

BRIAN SANDOVAL
Governor

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

State Of Nevada



STATE CONTRACTORS BOARD

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MINUTES OF THE MEETING November 17, 2011

1. CALL TO ORDER:

Chairman Burke called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, November 17, 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
Ms. Margaret Cavin
Mr. Donald L. Drake
Mr. Nathaniel W. Hodgson, III
Mr. Stephen Quinn
Mr. Guy M. Wells

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. George J. 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 November 10, 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.

OATH OF OFFICE

Bruce Robb, Esq. administered the oath of office to Board Members Margaret Cavin, Guy Wells, Nathaniel Hodgson and Kevin Burke.

APPROVAL OF AGENDA

Clark County Builders, LLC, item number 11 on the Agenda was continued until December 15, 2011 and Silverback Construction, item number 3 of the Applications in Question requested their application be withdrawn.

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

FUTURE AGENDAS

Ms. Grein distributed copies of the Board meeting and hearing schedule for 2012.

2. PUBLIC COMMENT

No one was present for public comment in Las Vegas or Reno.

3. APPROVAL OF MINUTES: October 20, 2011

It was moved and seconded to approve the Minutes of October 20, 2011. MOTION CARRIED.

4. DISCUSSION AND APPROVAL OF PROPOSED AMENDED ADVISORY OPINION 11-04-21-194 CONCERNING INSPECTION, MAINTENANCE, REPAIR AND INSTALLATION OF PRIVATE FIRE HYDRANTS

Ms. Mathias presented information on the amendments to the Advisory Opinion 11-04-21-194.

Don Griffin, President of D & R Hydrant, Inc., commented on testing and repair of fire hydrants. Don Sartain, President of Certified Fire Protection commented on sub-classifications for testing of fire hydrants. Susan Riolo, Program Officer for the State Fire Marshall's office commented on fire hydrant testing.

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

5. KAP MECHANICAL SERVICES, L.L.C REQUEST TO BROADEN THE WORK ALLOWED UNDER THE C1 (PLUMBING AND HEATING) CLASSIFICATION

No representatives of KAP Mechanical were in attendance. It was noted for the record that notification was provided to KAP informing them of the meeting.

Ms. Mathias presented a request by KAP Mechanical that the Board broaden the scope of work under the C1 classification to include work authorized by the A10, A15 and A19 classifications.

It was moved and seconded not to consider broadening the work allowed under the C1 classification. MOTION CARRIED.

6. EXECUTIVE SESSION:

a. Executive Officer's Report

b. Appointment of Board Member to the Commission on Construction Education

It was moved and seconded to appoint Guy Wells to the Commission on Construction Education. MOTION CARRIED.

c. Election of Treasurer

It was moved and seconded to appoint Margaret Cavin as Treasurer. MOTION CARRIED.

d. Consideration and Approval of Contract for Legal Services – Walter Bruce Robb, Esq.

It was moved and seconded to approve the contract for legal services. MOTION CARRIED.

e. Update Concerning NASCLA Resources Committee

Ms. Grein reported on the work being done by the NASCLA Resources Committee.

f. Discussion of Contractor Recognition Week and NSCB 70th Anniversary

Ms. Grein presented a report on the history of construction in Nevada for Nevada Contractor Recognition Week and NSCB's 70th Anniversary.

g. Discussion and Review of Responses under NRS 40.6887

1. Astoria Homes Limited Liability Company, License Number 39351
Patricia Guarino (Homeowner)

It was moved and seconded to approve the response under NRS 40.6887. MOTION CARRIED.

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

Ms. Mathias presented a report on the Insulation Advisory Committee meeting held November 3, 2011.

8. NEW APPLICATION DENIAL HEARING:

SIERRA CONSTRUCTION SPECIALISTS, INC.

Applicant was present with counsel, Roderick Carucci, Esq.

It was moved and seconded to accept counsel's request to withdraw the applications. MOTION CARRIED.

9. NEW APPLICATION DENIAL HEARING:

GOLDEN RULE MARKETING, LLC, dba FASTSIGNS

Applicant was present.

Mr. Quinn disclosed that his firm has purchased signs from Golden Rule Marketing, LLC, dba Fastsigns.

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, based on Ms. Austin's representation that she would personally indemnify the company. MOTION CARRIED.

10. NEW APPLICATION DENIAL HEARING:

JUAN CARLOS PULIDO, dba PROCON

Applicant was present with counsel, Mr. Cuthbert Mack, Esq.

It was moved and seconded to approve the license application with a monetary limit of \$950,000.00 and a bond of \$20,000.00 contingent upon a business review in one year. MOTION CARRIED.

11. NEW APPLICATION DENIAL HEARING:

CLARK COUNTY BUILDERS, LLC

Applicant was not present.

This matter was continued.

12. NEW APPLICATION DENIAL HEARING: (Continued from September 22, 2011)

ALGOMA CONSTRUCTION, LLC

Applicant was present with counsel, Sean Brohawn, Esq.

Ms. Cavin disclosed that Mr. Olsen was a former neighbor.

It was moved and seconded to approve the license application with a monetary limit of \$950,000.00 and a bond of \$20,000.00 with a six month and one year business review, including a criminal history check. MOTION CARRIED.

13. NEW APPLICATION DENIAL HEARING:

ABENER ENGINEERING AND CONSTRUCTION SERVICES, LLC

Applicant was present with counsel, John Merz, Esq.

It was moved and seconded to table the matter and require the applicant to provide a reviewed or audited financial statement from its parent company Abengoa. The costs of the review will be incurred by applicant. MOTION CARRIED.

14. NEW APPLICATION DENIAL HEARING:

JOSHUAS HEATING AND AIR, INC.

Applicant was present.

It was moved and seconded to table this matter for ninety (90) days. MOTION CARRIED.

15. NEW APPLICATION DENIAL HEARING:

DESERTSCAPES, 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 \$10,000.00. MOTION CARRIED.

16. NEW APPLICATION DENIAL HEARING:

COIT SERVICES OF RENO, LLC

Applicant was present.

It was moved and seconded to approve the license application with a monetary limit of \$200,000.00 and a bond of \$10,000.00. MOTION CARRIED.

17. NEW APPLICATION DENIAL HEARING:

TELECOMMUNICATIONS CABLING SERVICES, LLC

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 \$5,000.00 with a one (1) and two (2) year business review and personal indemnification.

Mr. Burke opposed the Motion.

18. NEW APPLICATION DENIAL HEARING:

FLOORING ENCOUNTERS, LLC

Applicant was present with counsel, Phil Emerson, Esq.

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

19. APPLICATION FOR REACTIVATION OF LICENSE DENIAL HEARING:

BIGHORN BUILDERS, INC.

Applicant was present.

It was moved and seconded to approve the reactivation of the license with a monetary limit of \$200,000.00 and a bond of \$10,000.00 contingent upon submitting a new financial statement, and a business review in one (1) year. MOTION CARRIED.

20. APPROVAL OF CONSENT AGENDA:

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

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

- #65 – Contri Construction Company – Disclosed a personal and business relationship with applicant.
- #190 - #193 – Mesa Mechanical, Inc. – Disclosed and recused based on a partnership and personal relationship.
- #272 – Silverstate Construction Technologies, LLC – Disclosed a personal relationship.

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

- #114 – G T I – Disclosed and recused based on Steve Menzies being a personal friend and competitor.
- #207 – Nevada Stairs, Inc. – Disclosed that applicant had a business relationship with Pulte.
- #217 – Pardee Homes of Nevada – Disclosed and recused based on personal and business relationships with Rockne Cochran.
- #253 - Rightway Drywall and Paint, LLC - Disclosed and recused based on a personal and business relationship with Mark Hutchins.

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

- #219 - #221- Paschall Plumbing, Heating and Cooling – Disclosed and recused based on his role as a Hearing Officer in a recent case involving the applicant and that he and Paschall served in an organization together.

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

- #302 – Tedesco Construction, Inc. - Disclosed a past business relationship with applicant.

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

21. APPLICATIONS (INITIAL AND RENEWAL IN QUESTION):

SAFE STEP TUBS OF NEVADA, LAS VEGAS, NV - NEW APPLICATION

Applicant was present.

It was moved and seconded to deny the requested C40 license classification. MOTION CARRIED.

AIR DOCTOR, INC., LAS VEGAS, NV (C-21B AIR CONDITIONING); CHANGE OF OFFICER/MEMBER/MANAGER; RECONSIDERATION License Number 36059

Licensee was present with counsel, Eric Dobberstein, Esq.

It was moved and seconded to deny the change of officer application adding Mr. Stephen Gamst as Secretary. MOTION CARRIED.

HYDROTECH, INC., FERNLEY, NV (A-GENERAL ENGINEERING); CHANGE/ADDITION Q.I.; RECONSIDERATION – WAIVER TRADE EXAMS License Number 28504

Licensee was present.

It was moved and seconded to deny the waiver of the CMS and trade exams. Ms. Brazell must replace the Qualified Employee or pass the CMS and trade exam within forty-five (45) days, and must submit in writing a list of current projects within fifteen (15) days. License number 28504 is suspended. MOTION CARRIED.

SILVERBACK CONSTRUCTION, LAS VEGAS, NV (B-2 RESIDENTIAL AND SMALL COMMERCIAL); CHANGE OF OFFICER/MEMBER/MANAGER; RECONSIDERATION, License Number 71781

Licensee was not present.

The application was withdrawn.

22. PUBLIC COMMENT

No one was present for public comment in Las Vegas or Reno.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Burke at 1:22 p.m.

Respectfully Submitted,

Janet Brinkley, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Kevin E. Burke, Chairman