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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING March 31, 2005

These are DRAFT minutes not yet ratified by the Board.

1. CALL TO ORDER:

Chairman Randy Schaefer called the meeting of the State Contractors Board to order at 8:30a.m., Thursday, March 31, 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. Jerry Higgins
Mr. J. Brian Scroggins
Mr. Michael Zech

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 Investigator Jimmy Porter posted the agenda in compliance with the open meeting law on March 25, 2005 and Paul Easton posted an amended agenda on March 30, 2005, 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: March 2, 2005

It was moved and seconded to approve the minutes of March 2, 2005. **MOTION CARRIED.**

It was moved and seconded to amend the agenda, adding application 1 - 3. **MOTION CARRIED.**

4. EXECUTIVE SESSION:

b. REVIEW, DISCUSSION AND ACTION REGARDING AMENDMENT NUMBER TWO TO THE STATE CONTRACTORS BOARD MONEY PURCHASE PENSION PLAN:

It was moved and seconded to approve Amendment Number Two to the State Contractors Board Money Purchase Pension Plan. **MOTION CARRIED.**

c. REVIEW, DISCUSSION AND ACTION TO ADOPT RESOLUTION AUTHORIZING EXECUTIVE OFFICER TO EXECUTE AMENDMENT NUMBER TWO TO THE STATE CONTRACTORS BOARD MONEY PURCHASE PENSION PLAN:

It was moved and seconded to approve the resolution authorizing the Executive Officer to execute Amendment Number Two to the State Contractors Board Money Purchase Pension Plan. **MOTION CARRIED.**

5. LEGISLATIVE DISCUSSION:

a. REVIEW, DISCUSSION AND ACTION REGARDING AB 34 R1 – RECOVERY FUND:

Ms. Grein reported that Assembly Bill 34 was signed by Governor Kenny Guinn on March 23, 2005 and deems effective July 1, 2005.

b. REVIEW, DISCUSSION AND ACTION REGARDING AB 193 – EXEMPTS CERTAIN DEVELOPERS AND CONSTRUCTION MANAGERS FROM CONTRACTORS LICENSING LAW:

It was moved and seconded to oppose Assembly Bill 193. **MOTION CARRIED.**

c. REVIEW, DISCUSSION AND ACTION REGARDING SB 58 – PROHIBITS CERTAIN CONTRACTORS FROM REPAIRING CONSTRUCTION DEFECTS:

It was moved and seconded to oppose Senate Bill 58. **MOTION CARRIED.**

d. REVIEW, DISCUSSION AND ACTION REGARDING SB 163 – VARIOUS CHANGES TO LICENSING BOARDS:

It was moved and seconded to oppose Senate Bill 163. **MOTION CARRIED.**

e. REVIEW, DISCUSSION AND ACTION REGARDING SB 220 – REVISES PROVISIONS GOVERNING VOTING BY PUBLIC OFFICERS:

Ms. Grein provided a summary of Senate Bill 220.

f. REVIEW, DISCUSSION AND ACTION REGARDING SB 244 AND SB 267 – MAKES VARIOUS CHANGES TO THE OPEN MEETING LAW:

It was moved and seconded to track Senate Bill 244 and Senate Bill 267. **MOTION CARRIED.**

g. REVIEW, DISCUSSION AND ACTION REGARDING BDR 54-29 AND FISCAL NOTE – REQUIRES NSCB TO LICENSE AND REGULATE MOLD:

It was moved and seconded to oppose Bill Draft 54-29. **MOTION CARRIED.**

h. REVIEW, DISCUSSION AND ACTION REGARDING AB 303 – REQUIRES HEALTH DIVISION TO LICENSE AND REGULATE ACTIVITIES RELATED TO MOLD ASSESSMENT AND MOLD REMEDIATION:

It was moved and seconded to support Assembly Bill 303. **MOTION CARRIED.**

i. REVIEW, DISCUSSION AND ACTION REGARDING AB 356 – REVISES PROVISIONS RELATING TO CONTRACTORS:

It was moved and seconded to track Assembly Bill 356. **MOTION CARRIED.**

j. REVIEW, DISCUSSION AND ACTION REGARDING PROPOSED AMENDMENTS TO BDR 54-636:

It was moved and seconded to track Bill Draft 54-294. **MOTION CARRIED.**

k. REVIEW, DISCUSSION AND ACTION REGARDING BDR 54-294:

Ms. Grein provided a summary of Bill Draft 54-294.

l. LEGISLATIVE REPORT – BUZZ HARRIS, AMERICAN STRATEGIES, INC.:

Ms. Grein provided a summary prepared by American Strategies, Inc. concerning the status of proposed legislation that may affect the Nevada State Contractors Board.

m. LEGISLATIVE COMMUNICATION AND CORRESPONDENCE:

Ms. Grein provided a copy her response to Senator Townsend's questions regarding monetary license limits and bond requirements.

The Board discussed retaining an additional lobbyist for the remainder of the Legislative Session.

It was moved and seconded to authorize Chairman Schaefer and Ms. Grein to assess the needs of the Board and retain additional representation if needed. **MOTION CARRIED.**

n. REIEW, DISCUSSION AND ACTION REGARDING AB 370 – REVISES DEFINITION OF CONTRACTOR TO INCLUDE CERTAIN CONSTRUCTION MANAGERS, GENERAL CONTRACTORS AND EMPLOYMENT AGENCIES:

Lauri Ash from the Carpenters Union was present to request the Board's support on Assembly Bill 370.

It was moved and seconded to track Assembly Bill 370. **MOTION CARRIED.**

o. REIEW, DISCUSSION AND ACTION REGARDING SB 276 – ESTABLISHES UNIFORM DISCIPLINARY PROCESS FOR CERTAIN REGULATORY BODIES WHICH ADMINISTER OCCUPATIONAL LICENSING:

Ms. Grein provided a summary of the provisions of Senate Bill 276.

p. REVIEW, DISCUSSION AND ACTION REGARDING SB 300 – REVISED PROVISIONS GOVERNING REGULATION OF CONTRACTORS:

It was moved and seconded to support Senate Bill 300. **MOTION CARRIED.**

q. REVIEW, DISCUSSION AND ACTION REGARDING SB 343 – MAKES VARIOUS CHANGES TO PROVISIONS RELATED TO MECHANICS' AND MATERIALMANS' LICENSE:

It was moved and seconded to monitor Senate Bill 343. **MOTION CARRIED.**

r. REVIEW, DISCUSSION AND ACTION REGARDING AB 426 – REVISES PROVISIONS GOVERNING LITIGATION EXPENSES OF ATTORNEY GENERAL:

Ms. Grein provided a summary of the provisions of Assembly Bill 426.

s. REVIEW, DISCUSSION AND ACTION REGARDING AB 432 – REVISES PROVISIONS TO FISCAL NOTES FOR CERTAIN BILLS AND JOINT RESOLUTIONS:

Ms. Grein provided a summary of the provisions of Assembly Bill 432.

t. REVIEW, DISUSSION AND ACTION REGARDING AB 442 – REVISES PROVISIONS GOVERNING

HEALTH BENEFITS FOR OFFICERS AND EMPLOYEES OF LOCAL GOVERNMENTS:

Ms. Grein provided a summary of the provisions of Assembly Bill 442.

u. REVIEW, DISCUSSION AND ACTION REGARDING SB 347 – MAKES VARIOUS CHANGES CONCERNING PERSONAL IDENTIFYING INFORMATION:

Ms. Grein provided a summary of the provisions of Senate Bill 347.

v. REVIEW, DISCUSSION AND ACTION REGARDING SB 349 – RESTRICTS LOBBYING BY CERTAIN PERSONS:

Ms. Grein provided the provisions of Senate Bill 349.

w. REVIEW, DISCUSSION AND ACTION REGARDING SB 434 – REVISES PROVISIONS GOVERNING REGULATION OF CONTRACTORS:

It was moved and seconded to oppose Senate Bill 434. **MOTION CARRIED.**

6. DEPARTMENTAL REPORTS:

ENFORCEMENT AND INVESTIGATIONS:

Mr. Hammack and Mr. Lyford provided a status report of the Investigations department.

LEGAL:

a. LAURA BROWNING REPORT:

Ms. Grein provided a summary of Ms. Browning's report on pending litigation.

b. BRUCE ROBB REPORT – SIERRSAGE SETTLEMENT CONFERENCE:

Mr. Robb provided status report on pending litigation.

LICENSING – STAFF REPORT ON DATABASE PROJECT:

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

EDUCATION AND PUBLIC RELATIONS:

Ms. Ruffin provided a status report of the Public Relations department.

RECOVERY FUND:

Mr. Lyford provided a status report of the Residential Recovery Fund and reported that the next Residential Recovery Fund meeting will be held May 25, 2005.

7. SUBCOMMITTEE REPORTS:

CLASSIFICATION/REGULATION SUBCOMMITTEE:

Ms. Grein indicated the Landscape Association has provided suggested changes to the C-10 (Landscape Contracting) classification.

8. SUMMARY SUSPENSION:

GREGORY JON HESS, DBA GREG HESS PLUMBING HEATING & AIR, LICENSE NOS. 45500, 45832
GREGORY JON HESS, DBA GREG HESS ELECTRICAL SERVICES, LICENSE NO. 58254
GREG HESS RESTORATION SERVICES, LICENSE NO. 55683

Mr. Hammack provided a summary of the investigation against Gregory Jon Hess, dba Greg Hess Plumbing Heating & Air, License numbers 45500 and 45832, Gregory Jon Hess, dba Greg Hess Electrical Services, license number 58254 and Greg Hess Restoration Services, license number 55683.

It was moved and seconded to summarily suspend the licenses in the interest of public health and safety in compliance with NRS 624.291(4). MOTION CARRIED.

9. APPROVAL OF CONSENT AGENDA:

It was moved and seconded to approve the consent agenda with the exception of #195. MOTION CARRIED.

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

10. 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

J & F CONSTRUCTION, LLC, (B-GENERAL BUILDING) NEW APPLICATION, RECONSIDERATION

Applicant was present.

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

ALL STAR LANDSCAPING CORPORATION, (C-10 LANDSCAPE CONTRACTING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application with the stipulation that all collection accounts, credit cards and prior court costs are paid in full. MOTION CARRIED.

BLUEDORN LANDSCAPE MANAGEMENT, INC., (A-22 DESIGNATED FOR WATER FEATURES AND PONDS) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application. The applicant has 60 days from licensure to resolve complaints from previous license. MOTION CARRIED.

The applicant is ordered to submit to a Business Review within 60 days from March 31, 2005. The result of the Business Review will be presented to the Executive Officer.

BLUEDORN LANDSCAPE MANAGEMENT, INC., (C-10 LANDSCAPE CONTRACTING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application. The applicant has 60 days from licensure to resolve complaints from previous license. MOTION CARRIED.

The applicant is ordered to submit to a Business Review within 60 days from March 31, 2005. The result of the Business Review will be presented to the Executive Officer.

COLTON CONSTRUCTORS, INC., (B-GENERAL BUILDING) NEW APPLICATION, REQUESTING WAIVER OF TRADE EXAM.

Applicant was present.

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

FERRA ENTERPRISES, (B-2 RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application contingent upon receipt of disclosure statement from the indemnifier. MOTION CARRIED.

L G P DEVELOPMENT, (C-1D, H PLUMBING; PIPES & VENTS FOR GAS) NEW APPLICATION, RECONSIDERATION, REQUEST FOR WAIVER OF TRADE EXAM

Applicant was present.

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

MARK NAYLOR SOLAR SPECIALISTS, (C-1J SOLAR WATER & SPACE HEATING) NEW APPLICATION, RECONSIDERATION, REQUEST FOR WAIVER OF TRADE EXAM

Applicant was present.

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

SANTOLI CONSTRUCTION, LLC, (B-2 RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION, RECONSIDERATION

Applicant was present.

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

T R BLACK ENTERPRISES, LICENSE NO. 30644 (B-2 RESIDENTIAL & SMALL COMMERCIAL, RAISE IN LIMIT

Licensee was present.

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

GLENN FRANK, LICENSE NO. 56921 (B-2 RESIDENTIAL & SMALL COMMERCIAL) F/S ON RENEWAL, RECONSIDERATION

Licensee was present.

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

PETERBUILT CORPORATION, LICENSE NO. 46023 (B-2 RESIDENTIAL & SMALL COMMERCIAL) REACTIVATION INACTIVE LICENSE, RECONSIDERATION

Licensee was present.

It was moved and seconded to approve the reactivation application conditioned upon receipt of corporate indemnification documentation. MOTION CARRIED.

CREATIVE POOL DESIGN, INC., LICENSE NO. 32964A (A-10 COMMERCIAL & RESIDENTIAL POOLS) REQUEST TO ACTIVATE LICENSE

Licensee was present.

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

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

Licensee was present.

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

DAYS DECORATIVE CONCRETE, (C-5 CONCRETE CONTRACTING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application conditioned upon receipt of a financial statement at the time of renewal 2006. MOTION CARRIED.

H 3 PRIUS, INC., (B-2 RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application conditioned upon removal of Logan Hansen as Director and Cory Hansen as Treasurer. MOTION CARRIED.

HEARD ELECTRIC, INC., (C-2 ELECTRICAL CONTRACTING) NEW APPLICATION

Applicant was present.

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

J C TOWNSEND CONSTRUCTION, (B-2 RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION

Applicant was present.

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

J C TOWNSEND CONSTRUCTION, (C-3 CARPENTRY) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application conditioned upon receipt of a financial statement at the time of renewal 2006. MOTION CARRIED.

B C M CONSTRUCTION COMPANY, LICENSE NO. 45626 (B-GENERAL BUILDING) RAISE IN LIMIT

Licensee was present.

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

B C M CONSTRUCTION COMPANY, LICENSE NO. 46612 (C-5 CONCRETE CONTRACTING) RAISE IN LIMIT

Licensee was present.

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

PAINTING BY ERICA, LICENSE NO. 56809 (C-4 A PAINTING) 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 11:50 a.m.

Respectfully Submitted,

Traci Greenlee, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Randall Schaefer, Chairman