

BRIAN SANDOVAL
Governor

State Of Nevada

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STATE CONTRACTORS BOARD

MEMBERS
Guy M. Wells, Chairman
Thomas "Jim" Alexander
Kevin E. Burke
Margaret Cavin
Donald L. Drake
Jan B. Leggett
Stephen P. Quinn

MINUTES OF THE MEETING January 17, 2013

1. CALL TO ORDER:

- a. Chairman Wells called the meeting of the State Contractors Board to order and led the Pledge of Allegiance at 8:30 a.m., Thursday, January 17, 2013, 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. Guy Wells, Chairman
Mr. Jim Alexander
Mr. Kevin Burke
Ms. Margaret Cavin
Mr. Donald L. Drake
Mr. Jan B. Leggett
Mr. Stephen Quinn

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. George J. Lyford, Director of Investigations
Mr. Dan Hammack, Chief of Enforcement
Ms. Nancy Mathias, Licensing Administrator
Ms. Deb Lumbert, Accounting Manager
Ms. Jennifer Turner, Public Information Officer

LEGAL COUNSEL PRESENT:

David Brown, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the Open Meeting Law at, Sawyer State Building, Clark County Library, Paseo Verde Library, Reno City Hall, Washoe County Court House and Washoe County Library. The agenda was also posted in both offices of the Board and on the Board's Internet Website.

b. APPROVAL OF AGENDA

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

c. UNFINISHED BUSINESS:

There was no unfinished business.

d. FUTURE AGENDAS

Ms. Grein presented the board meeting schedule and tentative hearing dates for 2013.

2. PUBLIC COMMENT

No one was present for Public Comment.

3. NOTICE OF INTENT TO DENY BOND CLAIM

KING PLUMBING, License No. 60191
Christopher Michael King, Owner/Qualified Individual

It was moved and seconded to deny the cash bond claim of Slakey Brothers. MOTION CARRIED.

4. NOTICE OF INTENT TO DENY BOND CLAIM

MERCURY STEEL & PLACING, INC., License No. 64991
Brian P. Traversie, President/Qualified Individual

It was moved and seconded to deny the cash bond claim of Northern Nevada Rebar. MOTION CARRIED.

5. NOTICE OF INTENT TO CONSIDER CASH BOND CLAIM

AARDVARK LANDCREATIONS, License No. 55858
Benjamin J. Henckel, Owner/Qualified Individual

It was moved and seconded to approve the award of the cash bond claim in the amount of \$1,756.44 to Gary Derner Trucking and reimburse \$143.13 to the Nevada State Contractors Board for publication costs. MOTION CARRIED.

6. APPROVAL OF MINUTES: November 15, 2012

It was moved and seconded to approve the Minutes of November 15, 2012. MOTION CARRIED.

7. EXECUTIVE SESSION

a. Legislative Report

Mr. Keith Lee, Esq, Legislative Counsel, reported on proposed legislation.

AB16:

It was moved and seconded to oppose Assembly Bill 16. MOTION CARRIED.

AB22:

Mr. Burke recused himself from this item since his company currently holds a manufactured housing license.

It was moved and seconded to support a neutral position concerning Assembly Bill 22. MOTION CARRIED.

AB31:

It was moved and seconded to support a neutral position concerning Assembly Bill 31. MOTION CARRIED.

AB41: It was moved and seconded to support a neutral and watch position concerning Assembly Bill 41.

MOTION CARRIED.

AB65:

It was moved and seconded to support a neutral position concerning Assembly bill 65. MOTION CARRIED.

SB5:

It was moved and seconded to oppose Senate Bill 5. MOTION CARRIED.

SB21:

It was moved and seconded to support a neutral and watch position concerning Senate Bill 21. MOTION CARRIED.

- b. Executive Officer's Report and Department Activity Update
- c. Ms. Grein presented the Board Member Administrative Procedure Manual.

It was moved and seconded to approve the Board Member Administrative Procedure Manual as presented. MOTION CARRIED.

- d. Appointment of Recovery Fund Subcommittee Members

It was moved and seconded to appoint Jan B. Leggett to the Recovery Fund Subcommittee. MOTION CARRIED.

It was moved and seconded for Mr. Drake and Mr. Wells to remain on the Recovery Fund subcommittee. MOTION CARRIED.

- e. Discussion and Review of Legal Report

David Brown, Esq. and Louis Ling, Esq. reported on the status of litigation cases.

- f. Discussion and Recommendation Concerning Recovery Fund Fee Assessments

It was moved and seconded to reduce the Residential Recovery Fund fee to a biennial assessment of \$100.00 for monetary limits below \$1,000,000.00, \$250.00 for monetary limits one million but limited, and \$500 for unlimited monetary limits for licenses issued or expiring after July 1, 2013. MOTION CARRIED.

- g. Review and Approval of Quarterly Financial Report for period 10/1/2012 through 12/31/2012

Deb Lumbert presented the Financial Report for the period of 10/1/2012 through 12/31/2012.

It was moved and seconded to approve the Financial Report for 10/1/2012 through 12/31/2012 as presented. MOTION CARRIED.

- h. Review and Approval of Executive Officer's Quarterly Report and Strategic Plan Update 10/1/2012 through 12/31/2012

Ms. Grein presented the quarterly report.

Ms. Mathias presented the Licensing Department Quarterly Report.

Mr. Lyford presented the Investigation Department Quarterly Report.

Mr. Hammack presented the Criminal Investigation Department Quarterly Report.

Ms. Turner presented the Public Relations Quarterly Report.

It was moved and seconded to approve the quarterly report as presented. MOTION CARRIED.

- i. Discussion Regarding Strategic Planning Session Outline for 2013-14

Ms. Grein announced the next meeting of the Strategic Planning Session will be held March 5, 2013

Discussion Concerning Licensure Requirement for the Installation of Interior Shutters and Blinds

It was moved and seconded that licensure not be required for installation of interior shutters and blinds. MOTION CARRIED.

- j. Subcommittee Reports

Ms. Grein reported that the Reports from the Classification/Regulation Committee and the Legislative Committee will be included in the February 21, 2013 meeting.

- k. Discussion and Review of Responses under NRS 40.6887
P N II, Inc., dba Pulte Homes of Nevada, License No. 48129
George Michnick, Homeowner

It was moved and seconded to continue with the use of the current wording on the letter sent to homeowners regarding construction defect claims.

- l. Discussion Concerning Board Policy for Use of Committees to Rule on Denial of Licensure Applications.

Ms. Grein presented information regarding the use of committee to rule on the denial of applications for licensure. This matter was continued to the February 21, 2013 Board Meeting.

8. APPROVAL OF CONSENT AGENDA

- a. Ratification of Staff Approved Licenses Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 696)

Mr. Quinn made disclosures from item numbers

- #137 – Caveman Rock and Waterfalls, Inc. – Disclosed the applicant is Board Member, Jim Alexander
- #361, #362, #363 – Johnson Controls, Inc. – Disclosed a past working relationship with applicant.
- #447 – Nevada Yamas Controls, Inc. – Disclosed a past working relationship with applicant.
- #534 – Renaissance Pools & Spas, Inc. – Disclosed the applicant is Board Member, Jim Alexander.

Mr. Drake made disclosure from item numbers

- #137 – Caveman Rock and Waterfalls, Inc. - Disclosed the applicant is Board Member, Jim Alexander.
- #534 – Renaissance Pools & Spas, Inc. - Disclosed the applicant is Board Member, Jim Alexander.

Mr. Alexander made disclosure or recused himself from item numbers

- #125 – California Pools & Spas – Disclosed a past business relationship with the applicant.
- #137 – Caveman Rock and Waterfalls, Inc. – Disclosed and recused based on ownership of the company.
- #534 – Renaissance Pools & Spas, Inc. – Disclosed and recused based on ownership of the company.

Mr. Wells made disclosures from items numbers

- #137 – Caveman Rock and Waterfalls, Inc. – Disclosed the applicant is Board Member, Jim Alexander.
- #385, #386, and #387 – Legacy Construction & Development, Inc. – Disclosed a business relationship and personal friendship with the applicant.
- #420 and #421 – Mesquite General Contracting – Disclosed a business relationship and personal friendship with the applicant.
- #427, #428, #429, and #430 – Milestone Engineering – Disclosed a business relationship with the applicant.
- #534 – Renaissance Pools and Spas, Inc. – Disclosed the applicant is Board Member, Jim Alexander.

Mr. Burke made disclosure and recused himself from item numbers

- #111, #112, #113, and #114 – C M D, Inc. - Disclosed and recused based on the applicant currently working on projects for Burke Construction Group, Inc.
- #137 – Caveman Rock and Waterfalls, Inc. – Disclosed and recused based on the applicant, Jim Alexander, serves on the Board.
- #519 – R C R Plumbing and Mechanical, Inc. – Disclosed and recused based on the applicant having worked on past projects for Burke Construction Group, Inc.
- #534 – Renaissance Pools and Spas, Inc. – Disclosed and recused based on applicant, Jim Alexander, serves on the Board.
- #654 – Tradewinds Construction – Disclosed and recused based on the applicant currently working on projects for Burke Construction Group, Inc.

Mr. Leggett made disclosure and recused himself from item numbers

- #245 – Fast Signs – Disclosed and recused based on the applicant is his brother-in-law.
- #367 – K G Walters Construction Co, Inc. – Disclosed and recused based on a friendship with applicant.
- #409 – Madole Construction, Inc. – Disclosed and recused based on a personal friendship with a family member of the applicant.

Ms. Cavin made disclosure and recused herself from item numbers

- #137 – Caveman Rock and Waterfalls, incl. – Disclosed the applicant is a fellow Board Member.
- #409 – Madole Construction, Inc. – Disclosed and recused based on a friendship with applicant's family.
- #534 – Renaissance Pools and Spas, Inc. - Disclosed the applicant is a fellow Board Member.
- #663 – United Power Contractors, inc. – Disclosed a long-time friendship with the applicant's qualified employee.

It was moved and seconded to approve the Consent Agenda. MOTION CARRIED.

9. APPLICATIONS (INITIAL AND RENEWAL) IN QUESTION

There were no applications (initial and renewal) in question.

10. PUBLIC COMMENT

No one was present for public comment.

11. ADJOURNMENT

With no further business to come before the Board, the meeting was adjourned by Chairman Wells at 11:41 a.m.

Respectfully Submitted,



 Judy Teller, Recording Secretary

APPROVED:



 Margi A. Grein, Executive Officer



 Date



 Guy Wells, Chairman



 Date