

BRIAN SANDOVAL
Governor

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

State Of Nevada



STATE CONTRACTORS BOARD

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MINUTES OF THE MEETING March 22, 2012

1. CALL TO ORDER:

Chairman Burke called the meeting of the State Contractors Board to order at 10:30 a.m., Thursday, March 22, 2012, 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
Ms. Margaret Cavin
Mr. Donald L. Drake
Mr. Nathaniel W. Hodgson, III
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
Ms. Nancy Mathias, Licensing Administrator

LEGAL COUNSEL PRESENT:

Mr. Bruce Robb, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on March 16, 2012, 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.

Ms. Grein reported that Christopher Carl Roth, dba Roth Refrigeration, item number 4 on the agenda, Garage Door Express 4 Less, LLC, item number 10 on the Agenda were continued and J G C Enterprises, LLC, item number 6 on the Agenda has withdrawn their application.

2. PUBLIC COMMENT

Matthew Beasley, Esq., requested that the disciplinary action against Mist Systems International be reconsidered.

3. NEW APPLICATION DENIAL HEARING:

J M A C PLUMBING AND AIR CONDITIONING, LLC

Applicant was present with counsel, Dennis Haney, Esq.

Beverly Wolf, Risk Manager with J M A C Plumbing and Air Conditioning, LLC was present.

Mr. Burke disclosed and recused himself based on a business partnership and personal relationship with applicant. Mr. Wells acted as Chairman.

Mr. Wells disclosed he was a Hearing Officer on a prior disciplinary hearing and the law firm of Santoro, Driggs and Walch has represented his family in the past.

Mr. Hodgson disclosed Interstate Plumbing performed commercial work for a former company he was employed with.

Mr. Quinn disclosed Interstate Plumbing performed work for Precision Construction approximately ten years ago.

The Board's hearing file was admitted as Exhibit 1.

The following Respondent's Exhibits were entered:

Exhibit A – Answer to the Complaint prepared by applicant and submitted to the Board.

Exhibit B – A memo from Tim Durkin, Chief Restructuring Officer, Interstate Plumbing and Air Conditioning, LLC dated August 9, 2011.

It was moved and seconded to continue this matter.

4. NEW APPLICATION DENIAL HEARING:

CHRISTOPHER CARL ROTH, dba ROTH REFRIGERATION

The matter was continued.

5. NEW APPLICATION DENIAL HEARING:

PREFERRED PAINTING, LLC

Applicant was present.

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

6. NEW APPLICATION DENIAL HEARING:

J G C ENTERPRISES, LLC

The application was withdrawn at the request of the applicant.

7. NEW APPLICATION DENIAL HEARING:

BUYTEN ELECTRIC, LLC

Applicant was present.

It was moved and seconded to approve the license application with a monetary limit of \$4,000.00 and a bond of \$2,000.00 contingent upon Mr. Paulsen personally indemnifying Buyten Electric, LLC. MOTION CARRIED.

8. NEW APPLICATION DENIAL HEARING:

ROSS HEATING AND AIR CONDITIONING, INC.

Applicant was present.

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

9. NEW APPLICATION DENIAL HEARING:

CORNELIUS ALFREDO GAINES, dba LAS VEGAS HOME MAINTENANCE AND REMODEL COMPANY

Applicant was present.

It was moved and seconded to table this matter for sixty (60) days to allow applicant to take the C3 exam and resolve credit issues. MOTION CARRIED.

10. NEW APPLICATION DENIAL HEARING:

GARAGE DOOR EXPRESS 4 LESS, INC.

The matter was continued.

11. NEW APPLICATION DENIAL HEARING:

H A T CONSTRUCTION, LLC

Applicant was present with counsel, Patrick McDonald, Esq. and Paul Adars, Esq.

It was moved and seconded to continue this matter for thirty (30) days. MOTION CARRIED.

12. NEW APPLICATION DENIAL HEARING:

JOSHUA'S HEATING AND AIR, INC.

Applicant was present.

It was moved and seconded to approve the license application with a monetary limit of \$10,000.00 and a bond of \$2,000.00 contingent upon proof of good standing with the Secretary of State's office, copies of payment agreements and evidence of payments made to debt resolution company, and receipt of a corrected financial statement. MOTION CARRIED.

13. NEW APPLICATION DENIAL HEARING: (Continued from 2/23/12)

TONY ALSTON, dba FABTECH WELDING SERVICE

Applicant was present with counsel, Paul Malikowski, Esq.

Candice Wilkin, Program Officer with the State of Nevada, Department of Business and Industry was present.

It was moved and seconded to continue this matter for thirty (30) days. MOTION CARRIED.

14. APPROVAL OF CONSENT AGENDA:

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

Mr. Wells disclosed or recused himself from item numbers:

- #377 – True Blue Plumbing, Inc. – Disclosed a personal relationship with the applicant.

Mr. Hodgson disclosed or recused himself from item numbers:

- #111 – Desert Wind Homes – Disclosed a personal relationship with applicant.
- #149 – Focus Concrete, LLC – Disclosed a personal and past business relationship with Mr. Menzies.
- #154 – GTI Landscape – Disclosed a personal and past business relationship with Mr. Menzies.
- #195 and #196 – J M A C Plumbing & Air Conditioning, LLC - Disclosed a brief past business relationship involving Del Webb.
- #211 – K B Home Nevada, Inc. - Disclosed that he is currently serving on the SNHBA Board with applicant.

Mr. Drake disclosed or recused himself from item numbers:

- #175 – Have Lights Will Travel – Disclosed that he is acquainted with the applicant through a civic organization.
- #272 – Peek Construction Company – Disclosed and recused since he served as Hearing Officer on one of their case.

Mr. Quinn disclosed or recused himself from item numbers:

- #272 – Peek Construction Company – Disclosed and recused since he served as Hearing Officer on one of their cases.
- #402 and #403 – Williams Brother, Inc. – Disclosed and recused since he served as Hearing Officer on one of their cases and is scheduled to hear a future case.

Mr. Burke disclosed or recused himself from item numbers:

- #137 – Expansion Specialities – Disclosed that the applicant is currently working on a project for his company
- #167 – Halliburton Energy Services, Inc. – Disclosed and recused himself based on a current business relationship with the applicant.
- #195 and #196 – J M A C Plumbing and Air Conditioning, LLC – Disclosed and recused based on a personal and business relationship with the applicant.

Ms. Cavin disclosed or recused herself from item numbers:

- #86 and #87 – D & D Roofing and Sheet Metal, Inc. – Disclosed a past business relationship with the applicant.
- #127 – Ed Vehorn Builders – Disclosed that her company is bidding a project for which that applicant is superintendant.
- #136 – Etcheberry Construction, LLC – Disclosed a past business relationship with the applicant.
- #158 – Granite Construction – Disclosed and recused based on a personal relationship with James Roberts.

15. APPLICATIONS (INITIAL AND RENEWAL IN QUESTION):

DESERT VALLEY CONTRACTING, INC. NORTH LAS VEGAS (B-2 RESIDENTIAL AND SMALL COMMERCIAL); BROADENING OF CLASSIFICATION; RECONSIDERATION, License No. 72652

Licensee was present.

Mr. Burke disclosed that Mr. Zachary’s company has worked for his company in the past.

It was moved and seconded to temporarily broaden the license to a B classification for six months, limited to performing interior restoration work only. After September 22, 2012, the B license will revert back to a B2. MOTION CARRIED.

APPLICATIONS (INITIAL AND RENEWAL IN QUESTION):

ROSE STONE, LLC, LAS VEGAS (B-2 RESIDENTIAL AND SMALL COMMERCIAL); BROADENING OF CLASSIFICATION; RECONSIDERATION, License No. 75807

Licensee was present.

It was moved and seconded to approve a classification C-2D license and accept the surrender of license number 75807. The C-2D exam is waived. MOTION CARRIED.

16. PUBLIC COMMENT

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

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Burke at 12:59 p.m.

Respectfully Submitted,

Judy Teller, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Kevin E. Burke, Chairman