship.

It was moved and seconded to approve the Consent Agenda. MOTION CARRIED.

17. APPLICATIONS (INITIAL AND RENEWAL IN QUESTION):

D S M CONSTRUCTION INC., WALNUT, CA (C-5 CONCRETE CONTRACTING); LIMITED TO THE INSTALLATION OF CONCRETE EXPANSION JOINTS ONLY; NEW APPLICATION

Applicant was present.

It was moved and seconded to approve a C40 classification license. MOTION CARRIED.

SILVERBACK CONSTRUCTION, LAS VEGAS, NV. (B-2 RESIDENTIAL AND SMALL COMMERCIAL); CHANGE OF OFFICER/MEMBER/MANAGER; RECONSIDERATION

Licensee was present with counsel, Robert Kruth, Esq.

It was moved and seconded to continue this matter. MOTION CARRIED.

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

19. EXECUTIVE SESSION:

a. EXECUTIVE OFFICER'S REPORT

b. REVIEW AND APPROVAL OF EXECUTIVE OFFICER'S QUARTERLY REPORT 1/1/11 THROUGH 3/31/11

It was moved and seconded to approve the Executive Officer's Quarterly Report 1/1/11 through 3/31/11. MOTION CARRIED.

c. REVIEW AND APPROVAL OF CASH DISBURSEMENTS AND TRANSER JOURNALS 1/1/11 THROUGH 3/31/11

It was moved and seconded to approve Cash Disbursements and Transfer Journals for 1/1/11 through 3/31/11. MOTION CARRIED.

d. REVIEW AND APPROVAL OF QUARTERLY FINANCIAL REPORT FOR PERIOD 1/1/11 THROUGH 3/31/11

It was moved and seconded to approve the Quarterly Financial Report for period 1/1/11 through 3/31/11. MOTION CARRIED.

e. DISCUSSION AND REVIEW OF HEALTH INSURANCE PLAN RENEWALS

Ms. Grein presented a summary of the renewal for the health insurance plan.

It was moved and seconded to approve the terms of the plan renewal. MOTION CARRIED

f. REVIEW AND APPROVAL OF COMPARISON REPORTS FOR PERIOD 7/1/08 THROUGH 3/31/11

It was moved and seconded to approve the Comparison Reports for period 7/1/08 through 3/31/11. MOTION CARRIED.

g. STRATEGIC PLAN UPDATE

Julio Sabates presented an update on the Strategic Plan.

h. DISCUSSION AND ACTION ON BOARD POLICIES AND PROCEDURES

- 1. Communication Protocol**
- 2. Employee Handbook**
- 3. Board Member Role In Agency Administration and Management**
- 4. Investigative Process**
- 5. Disciplinary Action and Hearing Process**

Board member Quinn stated he has received comments from certain former and current employees regarding employment practices. Mr. Quinn questioned human resources practices, disciplinary and investigative procedures, hearing officer responsibilities, communication protocol, training, travel and budget management.

Mr. Robb explained the role of Board members in personnel and/or investigative matters.

Mr. Alexander indicated he had received comments from certain former employees. He also commented concerning financial statement requirements.

There was a Board discussion concerning the matters.

It was moved and seconded to form a subcommittee to review the issues identified by Board member Quinn. The motion was subsequently withdrawn.

Mr. Drake asked that a follow up discussion be placed on the next meeting agenda.

i. DISCUSSION AND REVIEW OF BOARD AND COMMISSION MANUAL

j. DEPARTMENT REPORTS

ENFORCEMENT AND INVESTIGATIONS

Mr. Lyford presented a report on Enforcement and Investigations.

LEGAL

Mr. Robb presented a report on legal issues.

LICENSING

Ms. Mathias presented a report on the Licensing Department.

RECOVERY FUND

Mr. Lyford presented a report on the Recovery Fund.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Burke at 2:02 p.m.

Respectfully Submitted,

Janet Brinkley, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Kevin E. Burke, Chairman