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STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
February 10, 2005**

MEMBERS
RANDALL SCHAEFER
Chairman
MARGARET CAVIN
Vice Chair
DAVID W. CLARK
SPIRIDON FILIOS
JERRY HIGGINS
J. BRIAN SCROGGINS
MICHAEL ZECH

1. CALL TO ORDER:

Chairman Randy Schaefer called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, February 10, 2005, 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. Randy Schaefer - Chairman
Ms. Margaret Cavin
Mr. David Clark
Mr. Spiridon G. Filios
Mr. J. Brian Scroggins

BOARD MEMBERS ABSENT:

Mr. Michael Zech
Mr. Jerry Higgins

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Ms. Nancy Mathias, Licensing Administrator
Mr. George Lyford, Director of Investigations
Mr. Daniel Hammack, Chief of Enforcement

LEGAL COUNSEL PRESENT:

Mr. Bruce Robb, Esq., Legal Counsel

2. PUBLIC COMMENT:

SSgt. Tanya Umphrey was present and presented an American Flag that was flown on a combat mission during Operation Enduring Freedom, Afghanistan, to thank the Board and staff for their support during her tour of duty in Afghanistan.

3. APPROVAL OF MINUTES: January 20, 2005

It was moved and seconded to approve the minutes of January 20, 2005. **MOTION CARRIED.**

It was moved and seconded to amend the agenda, adding application 1. **MOTION CARRIED.**

4. EXECUTIVE SESSION:

a. REVIEW AND APPROVAL OF CASH DISBURSEMENTS AND TRANSFER JOURNALS FOR THE PERIOD ENDING DECEMBER 31, 2004:

It was moved and seconded to approve the Cash Disbursements and Transfer Journals for the period ending December 31, 2004. **MOTION CARRIED.**

b. REVIEW AND APPROVAL OF THE FINANCIAL REPORT FOR THE PERIOD ENDING DECEMBER 31, 2004:

It was moved and seconded to approve the Financial Report for the period ending December 31, 2004. **MOTION CARRIED.**

c. REVIEW AND APPROVAL OF EXECUTIVE OFFICERS REPORT:

It was moved seconded to approve the Executive Officers Report. **MOTION CARRIED.**

d. REVIEW AND APPROVAL OR REVISED 2005 BOARD MEETING SCHEDULE

It was moved and seconded to approve the Revised 2005 Board Meeting Schedule. **MOTION CARRIED.**

e. REVIEW AND APPROVAL OF 2004 ACTIVITIES AND ACCOMPLISHMENTS REPORT:

Ms. Grein provided a report on the strategic plan implemented by the Board and the accomplishments for 2004.

It was moved and seconded to approve the 2004 Activities and Accomplishments Report. **MOTION CARRIED.**

f. DISCUSSION OF DIRECTOR & OFFICER LIABILITY INSURANCE:

Ms. Grein provided a letter from Dennis Haney, Esq. reviewing the Director and Officer Liability Insurance policy of the Board.

The Board discussed researching the feasibility of including the Commission on Construction Education Members under the Board's policy or having the Commission obtain their own policy.

h. DISCUSSION OF VENDOR SEARCH FOR NEW PENSION PLAN ADMINISTRATOR AND 457 PLAN ADMINISTRATOR:

Ms. Grein provided a status report on the Vendor search for the new Pension Plan Administrator and 457 Plan Administrator.

i. DISCUSSION OF APPROVED CONTRACT WITH VERSA FOR DATABASE:

Ms. Grein discussed the contract with Versa for the Nevada State Contractors Board Database upgrade that was approved by the Board of Examiners.

j. DISCUSSION REGARDING DISCIPLINARY ACTIONS AND PENALTIES:

The Board discussed what action can be taken when the licensee fails to provide a financial statement in a timely manner or fails to meet the Board's criteria concerning financial responsibility.

Mr. Robb affirmed the ability of the Board or the Hearing Officer to discipline the license or reduce the licensee's monetary license limit as a result of a Disciplinary Hearing.

The Board reviewed the current financial statement requirements and requested that the matter be placed on the next Board Meeting Agenda for discussion.

k. DEPARTMENTAL REPORTS:

ENFORCEMENT AND INVESTIGATION:

Mr. Hammack provided a status report of the Investigation Department.

LICENSING:

Ms. Mathias provided a status report of the Licensing Department.

5. LEGISLATIVE DISCUSSION:

a. REVIEW AND DISCUSSION OF THE JANUARY 24, 2005 LEGISLATIVE COMMITTEE MEETING MINUTES:

Ms. Grein discussed the Legislative Subcommittee Meeting that took place on January 24, 2005 and provided copies of the meeting minutes.

b. DISCUSSION OF 2005 LEGISLATIVE SESSION:

Ms. Grein discussed AB 34 sponsored by Senator Buckley.

It was motioned to support AB 34. **MOTION CARRIED.**

Ms. Grein provided a summary of her testimony before the Senate Commerce and Labor Committee on February 9, 2005.

c. DISCUSSION REGARDING SB 132 FROM 2003 AND BDR 53-029 CONCERNING MOLD:

Ms. Grein provided a summary report of the Bill Draft Request concerning mold remediation.

The Board discussed their position that mold remediation should not be regulated by the Contractors Board. It was motioned to oppose any legislation which would require the Board to regulate mold. **MOTION CARRIED.**

d. DISCUSSION OF REPORT FROM AMERICAN STRATEGIES, INC.:

Mr. Buzz Harris provided a summary of his activities.

7. INTERVIEW:

RON FREETO CONSTRUCTION, INC., LICENSE NO. 51075A

Licensee was present.

It was moved and seconded to approve the financial review with the monetary license limit and bond to remain the same. MOTION CARRIED.

8. FINANCIAL INTERVIEW:

SAPINI WELDING CORPORATION:, LICENSE NO. 56612

Licensee was not present.

This Matter was continued.

9. FINANCIAL INTERVIEW:

SCHULZ MECHANICAL, LLC, LICENSE NO. 56199

Licensee was present.

It was moved and seconded to approve the reduction of the monetary license limit to \$25,000.00 and bond to remain the same. MOTION CARRIED.

10. ADVISORY OPINION:

LAS VEGAS VALLEY WATER DISTRICT

Ms. Mathias reported on the request made by the Las Vegas Valley Water District regarding licensing requirements for the construction of approximately 6,500 linear feet of unpaved trails; the construction of 16 ramadas/waysides; 2 composting toilets and appurtenant work.

Based on the information the Board opined that this work would fall within the scope of the A General Engineering or AB General Engineering/General Building license.

11. APPROVAL OF CONSENT AGENDA:

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

a. RATIFICATION OF STAFF APPROVED LICENSE APPLICATIONS, CHANGES OF LICENSURE, REINSTATEMENTS OF LICENSURE, VOLUNTARY SURRENDERS:**12. APPLICATIONS IN QUESTION: (CLOSED MEETING PURSUANT TO NRS 241.030)**

It was moved and seconded to close the meeting to the public in accordance with NRS 241.030 to discuss financial matters. **MOTION CARRIED**

E & E FIRE PROTECTION, LICENSE NO. 26348 (C-1B FIRE SPRINKLERS) ONE TIME RAISE IN LIMIT

Licensee was not present.

It was moved and seconded to deny the one time raise in limit application. **MOTION CARRIED.**

U H D CALIFORNIA LP, LICENSE NO. 56588 (C-14 C ORNAMENTAL METAL) F/S ON RENEWAL

Licensee was present.

It was moved and seconded to approve the renewal application. **MOTION CARRIED.**

BREEZE BROTHERS CONSTRUCTION, LLC, (C-3 CARPENTRY) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application conditioned on the applicant providing a financial statement at the time of renewal 2006. **MOTION CARRIED.**

The applicant is ordered to submit to a Business Review within 60 days from February 10, 2005. The result of the Business Review will be presented to the Executive Officer.

T B L CONSTRUCTION, INC., (AB GENERAL ENGINEERING; GENERAL BUILDING) NEW APPLICATION

Applicant was present.

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

T B L CONSTRUCTION, INC., LICENSE NO. 57778 (B-2 RESIDENTIAL & SMALL COMMERCIAL) RAISE IN LIMIT

Licensee was present.

It was moved and seconded to table the raise in limit application. **MOTION CARRIED.**

D T DEVELOPMENT, INC., LICENSE NO. 54504 (B-2 RESIDENTIAL & SMALL COMMERCIAL) RAISE IN LIMIT

Licensee was present with Counsel Brad Parsons, Esq.

It was moved and seconded to table the raise in limit application. MOTION CARRIED.

PENNINGTON DEVELOPMENT, INC., LICENSE NO. 45675A (B-GENERAL BUILDING) REMOVAL OF INDEMNIFICATION, F/S REVIEW

Licensee was present.

It was moved and seconded to approve the financial statement with the monetary license limit reduced to \$700,000.00 and the bond to remain the same. MOTION CARRIED.

HAWKEYE PLUMBING, (C-1 PLUMBING & HEATING) NEW APPLICATION

Applicant was present.

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

The applicant is ordered to submit to a Business Review within 60 days from February 10, 2005. The result of the Business Review will be presented to the Executive Officer.

MR. MC FIX IT, (C-3 CARPENTRY) NEW APPLICATION

Applicant was present.

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

ALISON BUILDING COMPANY, INC., LICENSE NO. 38887 (B-2 RESIDENTIAL & SMALL COMMERCIAL) RAISE IN LIMIT, RECONSIDERATION

Licensee was present.

It was moved and seconded to approve the raise in limit application. MOTION CARRIED.

STONE CONSTRUCTION, (B-3 SPECULATIVE BUILDING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application limited to licensee performing construction on own property. MOTION CARRIED.

BLUE MOUNTAIN STEEL, INC., LICENSE NO. 30162 (C-14 A, B, C REINFORCING STEEL; STRUCTURAL STEEL; ORNAMENTAL METAL) F/S ON RENEWAL, EXPIRED LICENSE WITH OPEN COMPLAINT

Licensee was present.

It was moved and seconded to approve the renewal application with the monetary license limit reduced to \$1,500,000.00 and the bond to remain the same. MOTION CARRIED.

LERG CONSTRUCTION, LICENSE NO. 55987 (B-3 SPECULATIVE BUILDING) RAISE IN LIMIT

Licensee was present.

It was moved and seconded to approve the raise in limit application contingent upon corporate indemnification and conditioned upon licensee performing construction on own property. The licensee must report status of the bankruptcy within 6 months. MOTION CARRIED.

The Board reviewed the remainder of the applications on the agenda.

It was moved and seconded to reopen the meeting to the public. MOTION CARRIED.

It was moved and seconded to ratify all applications not specifically discussed in closed session as recommended by staff. MOTION CARRIED.

13. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Schaefer at 11:30 a.m.

Respectfully Submitted,

Traci Greenlee, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Randall Schaefer, Chairman