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STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
January 18, 2006**

MEMBERS
RANDALL SCHAEFER
Chairman
MARGARET CAVIN
Vice Chair
DAVID W. CLARK
SPIRIDON FILIOS
JERRY HIGGINS
WILLIAM "BRUCE" KING
J. BRIAN SCROGGINS

1. CALL TO ORDER:

Vice-Chair Margaret Cavin called the meeting of the State Contractors Board to order at 8:59 a.m., Wednesday, January 18, 2006, 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. Spiridon G. Filios
Mr. Jerry Higgins
Mr. J. Brian Scroggins

BOARD MEMBERS ABSENT:

Mr. David Clark
Mr. Bruce King

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Ms. Nancy Mathias, Licensing Administrator
Mr. George Lyford, Director of Investigations
Mr. Gary Hoid, Deputy 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 January 11, 2006, at Las Vegas City Hall, Sawyer State Building and Clark County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board Internet Website.

2. PUBLIC COMMENT:

No one from the general public was present to speak for or against any items on the agenda.

3. APPROVAL OF MINUTES: December 15, 2005

It was moved and seconded to approve the minutes of December 15, 2005. MOTION CARRIED.

4. EXECUTIVE SESSION:**a. APPROVAL OF EXECUTIVE OFFICER'S QUARTERLY REPORT FOR PERIOD ENDING DECEMBER 31, 2005:**

It was moved and seconded to approve the Executive Officer's Quarterly Report for period ending December 31, 2005. **MOTION CARRIED.**

b. REVIEW AND APPROVAL OF CASH DISBURSEMENTS AND TRANSFER JOURNALS 10/1/05 – 12/31/05:

It was moved and seconded to approve the cash disbursements and transfer journals October 1, 2005 through December 31, 2005. **MOTION CARRIED.**

c. APPROVAL OF FINANCIAL REPORT FOR PERIOD ENDING 12/31/05:

It was moved and seconded to approve the financial report for period ending December 31, 2005. **MOTION CARRIED.**

d. DISCUSSION AND REVIEW OF RESPONSES UNDER NRS 40.6887:

Ms. Grein provided copies of case responses.

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

e. REVIEW AND DISCUSSION OF ATTORNEY GENERAL'S OPINION RELATING TO SB 163:

Ms. Grein provided a copy of an Attorney General Opinion requested by the Board to clarify whether the provisions of SB 163 pertain to entities that are not natural.

It was moved and seconded to adhere to the Opinion rendered and require fingerprints from any officer, director, partner or associate of a corporation or LLC who is sent notification of the initiation of a disciplinary proceeding. **MOTION CARRIED.**

f. PROPOSED INDUSTRY EXPERT WITNESS PROGRAM:

It was moved and seconded adopt the proposed plan. **MOTION CARRIED.**

g. SELECTION OF NCIRC COMMITTEE MEMEBERS AND ELECTION OF OFFICERS:

It was moved and seconded to appoint Mr. Randy Schafer and re-appoint Mr. Jerry Higgins as NCIRC Committee Members. **MOTION CARRIED.**

It was moved and seconded to retain the existing officers and conduct the election of new officers at the first meeting in July 2006. **MOTION CARRIED.**

5. DEPARTMENTAL REPORTS:**ENFORCEMENT AND INVESTIGATIONS:**

Mr. Lyford provided a status report of the enforcement and investigations department.

LICENSING:

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

PUBLIC RELATIONS:

Mr. Nadler provided a status report of the Public Relations Department.

6. SUBMITTEE REPORTS:

EXECUTIVE SUBCOMMITTEE:

Ms. Grein provided a summary report of the NCIRC committee meeting held on January 4, 2006.

7. LEGAL:

a. LEGAL REPORT:

Mr. Robb provided a summary report of pending litigation. A written report was provided by Ms. Browning.

b. DISCUSSION AND ACTION CONCERNING RENAISSANCE POOLS AND SPAS PETITION FOR DETERMINATION OF PROPER APPLICATION OF BOARD'S STATUTES AND REGULATIONS AND VALIDITY OF STAFF'S SUBPOENAS (CONTINUED TO FEBRUARY 16, 2006):

It was moved and seconded to continue this matter to the February 16, 2006 Board Meeting. **MOTION CARRIED.**

8. NEW APPLICATION DENIAL HEARING:

BLUE DOG COATINGS, INC.

Applicant was present with Counsel Donald Williams, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to approve the license application for a C-5 (Concrete Contracting) with a monetary limit of \$10,000.00 and bond of \$5,000.00. **MOTION CARRIED.**

9. NEW APPLICATION DENIAL HEARING:

EL SALVADOR CONCRETE CONSTRUCTION

Applicant was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to table the license application for 90 days to allow the Licensee to provide an updated financial statement and take and pass the trade exam. **MOTION CARRIED.**

10. NEW APPLICATION DENIAL HEARING:

LANDSCAPES OF LAS VEGAS/MAINT.

Applicant was present with Counsel.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to approve the license application for a C-10 (Landscape Contracting) with a monetary limit of \$20,000.00 and bond of \$5,000.00. **MOTION CARRIED.**

11. NEW APPLICATION DENIAL HEARING:

JIM GROTH EXCAVATION

Applicant was present with Counsel George Keele, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to approve the license application for an A-7 (Excavating and Grading) with a monetary limit of \$75,000.00 and bond of \$10,000.00. **MOTION CARRIED.**

12. FINANCIAL RESPONSIBILITY HEARING:

THE FENCE DOCTOR, LICENSE NO. 57277

Licensee was present.

It was moved and seconded to approve the renewal of the license conditioned upon submittal of a financial statement within 60 days from January 18, 2006. **MOTION CARRIED.**

13. APPLICATION INTERVIEW:

N M I INDUSTRIAL CONTRACTORS

It was moved and seconded to approve the license application for an A (General Engineering) with a monetary limit of \$500,000.00 and bond of \$20,000.00 conditioned upon submittal of a financial statement no later than July 15, 2006. **MOTION CARRIED.**

14. LEGISLATIVE DISCUSSION – KEITH LEE, ESQ.

Mr. Lee provided an update of his legislative activities.

15. APPROVAL OF CONSENT AGENDA:

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

Mr. Scroggins recused himself on Item #97.

a. RATIFICATION OF STAFF APPROVED LICENSE APPLICATIONS, CHANGES OF LICENSURE, REINSTATEMENTS OF LICENSURE, VOLUNTARY SURRENDERS:

16. 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**

LANDSCAPE VISIONS, (C-10 LANDSCAPE CONTRACTING) NEW APPLICATION

Applicant was present.

It was moved and seconded to table this matter to allow applicant thirty (30) days to provide a new application. If the new application is not received within sixty (60) days the application will be denied. **MOTION CARRIED.**

The licensee is ordered to submit to a Business Review within 60 days from January 18, 2006. The result of the Business Review will be presented to the Executive Officer.

SUPERIOR DOOR SYSTEMS, (C-3D OVERHEAD DOORS) NEW APPLICATION REQUESTING WAIVER OF EXAM

Applicant was present.

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

BILL KAISER ERECTION SPECIALIST, LICENSE NO. 47209 (C-26B BUILD ACCESSORIES/SPECIALTIES) SUSPENSION FOR LACK OF BOND

Licensee was present.

It was moved and seconded to approve the suspension of the license for failure to maintain required bond. MOTION CARRIED.

SEEMA ELECTRIC, INC., LICENSE NO. 58523 (C-2 ELECTRICAL CONTRACTING) F/S ON RENEWAL

Licensee was present.

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

TRE BUILDERS, LLC, LICENSE NO. 60238 (B - GENERAL BUILDING) RAISE IN LIMIT

Licensee was present.

It was moved and seconded to approve the raise in limit application limited to the M G M Grand Development Project conditioned on representatives from the M G M Grand providing a statement requesting construction management services from the Licensee. MOTION CARRIED.

ALLAN TILE AND MARBLE, (C-20 TILING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application conditioned upon a financial statement at the time of renewal 2007. MOTION CARRIED.

C B S DEVELOPMENT, (B-2 RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION

Applicant was present.

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

FARR CONSTRUCTION COMPANY, (B-2 RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION, REQUESTING WAIVER OF TRADE EXAM

Applicant was present.

It was moved and seconded to approve the license application contingent upon Jeffrey Farr taking and passing the Construction Management Exam and trade exam. MOTION CARRIED.

J MILLETT CONSTRUCTION, CO., (B-2 RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION

Applicant was present.

It was moved and seconded to deny the license application based on misrepresentation and character. MOTION CARRIED. The Board advised the applicant they would consider licensure if the applicant were to provide a properly completed application after the completion of his sentence.

SYSTEMS ANNEX, (C-2D LOW VOLTAGE) NEW APPLICATION, REQUESTING WAIVER OF TRADE EXAM

Applicant was present.

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

GAIL WILLEY LANDSCAPING, INC., (A-22 DESIGNATED FOR ROCKERY WALLS & ENGINEERED WATER FEATURES) NEW APPLICATION

Applicant was present.

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

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

It was moved and seconded to approve the renewal application. 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.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Schaefer at 11:49 a.m.

Respectfully Submitted,

Traci Greenlee, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Randall Schaefer, Chairman

ADJUDICATING BOARD MEMBER: J. BRIAN SCROGGINS

17. DISCIPLINARY HEARING: (CONTINUED FROM JULY 20, 2005)

LOUIS FOSTER, LICENSE NO. 54969

Licensee was not present.

This matter was continued from the July 20, 2005 Meeting to allow the Respondent to pay restitution to Robyn Brooks and complete the repairs on the Luu residence.

Mr. Lyford provided status update of the Hearing Officers Order on July 20, 2005.

Hearing Officer Scroggins directed staff to draft a second complaint for Respondent's failure to comply with the Decision and Order from July 20, 2005.