

State of Nevada

Reply To:

MEMBERS
Kevin E. Burke, Chairman
Michael Efstratis
John C. Ellison
Jerry Higgins
Nathaniel W. Hodgson, III
William "Bruce" King
Stephen P. Quinn



STATE CONTRACTORS BOARD

(702) 486-1100
Fax (702) 486-1190
Investigations: (702) 486-1110

www.nscb.state.nv.us

RENO
9670 Gateway Drive, Suite 100
Reno, Nevada 89521
(775) 688-1141
Fax (775) 688-1271
Investigations: (775) 688-1150

MINUTES OF THE MEETING November 19, 2009

1. CALL TO ORDER:

Chairman Kevin Burke called the meeting of the State Contractors Board to order at 8:00 a.m., Thursday, November 19, 2009, 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. Michael Efstratis
Mr. John Ellison
Mr. Jerry Higgins
Mr. Nathaniel W. Hodgson, III
Mr. Bruce King
Mr. Stephen Quinn

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. George Lyford, Director of Investigations
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 12, 2009, 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.

AMENDED AGENDA:

None

FUTURE AGENDAS:

Ms. Grein informed the Board that a joint meeting has been scheduled with the California Board.

A Board meeting will be scheduled in June, 2010 in Elko, Nevada.

2. OATH OF OFFICE

Chairman Burke administered the oath of office to new member Stephen Quinn.

3. ELECTION OF OFFICERS

It was moved and seconded to elect Kevin Burke as Chairman and Jerry Higgins as Treasurer. MOTION CARRIED

4. APPOINTMENT OF RECOVERY FUND COMMITTEE MEMBERS

It was moved and seconded to appoint Nat Hodgson to the Recovery Fund Committee.

5. APPOINTMENT OF CONSTRUCTION EDUCATION COMMISSION MEMBER

It was moved and seconded to appoint Bruce King as Construction Education Commission Member. MOTION CARRIED.

6. PUBLIC COMMENT:

None

7. APPROVAL OF MINUTES: October 22, 2009

Mr. Quinn abstained.

It was moved and seconded to approve the minutes of October 22, 2009. MOTION CARRIED.

8. DISCUSSION AND ACTION ON RENAISSANCE POOLS AND SPAS, INC.

License No. 33372 – Pending Litigation and Pending Disciplinary Action

Licensee was present with counsel, Gene Backus, Esq.

Board Members Burke, Ellison, Efstratis, King and Quinn disclosed that they had received information concerning the Renaissance matter.

Mr. Backus provided a summary of the issues in this matter. The Board instructed counsel to continue working on a settlement agreement and report progress at each meeting.

This matter was continued

9. EXECUTIVE SESSION:

a. EXECUTIVE OFFICER'S REPORT

It was moved and seconded to approve the Executive Officer's Quarterly Report. MOTION CARRIED.

b. LEGISLATIVE DISCUSSION – KEITH LEE

Mr. Keith Lee presented a summary of legislative issues.

c. STRATEGIC PLAN UPDATE

Kerry Nicponski, IT Manager presented a summary of the website design project.

d. REVIEW OF PROPOSED REGULATION R-057-09 CONCERNING BOND REQUIREMENTS

It was moved and seconded to withdraw proposed regulation R-057-09 concerning bond requirements. **MOTION CARRIED.**

e. DISCUSSION AND APPROVAL OF SETTLEMENT AGREEMENTS

1. A C For Less, Inc., License No. 63310

Licensee was not present.

It was moved and seconded to approve the Settlement Agreement. **MOTION CARRIED.**

2. AMN Mechanical, Inc., License No. 52722

Licensee was not present.

It was moved and seconded to approve the Settlement Agreement. **MOTION CARRIED.**

f. DISCUSSION AND ACTION OF SETTLEMENT AGREEMENT: (Previously approved on March 26, 2009)

1. Woodside Homes of Nevada, License No. 28004

Licensee was not present, but counsel Dan Reaser, Esq. was present.

It was moved and seconded to approve an Amended Settlement Agreement contingent upon financial reports being submitted on a monthly basis. License number 28004, Woodside Homes of Nevada will remain on probation until June, 2010. **MOTION CARRIED.**

g. DEPARTMENTAL REPORTS

This matter was continued.

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

This matter was continued.

11. FINANCIAL RESPONSIBILITY HEARING:

CIRCLE TECHNOLOGIES, INC., License number 69079

Licensee was present.

It was moved and seconded to approve the financial review contingent upon receipt of an indemnification agreement, subordination of note payable to stockholder and any other financial information needed to support the license limit or reduced limit of \$10,000.00. A financial review is required every six months for the next two years. **MOTION CARRIED.**

12. FINANCIAL RESPONSIBILITY HEARING:

LANDSTAR PAINTING, License number 69214

Licensee was present.

It was moved and seconded to approve the surrender of license number 69214, Landstar Painting. MOTION CARRIED.

13. NEW APPLICATION DENIAL HEARING

CHRISTOPHER BOND, dba BOND HEATING AND AIR CONDITIONING

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 with a six and twelve month financial statement review. MOTION CARRIED.

14. NEW APPLICATION DENIAL HEARING

DONAVAN AIR, LLC

Applicant was present with counsel, Eric Dobberstein, Esq.

It was moved and seconded to issue a conditional approval of the license application with a monetary limit of \$10,000.00 and a bond of \$3,000.00 subject to the receipt of an indemnification agreement and financial statement that supports the \$10,000.00 limit. A business and financial review is required in six and twelve months. MOTION CARRIED.

15. NEW APPLICATION DENIAL HEARING

MERCO MECHANICAL, INC.

Steve Holste, CFO of Merco Mechanical, Inc. was present.

This matter was tabled to the next hearing. MOTION CARRIED.

16. NEW APPLICATION DENIAL HEARING

ACME LANDSCAPE AND MAINTENANCE, LLC

Applicant was present.

It was moved and seconded to approve the license application with a monetary limit of \$25,000.00 and a bond of \$5,000.00 contingent upon the payment of all outstanding debts owed by Nick Economou within six months of November 19, 2009 and applicant is subject to a financial review in six months. MOTION CARRIED.

17. NEW APPLICATION DENIAL HEARING

5 STAR PAINTING, INC.

Applicant was present.

It was moved and seconded to approve the license application with a monetary limit of \$100,000.00 and a bond of \$15,000.00 contingent upon changing the business name or surrendering the existing license. MOTION CARRIED.

Mr. Hodgson and Mr. King opposed the motion.

18. APPROVAL OF CONSENT AGENDA:

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

Mr. Hodgson recused himself on item numbers 311 and 377.

Mr. Quinn recused himself on item numbers 49 and 140.

Mr. Burke recused himself on item number 137.

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

19. APPLICATIONS (INITIAL AND RENEWAL) IN QUESTION:

EXCALIBUR HOTEL AND CASINO (B-GENERAL BUILDING); NEW APPLICATION; RECONSIDERATION – WAIVER OF TRADE EXAM

Applicant was present.

It was moved and seconded to approve the waiver of the trade exam. MOTION CARRIED.

BEL ESPRIT BUILDERS (B2-RESIDENTIAL AND SMALL COMMERCIAL); CHANGE/ADDITION Q.I.; RECONSIDERATION – WAIVER OF TRADE EXAM

Applicant was present.

It was moved and seconded to approve the waiver of the trade exam. MOTION CARRIED.

BUILT BY YVONNE (B2-RESIDENTIAL AND SMALL COMMERCIAL); RE-ACTIVATE OUTSIDE OF RENEWAL TIME

Applicant was present.

It was moved and seconded to approve reactivation of the license with a \$250,000.00 limit and \$15,000 bond.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Burke at 11:30 a.m.

Respectfully Submitted,

Janet Brinkley, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Kevin Burke, Chairman