

BRIAN SANDOVAL
Governor

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

State Of Nevada



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
October 20, 2011

Reply To:

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1. CALL TO ORDER:

Chairman Burke called the meeting of the State Contractors Board to order at 10:30 a.m., Thursday, October 20, 2011, 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
Mr. Donald L. Drake
Mr. Nathaniel W. Hodgson, III
Mr. Bruce King
Mr. Stephen Quinn
Mr. Guy M. Wells

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. George J. Lyford, Director of Investigations
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 October 14, 2011, 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.

APPROVAL OF AGENDA

Ms. Grein reported that Flooring Encounters, LLC, item number 11 on the Agenda was continued to November 17, 2011 and Alpha Builders, LLC, item number 15 on the Agenda was withdrawn by the applicant.

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

2. PUBLIC COMMENT

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

3. DISCUSSION AND APPROVAL OF SETTLEMENT AGREEMENTS

1. Brother Sonny, LLC, License No. 67309

Dignified Builders, LLC, License No. 58088

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

Licensee was present with counsel, Shemilly Briscoe, Esq.

Mr. King disclosed he worked with Mr. Schams several years ago.

It was moved and seconded to approve the settlement agreement for Brother Sonny, LLC Dignified Builders, LLC and Eldorado Estates Las Vegas, LLC, dba Duck Creek Estates. Investigative fees and costs to be paid by Dignified Builders, LLC and Eldorado Estates Las Vegas, LLC, dba Duck Creek Estates. MOTION CARRIED.

2. Wiser Construction, LLC, License No. 35924

Mr. Wells recused himself from this matter disclosing that he had a claim pending against the licensee's bond.

It was moved and seconded to approve the Settlement Agreement. Payment of fines and costs will be contingent upon approval of the Bankruptcy Court. MOTION CARRIED.

3. New Trends Development, LLC, dba Aquascape Pools and Spas, License No. 38797

It was moved and seconded to approve the Settlement Agreement for New Trends Development, LLC, dba Aquascape Pools and Spas. MOTION CARRIED.

4. Discussion and Review of Responses under NRS 40.6887

1. **Del Webb Communities, Inc.,** License Number 26603
David Turner (Homeowner)

Mr. Burke disclosed that his company performed some commercial work for Del Webb.

Mr. King disclosed that his company performed work for Del Webb.

Mr. Wells disclosed that his company performed dirt work and paving for Del Webb.

Mr. Quinn disclosed he was a General Foreman for Del Webb several years ago.

Mr. Hodgson disclosed that he had worked for Del Webb.

It was moved and seconded to approve the response under NRS 40.6887. MOTION CARRIED.

2. **K D Development, LLC,** License Number 51573
Rose Marie Koumbis (Homeowner)

It was moved and seconded to approve the response under NRS 40.6887. MOTION CARRIED.

5. INTENT TO AWARD CASH BOND

MIKOHN SIGNS AND GRAPHICS, LLC, License Number 62921

It was moved and seconded to award the cash bond claim in the amount of \$11,248.00 to SDQ, dba Pacific Showcase and reimburse the Board for the amount of \$230.40 for the cost of publication. MOTION CARRIED.

6. NEW APPLICATION DENIAL HEARING: (Continued from September 22, 2011)

ALLEN BERNARD COWGER, dba AL'S HEATING AND AIR CONDITIONING, LLC

Applicant was present with counsel, James Dean Leavitt, Esq.

It was moved and seconded to continue this matter for sixty (60) days. MOTION CARRIED.

Mr. Wells opposed the Motion.

7. NEW APPLICATION DENIAL HEARING: (Continued from July 21, 2011)

ADD INSULATION, INC.

Applicant was present.

Mr. Hodgson and Mr. Burke disclosed that they have done business in the past with Mr. Merigold when he was employed by State Insulation.

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. Respondent must provide a self prepared financial statement with a bank verification form within three (3) months of the October 20, 2011 Board Hearing. MOTION CARRIED.

8. NEW APPLICATION DENIAL HEARING: (Continued from September 22, 2011)

A J V, INC.

Applicant was present.

It was moved and seconded to approve the license application with a monetary limit of \$245,000.00 and a bond of \$15,000.00 contingent upon a one year business review. MOTION CARRIED.

9. NEW APPLICATION DENIAL HEARING:

MAJOR LEAGUE TILE AND STONE, LLC

Applicant was present.

It was moved and seconded to table this matter for sixty (60) days in order to complete a financial review of Advanced Tile and Stone, LLC, license numbers 59453 and 59454. MOTION CARRIED.

10. NEW APPLICATION DENIAL HEARING:

LA ROZA CONSTRUCTION

Applicant was present.

It was moved and seconded to approve the license application with a monetary limit of \$250,000.00 and a bond of \$15,000.00. Mr. Setchell is to be a Project Manager only and cannot hold any position that would allow him to handle any funds. MOTION CARRIED.

11. NEW APPLICATION DENIAL HEARING:

FLOORING ENCOUNTERS, LLC

This matter was continued to November 17, 2011.

12. NEW APPLICATION DENIAL HEARING:

AZTEC COATINGS OF NEVADA, INC.

Applicant was present with counsel, Eric Dobberstein, Esq.

It was moved and seconded to approve the license application with a monetary limit of \$240,000.00 and a bond of \$15,000.00 contingent upon a financial review in one and two years. Aztec Coatings of Nevada, Inc. must be indemnified by Aztec Coatings, Inc. MOTION CARRIED.

13. NEW APPLICATION DENIAL HEARING:

MEDIATEL GROUP, LLC

Applicant was present.

It was moved and seconded to approve the license application with a \$10,000.00 monetary limit and a bond of \$2,000.00 contingent upon surrender of prior license number 62390. MOTION CARRIED.

14. NEW APPLICATION DENIAL HEARING:

ARTHUR FRANK FITZGERALD, dba F A S ENTERPRISES

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 with a six month business review. MOTION CARRIED.

Mr. Burke opposed the Motion.

15. NEW APPLICATION DENIAL HEARING:

ALPHA BUILDERS, LLC

This matter was withdrawn by applicant.

16. NEW APPLICATION DENIAL HEARING:

TELECOMMUNICATIONS CABLING SERVICES, LLC

Applicant was present.

It was moved and seconded to continue this matter for thirty (30) days to allow applicant to submit a corrected financial statement. MOTION CARRIED.

17. APPROVAL OF CONSENT AGENDA:

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

Mr. Hodgson made disclosures or recused himself from item numbers:

- #44 through #47 – Benchmark Painting, LLC – Disclosed that Byron Lacey is a personal friend.
- #52 – Blue and Green Services, LLC – Disclosed that Brent Wright and Daniel Bartlett are personal friends.
- #58 – Building Materials Construction Services, Inc. – Disclosed that applicant had performed work for his company.
- #108 – Focus Framing Door and Trim, LLC – Disclosed and recused based on a personal and business relationship with Steve Menzies.
- #116 – Goliath West, LLC – Disclosed that Mr. Wells is a fellow Board Member.
- #166 – K B Homes, Las Vegas, Inc. – Disclosed that he is acquainted with Jim Widner and Brad Robison.
- #252 – Rightway Drywall and Paint, LLC – Disclosed and recused based on a personal and business relationship with Mark Hutchins.
- #273 – Sierra Landscape Construction, Inc. – Disclosed and recused based on a personal relationship with Kathy and Kevin Jaramillo.

Mr. Quinn made disclosures or recused himself from item numbers:

- #116 – Goliath West, LLC – Disclosed that Mr. Wells is a fellow Board Member.

Mr. Wells made disclosures or recused himself from item numbers:

- #116 – Goliath West, LLC – Disclosed and recused based on ownership of the applicant.
- #195 and #196 – Machabee Office Environment – Disclosed and recused based on being business group members.
- #277, #278 and #279 – Silver State Construction Technologies, LLC – Disclosed a personal relationship with applicant.

Mr. Burke made disclosures or recused himself from item numbers:

- #116 – Goliath West, LLC – Disclosed that Mr. Wells is a fellow Board Member.
- #150 through #153 – Interstate Plumbing and Air Conditioning, LLC and Interstate Services – Disclosed and recused based on a personal and business relationship with Jim Manning.
- #222 – O'Connor Construction Management, Inc. – Disclosed that he has worked with O'Connor Construction on previous Nevada State Public Works Projects.
- #285 and #286 – Southwest Steel – A Division of SME, Industries, Inc. and Southwest Steel, LLC – Disclosed a past business relationship.
- #330 and #331 – Venetian Casino Resort, LLC – Disclosed and recused since his company is bidding projects for the Venetian.

Mr. King made disclosures or recused himself from item numbers:

- #44 through #47 – Benchmark Painting, LLC – Disclosed and recused based on a personal relationship and having an interest in Benchmark.

- #116 – Goliath West, LLC – Disclosed that Mr. Wells is a fellow Board Member.

Mr. Drake made disclosures or recused himself from item numbers:

- #116 – Goliath West, LLC – Disclosed that Mr. Wells is a fellow Board Member.
- #195 and #196 – Machabee Office Environments – Disclosed and recused based on a personal relationship with Gary Machabee.
- #325 through #327 – United Concrete Specialties, Inc. and United Construction Company – Disclosed a personal relationship with Anthony Taormina and Mike Dermody.

Mr. Alexander made disclosures or recused himself from item numbers:

- #116 – Goliath West, LLC – Disclosed that Mr. Wells is a fellow Board Member.

18. APPLICATIONS (INITIAL AND RENEWAL IN QUESTION):

HOME MASTERS PLUMBING, HEATING AND AIR, LLC, LAS VEGAS, NV (C-1 PLUMBING AND HEATING); CHANGE/APPLICATION Q.I.; RECONSIDERATION, License Number 73773

Licensee was present.

It was moved and seconded to deny reconsideration of Mr. Barreras as the Qualified Individual. MOTION CARRIED.

PEPCO FLOORING, INC., LAS VEGAS, NV (C-16D CARPET LAYING); CHANGE/APPLICATION Q.I.; RECONSIDERATION, License Number 72583

PEPCO FLOORING, INC., HENDERSON, NV (C-20 TILING); CHANGE/APPLICATION Q.I.; RECONSIDERATION, License Number 72724

Licensee was present with Henry and Cristela Petrazzulo.

This matter is tabled for sixty (60) days. MOTION CARRIED.

19. 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 2:04 p.m.

Respectfully Submitted,

Janet Brinkley, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Kevin E. Burke, Chairman