

State of Nevada

Reply To:

MEMBERS
Guy M. Wells, Chairman
Kevin E. Burke
Michael Efstratis
John C. Ellison
Jerry Higgins
Nathaniel W. Hodgson, III
William "Bruce" King



STATE CONTRACTORS BOARD

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MINUTES OF THE MEETING April 30, 2009

1. CALL TO ORDER:

Chairman Guy Wells called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, April 30, 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. Guy Wells, Chairman
Mr. Kevin Burke
Mr. Michael Efstratis
Mr. John Ellison
Mr. Jerry Higgins
Mr. Nathaniel Hodgson
Mr. Bruce King

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
Mr. Jonathan Andrews, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on April 24, 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:

Ms. Grein reported that item #7, Cornerstone Tower Service, Inc., has been granted a continuance.

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

2. PUBLIC COMMENT:

None

3. APPROVAL OF MINUTES: March 26, 2009

It was moved and seconded to approve the minutes of March 26, 2009. MOTION CARRIED.

4. LEGISLATIVE DISCUSSION

a. DISCUSSION AND BOARD ACTION ON PROPOSED LEGISLATION INCLUDING, BUT NOT LIMITED TO: AB215, AB442, SB50, SB127, SB151, SB242, SB268, SB288, SB337, SB349, SB352 AND SB364 ALONG WITH ANY OTHER LEGISLATION THAT MAY AFFECT THE NEVADA STATE CONTRACTORS BOARD

Ms. Grein provided a summary of the pending legislation.

It was moved and seconded to oppose SB 364 as written. MOTION CARRIED.

5. EXECUTIVE SESSION:

a. DISCUSSION AND ACTION OF MONEY OWING COMPLAINTS, POLICIES AND PROCEDURES

Ms. Grein provided a summary of the proposed policies and procedures for money owing complaints. The matter was continued to allow Board members to submit comments to Chairman Wells.

b. DISCUSSION AND ACTION OF RECOVERY FUND PRACTICES AND PROCEDURES

George Lyford provided a summary of the current practices and procedures of the Residential Recovery Fund.

c. REVIEW AND APPROVAL OF EXECUTIVE OFFICER'S QUARTERLY REPORT 1/1/09 THROUGH 3/31/09

It was moved and seconded to approve the Executive Officer's Quarterly Report from 1/1/09 through 3/31/09. MOTION CARRIED.

d. REVIEW AND APPROVAL OF CASH DISBURSEMENTS AND TRANSFER JOURNALS 1/1/09 THROUGH 3/31/09

It was moved and seconded to approve the cash disbursements and transfer journals from 1/1/09 through 3/31/09. MOTION CARRIED.

e. APPROVAL OF QUARTERLY FINANCIAL REPORT FOR PERIOD 1/1/09 THROUGH 3/31/09

It was moved and seconded to approve the Quarterly Financial Report for the period of 1/1/09 through 3/31/09. MOTION CARRIED.

f. REVIEW AND APPROVAL OF COMPARISON REPORTS FOR THE PERIOD 1/1/07 THROUGH 3/31/09

Ms. Grein presented comparison reports for January 1, 2007 through March 31, 2009.

g. DISCUSSION AND APPROVAL OF RESPONSES UNDER NRS 40.6887

The matter was tabled for review by counsel.

h. DISCUSSION AND APPROVAL OF SETTLEMENT AGREEMENTS

1. Pacific Coast Steel, License No. 68509

Licensee was not present.

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

2. Pageantry Homes of Nevada, Inc., License No. 55847

Licensee was not present.

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

3. Caviness Construction Company, Inc., License No. 41530

Licensee was not present.

Mr. King abstained from this matter.

Mr. Mel Westwood, President of Direct Grading and Paving opposed this matter.

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

4. Triple Five Nevada Development Corporation, License No. 31956

Licensee was not present.

This matter was continued for thirty (30) days.

i. STRATEGIC PLANNING SESSION

It was moved and seconded to approve the strategic plan as modified with the understanding that future modifications may be required. Staff was instructed to prepare action plans. MOTION CARRIED.

j. DEPARTMENTAL REPORTS:

1. EDUCATION:

This matter was continued.

2. ENFORCEMENT AND INVESTIGATIONS

This matter was continued.

3. HUMAN RESOURCES

This matter was continued.

4. LEGAL

Mr. Robb provided a report concerning pending legal matters.

It was moved and seconded to authorize Ms. Grein to notify Mr. Hammack and Mr. Peppley that their legal fees associated with case number A588605 will be covered by the Board.

MOTION CARRIED.

5. LICENSING

This matter was continued.

6. PUBLIC RELATIONS

This matter was continued.

7. RECOVERY FUND

This matter was continued.

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

7. NEW APPLICATION DENIAL HEARING:

CORNERSTONE TOWER SERVICE, INC.

Applicant was present.

It was moved and seconded to grant one final continuance. **MOTION CARRIED.**

8. NEW APPLICATION DENIAL HEARING:

FULL CUSTOM GLASS, LLC.

Applicant was present.

It was moved and seconded to approve the application with a monetary limit of \$25,000.00 and a bond of \$5,000.00. **MOTION CARRIED**

9. NEW APPLICATION DENIAL HEARING:

WORLDMARK, INC./UNIQUE ENVIRONMENT, INC.

Applicant was present.

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

10. NOTICE OF INTENT TO AWARD CLAIM:

AAA CONTRACTING, LLC, DBA LEE ELECTRIC, License No. 69196

Licensee was present.

It was moved and seconded to award each claimant a pro rata share of the cash bond.
MOTION CARRIED.

11. FINANCIAL RESPONSIBILITY HEARING: (Continued from February 26, 2009):

SID D. FERRIS GENERAL CONTRACTOR, License No. 69476

Licensee was present.

It was moved and seconded to approve continuation of the license at the present limit of \$950,000.00. **MOTION CARRIED.**

12. FINANCIAL RESPONSIBILITY HEARING:

MOLLY O'MARA, License No. 68283

Licensee was present.

It was moved and seconded to approve continuation of the license at the present limit of \$40,000.00. **MOTION CARRIED.**

13. FINANCIAL RESPONSIBILITY HEARING:

AIR BROTHERS, LLC, License No. 66022

Licensee was present.

It was moved and seconded to approve continuation of the license at the present limit of \$40,000.00, and require a financial statement in October, 2009 to confirm it supports the license limit. **MOTION CARRIED.**

14. NEW APPLICATION DENIAL HEARING:

ALL PHASE ELECTRIC OF NEVADA

Applicant was present.

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

15. APPROVAL OF CONSENT AGENDA:

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

Mr. Hodgson abstained from items number 94, 156, 157, 158, 188, 198, 223, 506, 533 and 635 through 640. Mr. Ellison abstained from item 198.

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

16. APPLICATIONS (INITIAL AND RENEWAL) IN QUESTION:

H & S GENERAL CONTRACTING (B-2-RESIDENTIAL AND SMALL COMMERCIAL); NEW APPLICATION; RECONSIDERATION-WAIVER OF TRADE EXAM

Applicant was present.

It was moved and seconded to deny the waiver of the trade exam. MOTION CARRIED.
OLYMPUS CONSTRUCTION, INC. (B-GENERAL BUILDING); NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the application with a monetary limit of \$2.7 million and a bond of \$30,000.00. MOTION CARRIED.

ADVANCED BUILDING SOLUTIONS, INC. (C-2-ELECTRICAL CONTRACTING): NAME CHANGE, NAME SIMILARITY

Licensee was present.

It was moved and seconded to continue this matter for thirty (30) days. MOTION CARRIED.

ANDERSON EXCAVATION (A-GENERAL ENGINEERING); RELIEF OF BONDING REQUIREMENT; RECONSIDERATION

Licensee was present.

It was moved and seconded to approve the relief of the bonding requirement. MOTION CARRIED.

NORMAN CONSTRUCTION, LLC

Licensee was present.

It was moved and seconded to approve the relief of the bonding requirement. MOTION CARRIED.

STRATFORD HILL CONSTRUCTION, INC. (B-GENERAL BUILDING); PERMANENT RAISE IN LIMIT; RECONSIDERATION – LIMIT AND BOND

Licensee was present.

It was moved and seconded to approve a raise in limit to \$5,000,000.00 and a bond of \$30,000.00. MOTION CARRIED.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Wells at 2:00 p.m.

Respectfully Submitted,

Janet Brinkley, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Guy Wells, Chairman