

BRIAN SANDOVAL
Governor

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

State Of Nevada



STATE CONTRACTORS BOARD

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MINUTES OF THE MEETING June 23, 2011

1. CALL TO ORDER:

Chairman Burke called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, June 23, 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
Mr. Donald L. Drake
Mr. Nathaniel W. Hodgson, III
Mr. Bruce King
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

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 17, 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.

APPROVAL OF AGENDA:

Sierra Eco Systems, item number 12 on the Agenda was continued.

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

FUTURE AGENDAS:

Starting in July 2011, the Executive Session will be agendized at the beginning of the meeting.

2. PUBLIC COMMENT

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

3. 2011 – 2012 STRATEGIC PLAN UPDATE – DANIEL IACOFANO

Daniel Iacofano, Chief Executive Officer with MIG, Incorporated presented a report on Strategic Planning.

It was moved and seconded to approve the 2011 – 2012 Strategic Plan. MOTION CARRIED.

4. APPROVAL OF MINUTES: May 26, 2011 and June 7, 2011.

It was moved and seconded to approve the Minutes of May 26, 2011 and June 7, 2011. MOTION CARRIED.

Mr. Quinn abstained from this matter, due to the fact that he did not attend the May 26, 2011 and June 7, 2011 hearings.

5. LEGISLATIVE DISCUSSION

2011 LEGISLATIVE SESSION REPORT – KEITH LEE

Mr. Keith Lee presented a summary of legislative issues.

6. NEW APPLICATION DENIAL HEARING:

INDUSTRIAL LIGHT AND POWER, LLC

Applicant was present with Andrew James, Managing Partner and Jonas Stoltzfus, CPA of Industrial Light and Power, LLC.

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

7. NEW APPLICATION DENIAL HEARING:

FINCH ENVIRONMENTAL, INC.

Applicant was present.

It was moved and seconded to approve the application contingent upon receipt of a personal financial statement that supports the requested license, personal indemnification agreement and clarification of accounts receivable and notes payable. MOTION CARRIED.

8. NEW APPLICATION DENIAL HEARING:

VISION DESIGN PAINTING, INC.

Applicant was present with counsel, Nathan Aman, Esq.

Richard Perez, Qualified Individual of Visions Design Painting, Inc. was present.

It was moved and seconded to approve the license application with a monetary license limit of \$245,000.00 with a bond of \$15,000.00. MOTION CARRIED.

Mr. Wells opposed the motion.

9. NEW APPLICATION DENIAL HEARING:

MICHAEL CRAIG CONSTRUCTION

Applicant was present.

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

10. NEW APPLICATION DENIAL HEARING:

JOHN DANIEL HAYS, LLC, dba CREATIVE FINISHES

Applicant was present.

It was moved and seconded to approve the license application with a monetary limit of \$5,000.00 with a bond of \$2,000.00 contingent upon a six (6) month business review and submitting an updated financial statement. MOTION CARRIED.

Mr. Drake opposed the motion.

11. NEW APPLICATION DENIAL HEARING:

ALEX THADEUS RENCZARSKI, dba SLIDE MOUNTAIN HOME IMPROVEMENT

Applicant was not present.

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

12. NEW APPLICATION DENIAL HEARING:

SIERRA ECO SYSTEMS

Applicant was not present.

This matter was continued.

13. NEW APPLICATION DENIAL HEARING:

M J S FINISHING, LLC

Applicant was present

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

14. NEW APPLICATION DENIAL HEARING:

SEAN CRAIGS PLUMBING, LLC

Applicant was present with counsel, Keith Gregory, Esq.

Bruce King disclosed that he has a personal relationship with Keith Gregory, Esq.

It was moved and seconded to approve the license application with a monetary limit of \$750,000.00 with a bond of \$20,000.00. MOTION CARRIED.

15. NEW APPLICATION DENIAL HEARING (CONTINUED):**FOOTHILL HEATING AND AIR CONDITIONING, LLC**

Applicant was present with counsel, Stephen Bus, Esq.

It was moved and seconded to approve the license application for a monetary limit of \$10,000.00 with a bond of \$2,000.00 contingent upon indemnification of Mr. Spinelli, Sr. MOTION CARRIED.

16. APPROVAL OF CONSENT AGENDA:

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

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

- #70 – Canyon Plumbing, LLC disclosed a personal relationship.
- #107 – Dunhill Homes, disclosed a personal and business relationship.
- #134 – Focus Plumbing, LLC disclosed a personal and business relationship.
- #216 – Ledcor Construction, Inc. disclosed a business relationship.
- #304 and #305 – Pulte Homes of Nevada disclosed and recused since applicant is former employer.
- #341 – 343 – Selectbuild Nevada, Inc. disclosed a personal and business relationship.
- #344 – Sierra Air Conditioning, Inc. disclosed a business relationship.
- #347 – Simplex Grinnel, LP disclosed a business relationship.
- #373 and 374 – T & R Construction Group recused based on a personal and business relationship.
- #386 – Triple H Contracting, LLC recused based on a personal and business relationship.

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

- #134 – Focus Plumbing, LLC disclosed a personal and business relationship.
- #200 – Juliet Property Company disclosed a personal relationship.
- #304 and #305 – Pulte Homes of Nevada disclosed a personal and business relationship with Mr. Hodgson.
- #373 and #374 – T & R Construction Group disclosed and recused based on longstanding professional differences.

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

- #1 and #2 – (license application) disclosed and recused based on a debt owed to Wells Cargo.
- #211 – Lake Construction, Inc. disclosed and recused citing personal and business competitor.
- #246 – McIntosh Communications, Inc. disclosed a prior business relationship.
- #304 and #305 – Pulte Homes of Nevada disclosed and recused based on a business relationship with Mr. Hodgson.

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

- #175 – Helix Electric Renewable Energy disclosed and recused based on a current contractual relationship.
- #221 - #225 M C A Construction, Inc. disclosed and recused based on a current contractual relationship.
- #239 - #240 Marnell, LLC disclosed and recused based on a current contractual relationship.
- #301 - #302 Premier Mechanical, LLC disclosed and recused based on a current contractual relationship.
- #304 and #305 – Pulte Homes of Nevada disclosed a personal and business relationship with Mr. Hodgson.

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

- #143 – Frontier Radio, Inc. disclosed a former relationship from years ago.
- #156 – Gore Custom Coatings, Inc. disclosed a former relationship from years ago.
- #157 – Gore Painting, Inc. disclosed a former relationship from years ago.
- #180 - #182 Hufcor Nevada, LLC disclosed a former relationship from years ago.
- #208 and #209 – Kitchell Contractors, Inc. disclosed a former relationship from years ago.
- #304 and #305 – Pulte Homes of Nevada disclosed a personal and business relationship with Mr. Hodgson.
- #350 – Southwest Stone and Tile, Inc. disclosed that he acted as hearing officer on a case involving applicant.

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

- #304 and #305 – Pulte Homes of Nevada disclosed a personal and business relationship with Mr. Hodgson.
- #372 – Systems of Nevada, Inc. disclosed that he is a member of organization.

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

17. APPLICATIONS (INITIAL AND RENEWAL IN QUESTION):

MILESTONE PAVING AND GRADING, INC., LAS VEGAS, NV. (A-7 EXCAVATING AND GRADING, A-8 SEALING AND STRIPING OF ASPHALTIC SURFACES, A-12 EXCAVATING, GRADING, TRENCHING AND SURFACING, A-16 PAVING STREETS, DRIVEWAYS AND PARKING LOTS); BROADENING OF CLASSIFICATION; RECONSIDERATION

MILESTONE PAVING AND GRADING, INC., LAS VEGAS, NV. (A-7 EXCAVATING AND GRADING, A-8 SEALING AND STRIPING OF ASPHALTIC SURFACES, A-12 EXCAVATING, GRADING, TRENCHING AND SURFACING, A-16 PAVING STREETS, DRIVEWAYS AND PARKING LOTS); CHANGE/ADDITION Q.I.; RECONSIDERATION

Licensee was present with counsel, Georlen Spangler, Esq.

Mr. Wells recused himself from this matter based on a debt owed to Wells Cargo, and departed the meeting at 11:20 a.m. Mr. Wells returned to the meeting at approximately 11:40 a.m.

Mr. Quinn disclosed a business relationship.

It was moved and seconded to deny the Change of Qualified Individual and Broadening of Classification. **MOTION CARRIED.**

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

19. EXECUTIVE SESSION:

a. EXECUTIVE OFFICER'S REPORT

b. FOLLOW-UP DISCUSSION ON ITEM NUMBER 19-H FROM THE APRIL 21, 2011 BOARD MEETING AGENDA

Mr. Quinn stated that he met with Ms. Grein, Mr. Lyford and Mr. Hammack and that his concerns have been met and his questions answered.

c. CONSIDERATION AND APPROVAL OF CONTRACT FOR LEGISLATIVE AND REGULATORY REPRESENTATION

It was moved and seconded to table this matter to the July 21, 2011 Board meeting.

MOTION CARRIED.

d. REPORT CONCERNING STATUS OF AGENCY REGULATION REVIEW AND SUBCOMMITTEE MEETING

Louis Ling, Esq. presented a report on the status of agency regulation review and subcommittee meeting.

e. DISCUSSION CONCERNING HEARING OFFICERS AND DELEGATION OF APPLICATION DENIAL HEARINGS

Louis Ling, Esq. presented a report on hearing officers and delegation of application denial hearings.

Mr. Ling suggested that licensure denials be removed from the full board hearing and be heard as a committee of one and that a specific time be noted on the agenda for each hearing. The staff will move forward on defining this process.

It was moved and seconded beginning July, 2011 to allocate more time for the Executive Session in the first section of Board meetings. MOTION CARRIED.

f. DISCUSSION CONCERNING JUNE 7, 2011 CALIFORNIA STATE LICENSE BOARD JOINT MEETING

Board members and staff commented on the positive interaction with the California State License Board and reported on past and future cooperative efforts.

g. REVIEW AND APPROVAL OF FY 2011-2012 BUDGET

Ms. Lumbert presented a report on the budget.

It was moved and seconded to approve the FY 2011-2012 budget. MOTION CARRIED.

h. DEPARTMENTAL REPORTS:

LEGAL

Mr. Robb provided a report concerning legal matters.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Burke at 1:50 p.m.

Respectfully Submitted,

Janet Brinkley, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Kevin E. Burke, Chairman