



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING May 19, 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, May 19, 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. Spiridon G. Filios
Mr. Jerry Higgins
Mr. J. Brian Scroggins

BOARD MEMBERS ABSENT:

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 that Investigator Gordon LaPointe posted the agenda in compliance with the open meeting law on May 13, 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's 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: April 21, 2005

It was moved and seconded to approve the minutes of April 21, 2005. MOTION CARRIED.

4. LEGISLATIVE DISCUSSION:

a. REVIEW AND DISCUSSION OF AB 193 – REVISES PROVISIONS RELATING TO CONTRACTORS:

Ms. Grein reported that Assembly Bill 193 was amended and passed by the Senate on May 4, 2005, and was returned to the Assembly for concurrence.

b. REVIEW AND DISCUSSION OF AB 501 – REVISES PROVISIONS GOVERNING CONTRACTORS:

Ms. Grein reported that Assembly Bill 501 was passed by the Senate and returned to the Assembly for concurrence.

c. REVIEW AND DISCUSSION OF AB 537 – REVISES PROVISIONS CONCERNING SUBMITTAL OF CERTAIN QUESTIONS AND DISPUTES TO THE STATE CONTRACTORS BOARD:

Ms. Grein provided an update on the status of Assembly Bill 537.

d. REVIEW AND DISCUSSION OF SB 300 – REVISES PROVISIONS GOVERNING CONTRACTORS:

Ms. Grein reported that Senate Bill 300 was amended and passed by Assembly Commerce and Labor, and returned to the Senate for concurrence.

e. REVIEW AND DISCUSSION OF SB 434 – REVISES PROVISIONS GOVERNING CONTRACTORS:

Ms. Grein reported that Senate Bill 434 was amended and passed by the Assembly. The Bill was returned to the Senate for concurrence.

Ms. Grein stated that she had worked with representatives of the pool industry and that a compromise had been reached regarding bonding requirements.

It was moved and seconded to support the bill as amended. **MOTION CARRIED.**

Ms. Grein advised the Board that regulations will be required to establish guidelines for determining bond amounts.

f. REVIEW AND DISCUSSION OF ANY OTHER LEGISLATIVE MATTERS, INCLUDING SB 343 – REVISES PROVISIONS RELATED TO MECHANICS' AND MATERIALMEN'S LIENS:

Ms. Grein advised the Board that Keith Lee had been retained as an additional lobbyist.

Ms. Grein reported that Senate Bill 343 is currently before the Assembly Judiciary.

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

Buzz Harris provided a status report on his legislative activities.

5. 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 FINANCIAL REPORT FOR PERIOD ENDING MARCH 31, 2005:

This matter was continued.

c. REVIEW AND DISCUSSION OF RESPONSES FROM VENDORS FOR PENSION PLAN AND 457 PLAN ADMINISTRATOR:

Ms. Grein provided a comparison summary of the four (4) proposals received.

It was moved and seconded to authorize Ms. Grein to move forward in discussions with Hartford Life regarding the possibility of providing service related to the Contractors Board pension fund and 457 plan. **MOTION CARRIED.**

d. REVIEW AND DISCUSSION OF RESPONSES FROM VENDORS FOR INDEPENDENT AUDIT CONTRACT:

Ms. Grein provided copies of the proposals received from Kafoury, Armstrong & Co. and Solari and Sturmer, LLC.

It was moved and seconded to continue to retain Solari and Sturmer, LLC, and that the contract should be for a Two (2) year term. **MOTION CARRIED.**

e. REVIEW AND DISCUSSION OF PROPOSED AMENDMENT TO NAC 624.780 THROUGH 624.795 FOR QUESTIONS AND DISPUTES CONCERNING CONSTRUCTIONAL DEFECTS:

It was moved and seconded to move forward with the appropriate workshops and Public Hearings on the proposed amendments to NAC 624.780 through 624.795. **MOTION CARRIED.**

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

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

LEGAL:

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

Mr. Robb provided status report on pending litigation.

LICENSING:

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 meeting that took place on May 18, 2005 and reported that the next Residential Recovery Fund meeting will be held July 13, 2005.

6. SUBCOMMITTEE REPORTS:**CLASSIFICATION/REGULATION SUBCOMMITTEE:**

Ms. Grein reported on the status of proposed changes to the C-10 (Landscape Contracting) classification. The Board asked that the matter be placed on the June 9, 2005 agenda.

7. APPLICATION DENIAL HEARING:**EAST FORK ROOFING, CO.**

Applicant was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to table the license application hearing for 90 days to allow the Respondent to provide a current financial statement and resolution of matter pending with the IRS. MOTION CARRIED.

8. FINANCIAL REVIEW HEARING:

SERENITY LANDSCAPE AND DESIGN, INC., LICENSE NO. 56260

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

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

9. SUMMARY SUSPENSION:

BECK INDUSTRIES, INC., LICENSE NO. 40846

Mr. Hammack provided a summary of the Investigation against Beck Industries, Inc., license number 40846.

It was moved and seconded to summarily suspend the license in the interest of public health and safety. MOTION CARRIED.

Beck Industries, Inc. was advised that prior to reinstatement, Beck Industries, Inc., the originally licensed corporation, must be reinstated by the Nevada Secretary of State and the licensee must submit to a Business Review.

10. 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:

14. 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

ACE A 1 PLUMBING, INC., (C-1D PLUMBING) NEW APPLICATION

Applicant was present.

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

CORVETTE CURBING, (C-5 CONCRETE CONTRACTING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application conditioned upon the applicant providing refinance information from Nevada State Bank within 30 days. 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 approve the raise in limit application. MOTION CARRIED.

E & T EXCAVATING, LLC, LICENSE NO. 53418 (A-7, 12, 15, 16, 19 EXCAVATING & GRADING;

EXCAVATE, GRADE, TRENCH, SURFACE; SEWERS, DRAINS & PIPES; PAVING STREETS, DRIVEWAYS, LOTS; PIPELINE & CONDUIT) F/S ON RENEWAL

Licensee was present.

It was moved and seconded to approve the renewal application with a reduction of the monetary license limit to \$200,000.00 and the bond to remain the same. MOTION CARRIED.

The licensee is ordered to submit to a Business Review within 6 months from May 19, 2005. The result of the Business Review will be presented to the Executive Officer.

H C E, LICENSE NO. 56693 (C-2 ELECTRICAL CONTRACTING) RAISE IN LIMIT

Licensee was present.

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

WESTLAND ENTERPRISES, LICENSE NO. 55500 (B-GENERAL BUILDING) ACTIVATE INACTIVE LICENSE, RECONSIDERATION

Licensee was present.

It was moved and seconded to approve the request for reactivation of the license. MOTION CARRIED.

CASA ADAME CUSTOM HOMES, (B-2 RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application conditioned upon the applicant providing personal indemnification. MOTION CARRIED.

A & K COATINGS, (C-4 A, H PAINTING; URETHANE COATINGS) NEW APPLICATION, RECONSIDERATION OF CLASSIFICATION

Applicant was present.

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

C & W BUILDERS, INC., (C-3 CARPENTRY) NEW APPLICATION

Applicant was present.

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

CUSTOM LAWNS & LANDSCAPE MAINTENANCE, (C-10 LANDSCAPE CONTRACTING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license 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 12:05 p.m.

Respectfully Submitted,

Traci Greenlee, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Randy Schaefer, Chairman