

MEMBERS

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STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
FEBRUARY 10, 2003**

1. BOARD GOVERNANCE AND ADMINISTRATION CALL TO ORDER – MICHAEL ZECH, CHAIRMAN

The meeting of the State Contractors Board was called to order by Chairman Michael Zech at 2:10 p.m., Monday, February 10, 2003, State Contractors' Board, Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Mr. Michael Zech - Chairman
Mr. Douglas W. Carson
Ms. Margaret Cavin
Mr. David W. Clark
Mr. Spiridon G. Filios
Mr. Jerry Higgins
Mr. Randy Schaefer

BOARD MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. George Lyford, Director of Special Investigations
Mr. Frank Torres, Deputy Director of Investigations
Ms. Nancy Mathias, Licensing Administrator

LEGAL COUNSEL PRESENT:

Ms. Carolyn Broussard, In House Counsel

Ms. Grein stated that Ron Carney had posted the agenda in compliance with the open meeting law on February 4, 2003 at the Washoe County Court House, Washoe County Library, and Reno City Hall. The agenda was also posted in both offices of the Board, Reno and Henderson, and on the Board's Internet web page.

It was learned there were 10 items on the amended agenda, each item of an emergency nature.

It was moved and seconded to hear the amended agenda. THE MOTION CARRIED.

2. APPROVAL OF MINUTES:

A. APPROVAL OF MINUTES OF JANUARY 28, 2003:

The Chairman called for a motion to approve the minutes of January 28, 2003.

It was moved and seconded to approve the minutes of January 28, 2003. THE MOTION CARRIED.

B. APPROVAL OF MINUTES OF JANUARY 29, 2003:

The Chairman called for a motion to approve the minutes of January 29, 2003.

It was moved and seconded to approve the minutes of January 29, 2003. THE MOTION CARRIED.

3. EXECUTIVE OFFICER'S REPORT:

A. REVIEW AND APPROVAL OF THE EXECUTIVE OFFICER'S REPORT – DECEMBER 31, 2002.

Ms. Grein presented to the Board the Executive Officer's report for December 31, 2002.

It was moved and seconded to approve the Executive Officer's report for December 31, 2002. THE MOTION CARRIED.

B. REVIEW AND APPROVAL OF FINANCIAL STATEMENT – DECEMBER 31, 2002

Ms. Grein presented to the Board the Financial Statement for December 31, 2002.

It was moved and seconded to approve the financial statement for December 31, 2002. THE MOTION CARRIED.

4. ADVISORY OPINION:

A. EARTH TECH – Earth Tech requested an Advisory Opinion concerning the license requirements to dismantle a People Mover System.

Based upon the information provided, the Board opined that a A (General Engineering), A-14 (Steel Erection and Industrial Machinery), AB (General Building and General Engineering) and C-14(Steel Reinforcing and Erection) could perform the work.

5. APPLICATIONS:

A. APPLICATIONS: (CLOSED MEETING PURSUANT TO NRS 241.030, LIST ATTACHED)

It was moved and seconded to close the meeting to the public in accordance with NRS 241.030 to discuss financial matters. THE MOTION CARRIED.

DORIS ELIZABETH SWIFT CONST., (B-3 SPECULATIVE BUILDING) NEW APPLICATION, REQUESTING WAIVER OF TRADE EXAM

Ms. Doris Swift, Owner of Doris Elizabeth Swift Const.; and Licensing Supervisor Kathy Stewart were present. Ms. Stewart informed the Board that the Applicant amended her application from a (B-3 Speculative Building) to a (B-2 Residential and Small Commercial) and waiver of trade exam was withdrawn and Applicant passed the trade exam. The Board informed Ms. Swift that the license application (B-2 Residential and Small Commercial) was granted with a monetary limit of \$250,000.00 and a bond of \$10,000.00.

DRAIN OPENERS, (C-1-D PLUMBING) NEW APPLICATION, REQUESTING WAIVER OF TRADE EXAM

Mr. David Gutierrez, Manager of Drain Openers was present. The Board informed Mr. Gutierrez that the license application (C-1-D Plumbing) was granted with a monetary limit of \$100,000.00 and a bond of \$10,000.00 and the trade exam to be waived.

ECKMAN & MITCHELL CONSTRUCTION, LLC., (B-2 RESIDENTIAL AND SMALL COMMERCIAL) NEW APPLICATION, RECONSIDERATION, REQUESTING WAIVER OF TRADE EXAM.

Mr. James P. Gibas, Chief Financial Officer of Eckman & Mitchell Construction, LLC. was present. The Board informed Mr. Gibas that the license application (B-2 Residential and Small Commercial) was granted with an unlimited monetary limit and a bond of \$50,000.00 and the trade exam to be waived.

JENAMAR BUILDERS, LLC., (A-12, 15, 16, 19 EXCAVATE GRADE TRENCH SURFACE; SEWERS; DRAINS AND PIPES; PAVING STREETS; DRIVEWAYS; LOTS; PIPELINE AND CONDUITS) NEW APPLICATION, RECONSIDERATION, REQUEST FOR WAIVER OF TRADE EXAM

Mr. Bob Peterson, Qualified Employee Construction of Jenamar Builders, LLC. was present. The Board informed Mr. Peterson that the license application (A-12, 15, 16, 19 Excavate Grade Trench Surface; Sewers; Drains and Pipes; Paving Streets; Driveways; Lots; Pipeline and Conduits) was granted with an unlimited monetary limit a bond of \$50,000.00 and Mr. Bob Peterson must pass the trade exam.

PARADISE CONSTRUCTION, (A GENERAL ENGINEERING) NEW APPLICATION, NAME SIMILARITY

Mr. Walter M. Lee, Owner of Paradise Construction was present. The Board informed Mr. Lee that the license application (A-General Engineering) was granted with a monetary limit of \$1,000,000.00 and a bond of \$40,000.00 and must change name.

PARADISE CONSTRUCTION, (B GENERAL BUILDING) NEW APPLICATION, NAME SIMILARITY

Mr. Walter M. Lee, Owner of Paradise Construction was present. The Board informed Mr. Lee that the license application (B General Building) was granted with a monetary limit of \$1,000,000.00 and a bond of \$40,000.00 and must change name.

UNIVERSAL ENVIRONMENTAL NEVADA, INC., A-12, 13, 15, 22 EXCAVATE GRADE TRENCH SURFACE; WRECKING BUILDINGS; SEWERS; DRAINS AND PIPES; HAZARDOUS WASTE FOR SITE REMEDIATION NEW APPLICATION, REQUESTING WAIVER OF TRADE EXAM

Mr. Ron Jones, Manager of Universal Environmental Nevada, Inc. was present. The Board informed Mr. Jones that the license application (A-12, 13, 15, 22 Excavate Grade Trench Surface; Wrecking Buildings; Sewers; Drains and Pipes; Hazardous Waste for Site Remediation) was granted with a monetary limit of \$950,000.00 and a bond of \$20,000.00 and the trade exam be waived.

INDEPENDENT LANDSCAPE SERVICES, LLC., (C-10 LANDSCAPE CONTRACTING) NEW APPLICATION

Ms. Rachel J. Ludian, Member of Independent Landscape Services, LLC. was present. The Board informed Ms. Ludian that the license application (C-10 Landscape Contracting) was approved with a monetary limit of \$250,000.00 and a bond of \$15,000.00.

The following applications on the agenda were reviewed and discussed: Nos. 1, 6, 8, 10,

16, 21, 29, 31, 32, 36, 41, 44, 45, 51, 53, 56, 57, 58, 59, 60, 62, 64, 65, 70, 72, 83, 84, 85, 86, 87, 91, 94, 97, 98, 101, 107, 108, 109, 111, 114, 115, 116, 117, 118, 120, 129, 135, 137, 142, 143, 144, 145, 148, 151, 154, 158, and 161.

The applications on the amended agenda were reviewed and discussed: Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10.

It was moved and seconded to reopen the meeting to the public. THE MOTION CARRIED.

B. RATIFICATION OF LICENSE APPLICATIONS, CHANGES OF LICENSURE, REINSTATEMENTS OF LICENSURE:

It was moved and seconded to ratify all applications not specifically discussed in closed session as recommended by staff. THE MOTION CARRIED.

6. CONTINUED HEARING:

SIERRASAGE, LLC., LICENSE #52571 (CONTINUED FROM NOVEMBER 6, 2002, DECEMBER 4, 2002 AND JANUARY 7, 2003.)

No one from Sierrasage, LLC. was present.

Deputy Director of Investigations Frank Torres was sworn in.

Mr. Torres provided a status report of the money owing complaints and indicated that Sierrasage, LLC. has signed payment agreements with suppliers and the suppliers are satisfied with the agreement. Mr. Torres stated Sierrasage, LLC. has entered into contracts with other builders for new projects, which should allow for expedited payment to suppliers.

It was moved and seconded to continue this matter to the Reno Board meeting for staff update on March 11, 2003. THE MOTION CARRIED.

7. DISCIPLINARY HEARING – DEFAULT ORDER:

EXCEL CONCRETE – LICENSE #51387

No one from Excel Concrete was present.

Investigator Gary Hoid was sworn in.

The hearing was for possible violations of NRS 624.3017 (1); NRS 624.3013 (5) as set forth in NAC 624.700 (3) (a); NRS 624.520 (1); NRS 624.3013 (5) as set forth in NAC 624.640 (5); and NRS 624.3013 (5) as set forth in NAC 624.640 (3).

The Notice of Hearing and Complaint was entered into the record as Exhibit #1.

Mr. Hoid testified he validated the workmanship complaint and a Notice to Correct for three items was issued. There are several cracks located in the stamped border surrounding the patio, two cracks located at the inside radius sections of the patio and two cracks located in the curbing along the west side of the property. Respondent has failed to comply with the Notice to Correct. Mr. Hoid further testified he reviewed the contract and it did not contain the Residential Recovery Fund disclosure or the monetary limit and license number.

It was moved and seconded to find the Respondent in default and adopt the Findings of Fact Conclusions of Law as set forth in the Administrative complaint; revoke

license number 51387, Excel Concrete; to require full restitution to the damaged parties; and recover the investigative costs of \$1,412.00 plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure. **THE MOTION CARRIED.**

8. DEPARTMENT REPORT:

A. INVESTIGATIONS DIVISION:

SPECIAL INVESTIGATIONS UNIT:

Mr. Torres presented the aging report for the Reno Special Investigations Unit.

COMPLIANCE UNIT:

Mr. Torres presented the aging report for the Reno Compliance Investigations department.

B. LICENSING DIVISION:

Ms. Stewart presented the aging report for the Reno Licensing department.

9. PUBLIC COMMENT:

No one from the general public was present to speak for or against any items on the agenda.

10. ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned by Chairman Zech at 4:12 p.m.

Respectfully Submitted,

Tammy Stewart, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Michael Zech, Chairman