

JIM GIBBONS
Governor

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

State of Nevada



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING September 24, 2009

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1. CALL TO ORDER:

Chairman Guy Wells called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, September 24, 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 W. Hodgson, III
Mr. Bruce King

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 September 17, 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.

FUTURE AGENDAS:

Mr. Burke will serve as Chairman for the Board Hearing on October 22, 2009.

2. PUBLIC COMMENT:

None

3. APPROVAL OF MINUTES: August 27, 2009

It was moved and seconded to approve the minutes of August 27, 2009. **MOTION CARRIED.**

4. EXECUTIVE SESSION:

a. EXECUTIVE OFFICER'S REPORT

Ms. Grein provided a summary of the NASCLA Conference that she attended in September. She also provided a status report regarding the NSCB open house scheduled for October 22, 2009 in the Henderson office.

b. PROPOSED CHANGES TO NAC 624.730 to 624.770 CONCERNING THE RESIDENTIAL RECOVERY FUND

Mr. Lyford provided a summary on proposed changes to NAC 624.730 to 624.770 concerning the Residential Recovery Fund.

c. REVIEW AND APPROVAL OF JUNE 30, 2009 RECOVERY FUND AUDIT REPORT

Ms. Neetra Childs from Solari and Sturmer, LLC provided a summary of the June 30, 2009 Recovery Fund Audit Report.

It was moved and seconded to approve the June 30, 2009 Recovery Fund Audit Report. MOTION CARRIED.

d. DISCUSSION OF SOLARI AND STURMER MANAGEMENT LETTER

Ms. Neetra Childs from Solari and Sturmer, LLC and Ms. Grein provided a summary of the Solari and Sturmer management letter.

It was moved and seconded to approve the management letter. MOTION CARRIED.

e. REVIEW AND APPROVAL OF PROPOSED ECONOMIC IMPACT STATEMENT FOR REGULATION R057-09 CONCERNING LICENSE BONDS

Ms. Grein and Ms. Mathias provided a summary of the proposed economic impact statement for regulation R057-09 concerning license bonds. Board member Ellison expressed his concern regarding the economic impact.

Mr. Buzz Harris with the Nevada Chapter of Associated General Contractors commented concerning the proposed regulation.

It was moved and seconded to approve the impact statement. MOTION CARRIED.

f. DISCUSSION AND APPROVAL OF SETTLEMENT AGREEMENTS

1. Nu Turf, Inc., License No. 57615

Licensee was not present.

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

g. DEPARTMENTAL REPORTS:

LEGAL:

Mr. Robb provided a status report on legal matters.

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

6. FINANCIAL RESPONSIBILITY HEARING:

WET PAINT A PAINTING AND DRYWALL COMPANY, INC., License number 56200

Licensee was present.

It was moved and seconded to lower the monetary limit of Wet Paint A Painting and Drywall Company, Inc., license number 56200 to \$20,000.00. A new financial statement must be submitted by October 31, 2009. MOTION CARRIED.

7. FINANCIAL RESPONSIBILITY HEARING:

FACILITEQ BUSINESS INTERIORS, INC., License number 68501

Licensee was present.

Mr. Wells recused himself from this matter.

It was moved and seconded to lower the monetary limit of Faciliteq Business Interiors, Inc., license number 68501 to \$100,000.00. A new financial statement must be submitted in six (6) months from the September 24, 2009 Board Hearing. MOTION CARRIED.

Mr. King opposed the motion.

8. FINANCIAL RESPONSIBILITY HEARING:

WESTERN ROOFING, INC. OF IDAHO, dba WRI NORTHWEST USA, License number 69929

Licensee was present with counsel, Carter King, Esq.

It was moved and seconded to suspend license number 69929, Western Roofing, Inc. of Idaho, dba WRI Northwest USA for sixty (60) days from the September 24, 2009 Board Hearing. Respondent must provide a current financial statement that supports the license limit within sixty (60) days or the license will be revoked. MOTION CARRIED.

9. FINANCIAL RESPONSIBILITY HEARING:

RARE EARTH EXCAVATING, INC., License number 68041

Licensee was present.

It was moved and seconded to continue the suspension of the license for thirty (30) days from the September 24, 2009 Board Hearing. Respondent must provide a current financial statement within thirty (30) days or the license will be revoked. MOTION CARRIED.

10. NEW APPLICATION DENIAL HEARING:

JEFF NICOLETTA CONSTRUCTION

Applicant was present.

It was moved and seconded to hold the application in abeyance until February 25, 2010. If applicant cannot meet financial responsibility requirements by February 25, 2010 the application will be withdrawn. **MOTION CARRIED.**

11. FINANCIAL RESPONSIBILITY HEARING:

NEVADA I C F, LLC, License number 70506

Licensee was present.

It was moved and seconded to suspend the license for thirty (30) days from the September 24, 2009 Board Hearing. Respondent must provide a current financial statement within thirty (30) days or the license will be revoked. **MOTION CARRIED.**

12. NEW APPLICATION DENIAL HEARING:

ACCURATE TEMP, 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 \$2,000.00 contingent upon a business review in six (6) months. **MOTION CARRIED.**

Mr. Burke and Mr. King opposed the motion.

13. NEW APPLICATION DENIAL HEARING: (Continued from July 23, 2009)

PERFECTION CONNECTION

Applicant was present.

It was moved and seconded to continue this matter for thirty (30) days from the September 24, 2009 Board Hearing. Respondent must submit a personal financial statement within thirty (30) days or the application will be denied. **MOTION CARRIED.**

14. NEW APPLICATION DENIAL HEARING: (Continued from August 27, 2009)

THOR FRAMING CONTRACTOR

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. Burke recused himself from item numbers 88, 101, 107, 150 and 239.

Mr. King recused himself from item numbers 88, 91, 179, 202, 241 and 371.

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

16. APPLICATIONS (INITIAL AND RENEWAL) IN QUESTION:

MIMOSA INTERNATIONAL, LTD. (C-17 LATHING AND PLASTERING); NEW APPLICATION; WAIVER OF TRADE EXAM

Applicant was present.

It was moved and seconded to waive the trade exam and have staff determine the appropriate classification. Applicant's New York license will be subject to verification that it is in good standing. MOTION CARRIED.

FLOYDS COBSTRUCTION, INC. (A- GENERAL ENGINEERING); SINGLE PROJECT LIMIT INCREASE

Applicant was present.

Mr. Wells recused himself from this matter.

It was moved and seconded to approve the single project limit increase contingent upon posting full payment and performance bonds with copies provided to the Board. MOTION CARRIED.

TERRAFIRM EARTH TECHNOLOGIES LIMITED PARTNERSHIP (C-23 DRILL WELLS, INSTALL PUMPS, PRESSURE TAN); SINGLE PROJECT LIMIT INCREASE; RECONSIDERATION

Applicant was not present.

It was moved and seconded to deny the single project limit increase. MOTION CARRIED.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Wells at 12:08 p.m.

Respectfully Submitted,

Janet Brinkley, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Guy Wells, Chairman