

BRIAN SANDOVAL  
Governor

## State Of Nevada

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



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## STATE CONTRACTORS BOARD

### MINUTES OF THE MEETING April 19 2012

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

Chairman Burke called the meeting of the State Contractors Board to order at 10:30 a.m., Thursday, April 19, 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 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.

#### **2. PUBLIC COMMENT**

No one was present for public comment in Henderson or Reno.

#### **3. DISCUSSION AND EXTENSION OF SETTLEMENT AGREEMENTS**

Brother Sony, LLC, License No. 67309

Dignified Builders, LLC, License No. 58088

Eldorado Estates Las Vegas, LLC dba Duck Creek Estates, License No. 67310

Randolph Schams, Managing Member and Qualified Individual, was present.

**It was moved and seconded to continue the suspension of licenses number 67309, 58088 and 67310 for an additional six months for finalization of Chapter 11 Bankruptcy proceedings. MOTION CARRIED.**

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

Ryland Homes Nevada, LLC, License No. 56652

(Craig Sukekane, Homeowner)

**It was moved and seconded to recommend the CMU wall be examined by a structural engineer with appropriate standard industry repair. MOTION CARRIED.**

A A Everclear Pools, Inc., License No. 40548A

(Jimmy Todachenny, Homeowner)

**It was moved and seconded to recommend the pool be examined by a structural engineer and appropriate standard industry repair. MOTION CARRIED.**

**5. NEW APPLICATION DENIAL HEARING:**

**KEVIN C. LEGGETT, DBA BLACK MOUNTAIN MARBLE AND GRANITE**

Kevin C. Leggett, Owner/Qualified Individual

Applicant was not present.

**It was moved and seconded to deny the reactivation of license number 70561. MOTION CARRIED.**

**6. NEW APPLICATION DENIAL HEARING:**

**DONALD LOYD DODGE, DBA DOUBLE D CONSTRUCTION**

Donald Dodge, Owner/Qualified Individual

Applicant was present.

**It was moved and seconded to approve the license application with a monetary limit of \$100,000.00 contingent upon a business review for the first two years of licensure. MOTION CARRIED.**

**7. NEW APPLICATION DENIAL HEARING:**

**TERRA NOVA, LLC**

Arturo Fierro, Managing Member

Jonathan F. Pruneda, Managing Member/Qualified Individual

Applicant was present.

**It was moved and seconded to continue this matter. MOTION CARRIED.**

**8. NEW APPLICATION DENIAL HEARING:**

**M AND L HARDWOOD FLOORING, LLC.**

Lawrence Richard Biller, Member/Qualified Individual  
Mary Michelle Biller, Member

Applicant was present.

**It was moved and seconded to continue this matter. MOTION CARRIED.**

**9. NEW APPLICATION DENIAL HEARING:**

**MICHAEL ARTHUR BERGSTROM, DBA BERGSTROM CONSTRUCTION**

Michael Arthur Bergstrom, Owner/Qualified Individual

Applicant was present.

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

**10. NEW APPLICATION DENIAL HEARING:**

**2:10 REMODELING & CABINET SOLUTIONS**

Timothy Michael Spanial, President/Qualified Individual  
Kelle Deanne Spanial Secretary/Treasurer

Applicant was present.

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

**11. NEW APPLICATION DENIAL HEARING:**

**A F G CONSTRUCTION**

Shirley Louise Roop, Managing Member  
Mina Elizabeth Hope, Managing Member/CMS Qualified Individual  
Nasir Nasir Khaliq, Manager/Trade Qualified Individual

Applicant was present.

**It was moved and seconded to table the application for necessary amendments. MOTION CARRIED.**

**12. NEW APPLICATION DENIAL HEARING:**

**DELBERT THOMAS NEWKIRK**

Delbert Thomas Newkirk, Owner/qualified Individual

Applicant was present.

Mr. Quinn disclosed that he sold property to R S D.

Mr. Wells disclosed that he is on the Board for Habitat for Humanity.

**It was moved and seconded to table this matter for 90 days. MOTION CARRIED.**

**13. NEW APPLICATION DENIAL HEARING:** (Continued from 3/22/12)



**H AT CONSTRUCTION, LLC**

Johnny Ostrovsky, Manager/Qualified Individual

Applicant was present with counsel, Patrick McDonald, Esq.

**It was moved and seconded to approve the license application with a \$200,000.00 monetary limit and a \$20,000.00 bond with a one year business review. MOTION CARRIED.**

**14. NEW APPLICATION DENIAL HEARING:** (Continued from 3/22/12)

**CHRISTOPHER CARL ROTH, DBA ROTH REFRIGERATION**

Christopher Carl Roth, Owner/Qualified Individual

Applicant was present with his counsel, Carol Ross, Esq.

**It was moved and seconded to reactivate license number 45777, lower the monetary limit to \$25,000.00, bond to remain at \$5,000.00 contingent upon receipt of a financial statement that supports the minimum license limit, with a business and financial review in one year. MOTION CARRIED.**

**15. NEW APPLICATION DENIAL HEARING:** (Continued from 3/22/2012)

**TONY ALSTON, DBA FABTECH WELDING SERVICE**

Tony Alston, Owner/Qualified Individual

Applicant was present along with his counsel, Pat Malikowski, Esq.

Candace Wilkin from the Department of Business and Industry on behalf of the Department of Industrial Relations was present.

Margaret Cavin disclosed that she currently has contracts with United Construction.

**It was moved and seconded to approve the application for licensure with the stipulation that Mr. Alston remain current on his monthly payments to Department of Industrial Relations (DIR) and Internal Revenue Service, pay DIR 10% of the total contract price of all projects awarded to Mr. Alston or Fabtech Welding Service on any state, federal, private, or public work contract in Nevada or any other state, and that the license submit to a business and financial review for the first two years of licensure. MOTION CARRIED.**

**16. NEW APPLICATION DENIAL HEARING** (Continued from 2/23/2012)

**BRANDON JHUN PAINTING**

Brandon Jhun, President/Qualified Individual

Licensee was not present.

**It was moved and seconded to table this matter for 30 days to allow Brandon Jhun to appear. MOTION CARRIED.**

**17. NEW APPLICATION DENIAL HEARING** (Continued from 3/22/2012)

**GARAGE DOOR EXPRESS 4 LESS, LLC**

Wesley Phillips, Manager/Qualified Individual

Licensee was present with counsel, Layne Barney, Esq.

**It was moved and seconded to approve the license application with a monetary limit of \$2,000.00 and bond of \$2,000.00 with a one and two year business review. MOTION CARRIED.**

**18. APPROVAL OF CONSENT AGENDA**

a. Ratification of Staff Approved License Applications, Changes in Licensure, Reinstatement of Licensure, Voluntary Surrenders (List attached, Items 1 to 378)

Mr. Hodgson made disclosures or recused himself from item numbers

- #43, 44, and 45 – Bozarth Construction, Inc. – Disclosed that Justin Bozarth is a personal friend.
- #68 – Cooper Roofing Company, Inc. – Disclosed a past business relationship with Pulte Homes and a personal friendship with Scott Donnelly.
- #88 – Dunhill Homes – Disclosed and recused based on a past business relationship and current friendship with the owner and staff members.
- #179 – Las Vegas Plumber – Disclosed that Mike Dixon is a former employee.
- #231 – Patriot Contractors, LLC – Disclosed that Guy Wells is a fellow Board Member.
- #253 – Prime Building and Development – Disclosed that Kent Lay is a former boss.
- #316, 317, 318, and 319 – Sun City Landscapes & Lawn Maintenance, Inc. – Disclosed and recused based on a personal friendship and past business relationship with Al Luchterhand and Louie Polish.
- #321, 322, and 323 – Sunrise Carpentry, Inc. – Disclosed a previous business relationship with applicant.

Mr. Quinn made disclosures or recused himself from item numbers

- #39 and 40 – Bishop Air Service – Disclosed a previous business relationship with the applicant.
- #82 – Diebold Incorporated – Disclosed a previous business relationship with the applicant.
- #231 – Patriot Contractors, LLC – Disclosed that Guy Wells is a fellow Board Member.
- #269 – R & K Development – Disclosed a past business relationship with the Applicant.
- #313 – Stout Roofing, Inc. – Disclosed a past business relationship with the Applicant.

Ms. Cavin made disclosures or recused herself from items numbers

- #215 – Nevada Drywall Stucco & Stone, Inc. – Disclosed a previous business experience with applicant.
- #244, 245, 246, 247, 248, and 249 – Precision Plumbing & Heating – Disclosed a previous business relationship with applicant.
- #231 – Patriot Constructors, LLC – Disclosed that Guy Wells is a fellow Board Member.
- #336 and #337 – Titan Electric – Disclosed a previous business relationship with applicant.

Mr. Wells made disclosures or recused himself from item numbers

- #86 and 87 – Drake Asphalt & Concrete Systems – Disclosed that the licensee is a customer of his.
- #167 – Kalb Industries of Nevada, Ltd. – Disclosed that the applicant is a customer of his.
- #231 – Patriot Constructors, LLC – Disclosed and recused based on ownership of the company.
- #372 and 373 – Wilmar Contracting, Inc. – Disclosed that the applicant is a customer of his.

Mr. Drake made disclosure or recused himself from item number

- #34 – Banner Construction, Inc. – Disclosed that he was the Hearing Officer on a prior case involving the applicant.



Mr. Burke made disclosure or recused himself from item number

- #231 – Patriot Constructors, LLC - Disclosed that Guy Wells is a fellow Board Member.

**19. APPLICATIONS (INITIAL AND RENEWAL) IN QUESTION**

(Closed meeting pursuant to NRS 241.030, List attached.)

There were no initial or renewal applications in question.

**20. \*\* PUBLIC COMMENT**

No one was present for Public Comment in Reno or Henderson.

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Chairman Burke at 1:54 p.m.

Respectfully Submitted,

  
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Judy Teller, Recording Secretary

APPROVED:

  
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Margi A. Grein, Executive Officer

  
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Kevin E. Burke, Chairman