

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 June 25, 2009

1. CALL TO ORDER:

Chairman Guy Wells called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, June 25, 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, III

BOARD MEMBERS ABSENT:

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

Ms. Grein stated the agenda was posted in compliance with the open meeting law on June 19, 2009, at Las Vegas City Hall, Sawyer State Building, Henderson City 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:

It was moved and seconded to grant Haylee Mechanical Services, item #10, a continuance until July 23, 2009. MOTION CARRIED.

2. PUBLIC COMMENT:

None

3. APPROVAL OF MINUTES: May 28, 2009

It was moved and seconded to approve the minutes of May 28, 2009. MOTION CARRIED.

4. EXECUTIVE SESSION:

a. EXECUTIVE OFFICER'S REPORT

b. DISCUSSION OF PROPOSED CHANGES TO NAC 624 CONCERNING FINANCIAL STATEMENT AND LICENSE BOND REQUIREMENTS

It was moved and seconded to commence rulemaking proceedings, concerning financial statements and license bond requirements. MOTION CARRIED.

c. REVIEW AND APPROVAL OF PROPOSED BUDGET FOR FY 2009-10

It was moved and seconded to approve the proposed budget for fiscal year 2009-10 with quarterly updates to be provided to the Board. MOTION CARRIED.

d. DISCUSSION AND APPROVAL OF SETTLEMENT AGREEMENTS:

1. C and S Company, Inc., License No. 20935

Licensee was not present.

It was moved and seconded to approve the settlement agreement. MOTION CARRIED.

2. Vanguard Construction, LLC, License No. 60438

Licensee was not present.

It was moved and seconded to approve the settlement agreement. MOTION CARRIED.

3. The Astoria Corporation, License No. 54324, Astoria Home Services, Inc., License No. 56450 and McCormick Luxury Homes, Inc., License No. 68887

Licensee was not present.

It was moved and seconded to approve the settlement agreement. MOTION CARRIED

4. Sharp Plumbing, Inc., License No. 21972

Licensee was not present.

It was moved and seconded to approve the settlement agreement. MOTION CARRIED.

e. DEPARTMENTAL REPORT:

ENFORCEMENT AND INVESTIGATIONS:

Mr. Hammack provided a status report on Enforcement and Investigations.

LEGAL:

Mr. Robb provided a status report on legal matters.

LICENSING:

Ms. Stewart provided a status report on licensing.

PUBLIC RELATIONS:

Ms. Botros provided a status report on public relations.

RECOVERY FUND:

Mr. Lyford provided a status report on the Recovery Fund.

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

6. NEW APPLICATION DENIAL HEARING:

BRANDISE PLUMBING, LLC.

Applicant was present.

It was moved and seconded to approve the license application with a monetary limit of \$900,000.00 and a bond of \$15,000.00. MOTION CARRIED.

7. NEW APPLICATION DENIAL HEARING:

OMEGA ENERGY SOLUTIONS, LLC.

Applicant was not present.

It was moved and seconded to deny the application. Mr. Efstratis voted in opposition. MOTION CARRIED.

8. NEW APPLICATION DENIAL HEARING:

J & J CONSTRUCTION

Applicant was present.

This matter was continued to allow the respondent to provide a CPA prepared compiled financial statement with full disclosures. MOTION CARRIED.

9. NEW APPLICATION DENIAL HEARING:

MICHAEL PRU CONSTRUCTION

Applicant was not present.

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

10. NEW APPLICATION DENIAL HEARING:

HAYLEE MECHANICAL SERVICES

Applicant was not present.

This matter was continued.

11. NEW APPLICATION DENIAL HEARING:

VALLEY CONSTRUCTION & MAINTENANCE, INC.

Applicant was present.

This matter was continued.

12. FINANCIAL RESPONSIBILITY HEARING:

BUETTNER, INC., License No. 70049

Licensee was present.

This matter was continued for thirty (30) days.

13. NEW APPLICATION DENIAL HEARING:

CRYSTAL CLEAR COATINGS, LLC, dba CHRIS YORK CONSTRUCTION

Applicant was present with counsel, Alex Flangas, Esq.

It was moved and seconded to approve the license application with a monetary limit of \$200,000.00 and a bond of \$20,000.00 contingent upon a business review in one year. MOTION CARRIED.

14. NEW APPLICATION DENIAL HEARING:

R T SQUARED, LLC, dba SPEEDY HVAC SERVICE

Applicant was present.

It was moved and seconded to approve the license application with a monetary limit of \$15,000.00 and a bond of \$5,000.00 contingent upon a financial review in one year. MOTION CARRIED.

15. REACTIVATION APPLICATION DENIAL HEARING:

WARD CONSTRUCTION, License No. 35827

Licensee was not present.

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

16. NEW APPLICATION DENIAL HEARING:

GALLOP, LLC, dba PAYLESS FLOORING

Applicant was present with counsel, Robert Bell, Esq.

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

17. INTENT TO AWARD CASH BOND CLAIM:

ROCKY MOUNTAIN EXCAVATION, LLC, License No. 59633A

Licensee was not present.

Ken Koop, Credit Manager from American Ready Mix and Chris Benna, President of Rilite Aggregate were present.

It was moved and seconded to award each claimant, including United Rental N.W. a pro rata share of the cash bond, and suspend license number 59633A for failure to maintain the required bond. MOTION CARRIED.

18. INTENT TO AWARD CASH BOND CLAIM:

LEGACY CONSTRUCTION ENTERPRISES, License No. 50647

Mr. Burke recused himself from this matter.

Licensee was not present.

Robert Demeco, Esq., was present on behalf of Ahern Rentals.

It was moved and seconded to award Ahern Rentals \$15,000.00 from the bond, and suspend license number 50647 for failure to maintain the required bond. MOTION CARRIED.

19. APPROVAL OF CONSENT AGENDA:

Mr. Wells abstained from items numbered 186, 187, 217, 313, 314, 315 and 444.

Mr. Hodgson abstained from items numbered 196, 197, 409, 424, 425, 426, 475, 494, 565, 566, and 567.

Mr. Ellison abstained from item number 71.

It was moved and seconded not to ratify Consent Agenda items concerning relief of the bond requirement. MOTION CARRIED.

It was moved and seconded to approve the Consent Agenda with the exception of item numbers 60, 117, 118, 237, 308, 365, 397, 465, 495 and 540. MOTION CARRIED.

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

20. APPLICATIONS (INITIAL AND RENEWAL) IN QUESTION:

BANNER CONSTRUCTION, INC. (C-1 – PLUMBING AND HEATING); NEW APPLICATION;
RECONSIDERATION – WAIVER OF TRADE EXAM

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

CYBR CONSTRUCTION, INC. (B-2 – RESIDENTIAL AND SMALL COMMERCIAL); RELIEF OF BONDING REQUIREMENT

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

FRONTIER BUILDERS, INC. (C-5 – CONCRETE CONTRACTING); RELIEF OF BONDING REQUIREMENT.

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

PUEBLO CONTRACTING; (B-2 – RESIDENTIAL AND SMALL COMMERCIAL); RELIEF OF BONDING REQUIREMENT

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

RIGGIO BROTHERS CONSTRUCTION, INC. (C-3 – CARPENTRY); RELIEF OF BONDING REQUIREMENT

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

SAM J. FALZONE (B-2 – RESIDENTIAL AND SMALL COMMERCIAL); RELIEF OF BONDING REQUIREMENT

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

SUPERIOR PAINTING AND DRYWALL; (C-4A – PAINTING, C-4E – DRWALL); RELIEF OF BONDING REQUIREMENT

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

V T CONSTRUCTION, LLC (A-GENERAL ENGINEERING); RELIEF OF BONDING REQUIREMENT

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

WESCON CONSTRUCTION, LTD (C-3 – CARPENTRY); RELIEF OF BONDING REQUIREMENT

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

It was moved and seconded not to accept applications for relief of the bond requirement. **MOTION CARRIED.**

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Wells at 11:31 A.M.

Respectfully Submitted,

Janet Brinkley, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Guy Wells, Chairman