

**JIM GIBBONS**  
Governor

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

## State Of Nevada



## STATE CONTRACTORS BOARD

### MINUTES OF THE MEETING October 21, 2010

Reply To:

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#### **1. CALL TO ORDER:**

Chairman Burke called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, October 21, 2010, 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. Donald L. Drake  
Mr. Michael Efstratis  
Mr. Nathaniel W. Hodgson, III  
Mr. Stephen P. Quinn  
Mr. Guy M. Wells

#### **BOARD MEMBERS ABSENT:**

Mr. Bruce King

#### **STAFF MEMBERS PRESENT:**

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

#### **LEGAL COUNSEL PRESENT:**

Mr. Jonathan Andrews, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on October 15, 2010, 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:**

Ms. Grein stated that the request by Blue Lagoon Pools Contractors had been withdrawn, and Marchelo Alberto Mateos, item number 9 was vacated.

Dave's Electric, Inc., item number 14 was granted a continuance.

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

**2. PUBLIC COMMENT**

No one from the general public was present to offer comment.

**3. APPROVAL OF MINUTES:** September 23, 2010.

It was moved and seconded to approve the Minutes of September 23, 2010. MOTION CARRIED.

**4. ELECTION OF OFFICERS**

It was moved and seconded to retain Kevin Burke as Chairman. MOTION CARRIED.

It was moved and seconded to retain Bruce King as Treasurer. MOTION CARRIED.

**5. APPOINTMENT OF COMMITTEE MEMBERS FOR RECOVERY FUND AND CONSTRUCTION EDUCATION**

It was moved and seconded to appoint Donald Drake to the Recovery Fund Committee. MOTION CARRIED.

It was moved and seconded to appoint Bruce King to the Commission on Construction Education. MOTION CARRIED.

**6. UPDATE CONCERNING RENO OFFICE SPACE**

Jim Colegrove, CEO of 3G Construction Group provided a project status report.

**7. NEW APPLICATION DENIAL HEARING:**

**MANUEL C. RUIZ, dba ECONOMY LANDSCAPING**

Applicant was present with Mr. Segalstein, his tax advisor.

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

**8. CONTINUED NEW APPLICATION DENIAL HEARING:**

**ROBERT PATRICK McGWIRE, dba McGWIRE INDUSTRY**

Applicant was not present.

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

**9. CONTINUED NEW APPLICATION DENIAL HEARING:**

**MARCHELO ALBERTO MATEOS**

Applicant was not present.

This matter was vacated.

**10. NEW APPLICATION DENIAL HEARING:**

**DESERT GREEN LANDSCAPE MAINTENANCE, INC.**

Applicant was present with counsel, Charles E. Kelly, Esq.

**It was moved and seconded to continue this matter for sixty (60) days. MOTION CARRIED.**

**11. NEW APPLICATION DENIAL HEARING:**

**REDLAND CORPORATION**

Applicant was present.

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

**12. NEW APPLICATION DENIAL HEARING:**

**HI-N-LO VOLT ELECTRIC**

Applicant was present with counsel, Tony May, Esq.

Roosevelt Ward, Ariel Garcia, Nathan Kempfski and Sondra May were present and provided testimony concerning Mr. May's character.

**It was moved and seconded to approve the license application, Classification C2, Electrical with a monetary limit of \$25,000.00 and a bond of \$5,000.00. MOTION CARRIED.**

**13. NEW APPLICATION DENIAL HEARING:**

**WESTERN OILFIELDS SUPPLY COMPANY**

Applicant was present with Tony Schoen, Controller for Western Oilfields Supply Company.

**It was moved and seconded to approve the license application, Classification C23, Drill wells, install pumps, pressure tanks and storage tanks with a monetary amount of \$950,000.00 and a bond of \$20,000.00. MOTION CARRIED.**

**14. NEW APPLICATION DENIAL HEARING:**

**DAVES ELECTRIC, INC.**

Applicant was not present.

**This matter was continued.**

**15. NOTICE OF INTENT TO AWARD CLAIM:**

**NEVADA INVESTMENT AND DEVELOPMENT, License No. 56980**

**It was moved and seconded to award the cash bond claim to White Cap Construction Company. MOTION CARRIED.**

**16. APPROVAL OF CONSENT AGENDA:**

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

Mr. Hodgson recused himself from item numbers 103, 187, 245 through 247 and 254.

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

**17. APPLICATIONS (INITIAL AND RENEWAL IN QUESTION):**

**JAFEC USA, INC., LAS VEGAS, NV (A-GENERAL ENGINEERING); NEW APPLICATION**

Applicant was not present.

It was moved and seconded to approve the application contingent upon completion of exam requirement and to request counsel for the applicant to submit an affidavit certifying that legal counsel has conducted a due diligence investigation and Mr. Matsumoto has no arrest record in Japan or any other country. MOTION CARRIED.

**BLUE LAGOON POOLS CONTRACTORS (A-10 COMMERCIAL AND RESIDENTIAL POOLS); MISCELLANEOUS**

The request was withdrawn.

**INCLINE BUILDERS, INC., INCLINE VILLAGE, NV (B-2 RESIDENTIAL AND SMALL COMMERCIAL); SINGLE PROJECT LIMIT INCREASE; RECONSIDERATION**

Licensee was not present.

It was moved and seconded to approve the single project limit increase contingent on an indemnification by the project owner or use of construction control on the project. MOTION CARRIED.

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

Mr. Lyford reported on results of the Strategic Planning evaluation of the Residential Recovery Fund. Specific recommendations for improvement will be presented to the Board at the November meeting.

**19. EXECUTIVE SESSION:**

**a. EXECUTIVE OFFICER'S REPORT**

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

**b. REVIEW AND APPROVAL OF EXECUTIVE OFFICER'S QUARTERLY REPORT 7/1/10 THROUGH 9/30/10**

It was moved and seconded to approve the Executive Officer's Quarterly Report for the period 7/1/10 through 9/30/10. MOTION CARRIED.

**c. REVIEW AND APPROVAL OF CASH DISBURSEMENTS AND TRANSFER JOURNALS 7/1/10 THROUGH 9/30/10**

It was moved and seconded to approve the cash disbursements and transfer journals for the period 7/1/10 through 9/30/10. MOTION CARRIED.

**d. APPROVAL OF QUARTERLY FINANCIAL REPORT FOR PERIOD 7/1/10 THROUGH 9/30/10**

It was moved and seconded to approve the Quarterly Financial Report for the period 7/1/10 through 9/30/10.

**e. REVIEW AND APPROVAL OF COMPARISON REPORTS FOR PERIOD 7/1/2008 THROUGH 9/30/2010**

It was moved and seconded to approve the Comparison Reports for the period 7/1/2008 through 9/30/2010. MOTION CARRIED.

**f. DISCUSSION OF SOLARI AND STURMER MANAGEMENT LETTER AND REVISED POLICY CONCERNING RESERVES**

Ms. Grein and Jonathan Andrews, Esq., presented an overview on the management letter and revised policy concerning operating reserves.

It was moved and seconded to approve the proposed response. MOTION CARRIED.

It was moved and seconded for the Board to adopt a policy maintaining a one year operating reserve of annual operating expenses. When necessary to maintain normal operations, the reserve may be reduced to, but not below, six (6) months of annual operating expenses at the discretion of the Executive Officer, with notice to the Board. The Board shall conduct an annual analysis of its operating reserve. MOTION CARRIED.

It was moved and seconded for the Board to adopt a policy pursuant to NRS 624.470(3) to reduce the Recovery Fund assessment when the balance in the fund reaches one hundred and fifty per cent (150%) of the largest balance in the account during the previous fiscal year. In order to fairly impact all licensees, the assessment shall be reduced for a two (2) year period beginning with the fiscal year following the date when the balance in the fund reaches one hundred and fifty per cent (150%). The amount of the assessment reduction shall be based on an actuality analysis that includes but is not limited to the history of claimed aid from the Recovery Fund past license revenues and future revenue projections. MOTION CARRIED.

**g. REVIEW OF NAC 624.6975 – 624.7296 CONCERNING RULES OF PRACTICE**

In accordance with statutory requirements, the rules of practice were reviewed and no changes were recommended

**h. DISCUSSION AND REVIEW OF RESPONSES UNDER NRS 40.6887**

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

Mr. Quinn abstained from the Goynes matter.

**i. STRATEGIC PLANNING UPDATE**

Ms. Grein and Mr. Sabates presented an update concerning strategic planning.

**j. DEPARTMENTAL REPORTS**

**ENFORCEMENT AND INVESTIGATIONS**

Mr. Lyford presented a report on the Enforcement and Investigations Department.

**LEGAL**

David Brown, Esq. presented a report on legal issues.

**LICENSING**

Ms. Mathias presented a report on the Licensing Department.

**PUBLIC RELATIONS**

Mr. Nadler presented a report on the Public Relations Department.

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Chairman Burke at 11:44 a.m.

Respectfully Submitted,

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Janet Brinkley, Recording Secretary

APPROVED:

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Margi A. Grein, Executive Officer

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Kevin E. Burke, Chairman