

BRIAN SANDOVAL
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MEMBERS
Guy M. Wells, Chairman
Thomas "Jim" Alexander
Kevin E. Burke
Margaret Cavin
Joe Hernandez
Jan B. Leggett
Stephen P. Quinn

STATE CONTRACTORS BOARD
MINUTES OF THE MEETING
April 23, 2015

1. CALL TO ORDER:

- a. Chairman Guy Wells called the meeting of the State Contractors Board to order and led the Pledge of Allegiance at 8:30 a.m., Thursday, April 23, 2015, 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. Jim Alexander
Mr. Kevin Burke
Ms. Margaret Cavin
Mr. Jan Leggett
Mr. Stephen Quinn

BOARD MEMBERS ABSENT:

Mr. Joe Hernandez

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Dan Hammack, Chief of Enforcement
Ms. Nancy Mathias, Licensing Administrator
Mr. Paul Rozario, Director of Investigations

LEGAL COUNSEL PRESENT:

Mr. David Brown, Esq.

Ms. Grein stated the agenda was posted in compliance with the Open Meeting Law at Paseo Verde Library, Sawyer State Building, Clark County Library, Reno City Hall, Washoe County Courthouse and Washoe County Library. The agenda was also posted in both offices of the Board, Henderson and Reno, on the Board's Internet Website and the Nevada Public Notice Website.

• **APPROVAL OF AGENDA:**

Ms. Grein announced the following changes to the Agenda:

- Item #13 (S W C, Inc.) has been continued at the request of the applicant.

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

• **UNFINISHED BUSINESS:**

There was no unfinished business.

- **FUTURE AGENDAS:**

Ms. Grein reminded the Board that the Joint Board Meeting with the California Contractors State License Board is scheduled for June 19, 2015. Ms. Grein also noted that a Board training seminar has been scheduled for August 18, 2015 at the Judicial College.

2. PUBLIC COMMENT:

There was no one present to offer public comment.

3. APPROVAL OF MINUTES:

It was moved and seconded to approve the minutes of March 19, 2015 and March 25, 2015. MOTION CARRIED.

Mr. Quinn abstained as he was not present for the March 19, 2015 or March 25, 2015 meeting.

4. EXECUTIVE SESSION:

- a. Executive Officer's Report.

Ms. Grein provided the Board with an update on the efforts to address the recent Supreme Court ruling regarding the North Carolina Board of Dental Examiners v. Federal Trade Commission case.

- b. Report of Monthly Department Statistics

Ms. Grein provided the Board with an overview of departmental statistics for the month of March 2015.

- c. Review and Approval of Quarterly Financial Reports for the Period Ending March 31, 2015

Ms. Lumbert presented the Quarterly Financial Report for the period ending March 31, 2015.

It was moved and seconded to approve the Quarterly Financial Report for the period ending March 31, 2015. MOTION CARRIED.

- d. Legislative Discussion – For Possible Action

Including, but not limited to:

- i. Assembly Bills 53, 60, 72, 84, 89, 125, 133, 135, 137, 172, 193, 229, 269, 298, 332, 345, 353, 410, 418
- ii. Senate Bills 39, 50, 59, 70, 83, 122, 197, 223, 375, 413

Ms. Grein and Ms. Misty Grimmer of The Ferraro Group reported on pending legislation for the 2015 Legislative Session.

It was moved and seconded to accept the Legislative Report. MOTION CARRIED.

- e. Legal Report

Mr. Brown reported on pending legal matters.

It was moved and seconded to accept the Legal Report. MOTION CARRIED.

- f. Review and Approval of Executive Officer's Quarterly Report and Strategic Plan Update for the Period Ending March 31, 2015

Board staff reported on quarterly activities.

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

g. Subcommittee Reports – For Possible Action

There were no Subcommittee Reports.

5. APPROVAL OF CONSENT AGENDA:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 390)

Chairman Guy Wells made the following disclosures:

- Item #151 (Habitat for Humanity Las Vegas, Inc.) - Disclosed and abstained based on a current business relationship.
- Item #199-201 (M & H Enterprises, Inc.) - Disclosed and abstained based on a past and current business relationship.
- Item #213-217 (Martin Harris Construction, Inc.) - Disclosed and abstained based on a personal relationship.
- Item #233-237 (N D L Group, Inc.) - Disclosed and abstained based on a past and current business relationship.
- Item #261 (Pardee Homes of Nevada) - Disclosed and abstained based on a current business relationship.
- Item #388 (Western States Contracting) - Disclosed a personal relationship with the applicant.

Ms. Margaret Cavin made the following disclosures:

- Item #3-4 (A & K Earth Movers, Inc.) - Disclosed a past business relationship.
- Item #349 (T & T Electric, Inc.) - Disclosed a past business relationship.
- Item #352 (T D C Construction) - Disclosed a past business relationship.

Mr. Jan Leggett made the following disclosures:

- Item #3-4 (A & K Earth Movers, Inc.) - Disclosed that he sits on the AGC Board with the applicant.
- Item #41 (American Arborists, LTD) - Disclosed that the applicant is a competitor.
- Item #318 (Signature Landscapes, LLC) - Disclosed that the applicant is a competitor.
- Item #362 (The Turf Authority) - Disclosed that the applicant is a competitor.

Mr. Jim Alexander made no disclosures:

Mr. Stephen Quinn made no disclosures.

Mr. Kevin Burke made the following disclosures:

- Item #74 (California Pools of Las Vegas) - Disclosed and abstained based on a current business relationship.
- Item #107-108 (Dri Tech Corporation) - Disclosed and abstained based on a current business relationship.
- Item #199-201 (M & H Enterprises, Inc.) - Disclosed that the applicant is a competitor and he has a personal relationship with Frank and Bonnie Martin.
- Item #213-217 (Martin Harris Construction, Inc.) - Disclosed that the applicant is a competitor and he has a personal relationship with Frank and Bonnie Martin.
- Item #339 (Steel Partners, LLC) - Disclosed and abstained based on a current business relationship.
- Item #388 (Western States Contracting) – Disclosed a past business relationship.

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

6. CASH BOND CLAIM

COLOR COUNTRY CONSTRUCTION License 42168
Roland Gray, President/Qualifier

Roland Gray was not present at the hearing.

It was moved and seconded to award the cash bond claim filed by Dunn-Edwards in the amount of \$4,974.17; Vista Paint in the amount of \$6,153.00; Office of the Labor Commissioner (Jorge Avellano) in the amount of \$919.00; Office of the Labor Commissioner (Erick Salinas) in the amount of \$919.00; and that the Board recover costs of publication in the amount of \$272.64. MOTION CARRIED.

7. NEW APPLICATION DENIAL HEARING

FILIBERTO VALENCIANO CORDOVA DBA MAGIC SCAPE
Filiberto V. Cordova, Owner/Proposed Qualified Individual

Filiberto Cordova was present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

Exhibit 2 is the Board's Supplemental Documents.

Exhibit A is the Applicant's Financial Statement.

It was moved and seconded to affirm staff's denial of the application. MOTION CARRIED.

Mr. Burke and Ms. Cavin opposed the motion.

8. NEW APPLICATION DENIAL HEARING – Continued from January 22, 2015 and March 19, 2015

ZYZX CONSTRUCTION LLC
William Robert James, Manager/Proposed Trade Qualified Individual
Denise Laura James, Proposed CMS Qualified Individual

William James and Denise James were present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

Exhibit A is the Applicant's documentation dated January 7, 2015.

Exhibit B is the Applicant's Financial Statements received April 7, 2015.

It was moved and seconded to approve licensure classifications C-3 (Carpentry) and C-20 (Tiling) with a \$10,000.00 monetary limit, \$2,000.00 bond, and personal indemnifications from Mr. and Mrs. James upon surrendering all current licenses. MOTION CARRIED.

9. NEW APPLICATION DENIAL HEARING

TYLO INC DBA MILLENIUM LAWN SERVICE
Malissee M. Malonson, President
Priscilla Rowena Green, Director/Proposed Qualified Individual

Priscilla Green was present at the hearing. Malissee Malonson was not present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

Exhibit A is the Applicant's Answer received April 8, 2015.

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

10. NEW APPLICATION DENIAL HEARING

D ROCKERIES

Waylon Kurt Dowell, President/Proposed Qualified Individual

Waylon Dowell was present at the hearing.

Exhibit 1 is the Board Notice of Hearing.

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

Mr. Quinn opposed the motion.

11. NEW APPLICATION DENIAL HEARING

G A GARDENING INC

Gerardo Zamudio Alaniz, President

Malu Alaniz, Secretary/Treasurer

Lynn William Davis, Proposed Qualified Individual

Gerardo Alaniz and Malu Alaniz were present for the hearing. Lynn Davis was not present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

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

12. NEW APPLICATION DENIAL HEARING

HEET BUILDING & DESIGN LLC

David Michael Heet, Manager/Proposed Qualified Individual

Diane Lee Heet, Manager

David Heet and Diane Heet were present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to accept the applicant's request to withdraw its application. MOTION CARRIED.

Mr. Wells opposed the motion.

13. NEW APPLICATION DENIAL HEARING

S W C INC

James Alan Sparkman, President/Proposed Qualified Individual

This item was continued at the request of the applicant. MOTION CARRIED.

14. NEW APPLICATION DENIAL HEARING

UNLIMITED CONCRETE INC.

Edgar Adame Vargas, President/Proposed Qualified Individual

Edgar Vargas was present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to approve licensure classification C-5 (Concrete Contracting) with a \$10,000.00 monetary limit, \$2,000.00 bond, and a personal indemnification from Edgar Vargas. MOTION CARRIED.

15. **PUBLIC COMMENT:**

There was no one present to offer public comment.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Guy Wells at 12:03 p.m.

Respectfully Submitted,


Crystal Caywood, Recording Secretary

APPROVED:


Margi A. Grein, Executive Officer


Guy M. Wells, Chairman