

KENNY C. GUINN
Governor

STATE OF NEVADA



REPLY TO:

LAS VEGAS
2310 Corporate Circle
Suite 200
Henderson, Nevada 89074
(702) 486-1100
Fax (702) 486-1190
Investigations (702) 486-1110

www.nscb.state.nv.us

RENO
9670 Gateway Drive, Suite 100
Reno, Nevada 89521
(775) 688-1141
Fax (775) 688-1271
Investigations (775) 688-1150

MEMBERS

RANDALL SCHAEFER
Chairman
MARGARET CAVIN
Vice Chair
DAVID W. CLARK
SPIRIDON FILIOS
JERRY HIGGINS
J. BRIAN SCROGGINS
MICHAEL ZECH

STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
May 4, 2004**

1. CALL TO ORDER:

Chairman Randy Schaefer called the meeting of the State Contractors Board to order at 8:18a.m., Tuesday, May 4, 2004, 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. David Clark
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, Reno
Mr. Chris Denning, Deputy Director of Investigations, Henderson
Mr. Daniel Hammack, Acting Deputy Director of Investigations, Henderson

LEGAL COUNSEL PRESENT:

Ms. Laura Browning, Haney Woloson & Mullins
Mr. Bruce Robb, Legal Counsel

It was moved and seconded to amend the agenda, adding applications 1 – 22 and Jade Properties requested a continuance. MOTION CARRIED.

2. APPROVAL OF MINUTES: April 20, 2004

It was moved and seconded to approve the minutes of April 20, 2004. MOTION CARRIED.

3. APPLICATIONS:

a. APPLICATIONS: (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.

CELTIC LAWN & LANDSCAPE INC., (C18 LIMITED TO INSTALLATION OF PAVERS) NEW APPLICATION, RECONSIDERATION WAIVER OF TRADE EXAM

Applicant was present.

The Board denied the request to wave the trade exam.

Duc HOUSING PARTNERS INC., (B2 RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION

Applicant was present.

This matter was tabled for 90 days.

THOR CONSTRUCTION INC., LICENSE NO. 52980, RAISE IN LIMIT

Licensee was present.

The raise in limit was approved for \$6.5 million and unlimited when work is performed as a joint venture.

THOR CONSTRUCTION INC., LICENSE NO. 54205, RAISE IN LIMIT

Licensee was present.

The raise in limit was approved.

PINNACLE ARCHITECTURAL MILLWORK & DESIGN, LICENSE NO. 46489, CHANGE IN QUALIFIER RECONSIDERATION

Licensee was present.

Ricky Van Houten, was approved as the qualifier contingent upon his passing the CMS exam within 120 days from May 4, 2004, or license will automatically be suspended. The trade exam was waived.

STRESSCON INC., LICENSE NO. 53587, ONE TIME RAISE IN LIMIT

Licensee was present.

The application was approved.

BMB ELECTRIC LLC, LICENSE NO. 55805, BOND REDUCTION REQUEST

Licensee was represented by counsel, Keith Gregory.

It was moved and seconded to continue the \$300,000.00 bond for BMB Electric, LLC and to require a financial statement upon renewal in 2005. 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.

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. MOTION CARRIED.

4. SUBCOMMITTEE REPORTS:

This matter was continued.

5. BOARD GOVERNANCE AND ADMINISTRATION:

a. EXECUTIVE OFFICERS STATUS REPORT:

Ms. Grein informed the Board that several proposals had been received for Legislative Representation. The Board directed Ms. Grein to meet with the Executive Committee and select the top three for interviews with the full Board.

b. DEPARTMENTAL REPORTS:

This matter was continued.

6. NEW LICENSE APPLICATION:

DEMBOYZ, INC., dba INTERACCESS SYSTEMS

Licensee was present.

It was moved and seconded to approve the application with a \$250,000.00 license limit and a bond of \$15,000.00 contingent upon staff review of the indemnitores financial statement. MOTION CARRIED.

7. SUMMARY SUSPENSION:

N W MASONRY, LICENSE NO. 45548

Licensee was present.

It was moved and seconded to summarily suspend, pursuant to NRS 624.291(4), license number 45548, Naviez Virgil Wesley dba N W Masonry, (C 18 Masonry), in the interest of the public health, safety and welfare. MOTION CARRIED.

8. LICENSE APPLICATION DENIAL: (CONTINUED FROM MARCH 9, 2004)

JADE PROPERTIES

This matter was continued.

PUBLIC COMMENT:

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

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Schaefer at 10: 15 a.m.

Respectfully Submitted,

Annette Hodges, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Randall Schaefer, Chairman

ADJUDICATING BOARD MEMBER: David W. Clark

9. DISCIPLINARY HEARING: (CONTINUED FROM MARCH 9, 2004)

GENERAL BUILDERS, INC., dba AMERICAN GENERAL DEVELOPMENT, LICENSE NO. 22816
GENERAL BUILDERS, INC., dba SILVER STATE POOLS, LICENSE NO. 22816A

Hearing Officer Clark continued this matter to the June 8, 2004 Reno Board Meeting. A financial statement is required to be produced on or before the meeting date. Mr. Clark recused himself from future hearings and a new hearing officer will be appointed.

ADJUDICATING BOARD MEMBER: Jerry Higgins

10. DISCIPLINARY HEARING:

HENLEY WEBER, INC., LICENSE NO. 53084

Licensee was present.

Hearing Officer Higgins found the respondent Henley Weber, Inc, Fred Garth Henley, President, license number 53084 guilty of all causes of action. Proclean Maintenance is to be paid \$675.00 from the cash proceeds currently held by the Board. License number 53084, Henley Weber Inc., was Revoked. Mr. Henley is required to reimburse the Board for Investigative Costs of \$1,529.00, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

11. DISCIPLINARY HEARING:

ADVANCED CONSTRUCTION, LICENSE NO. 46361

Licensee was present with counsel, Jim Leslie.

Hearing Officer Higgins found the respondent Youness H. Ghanavati, dba Advanced Construction, license number 46361 guilty of all causes of action. Mr. Ghanavati was assessed a fine of \$750.00 for the first, second and third causes of action totaling \$2,250.00. Investigative costs were assessed in the amount of \$1,729.00. Fines and costs are to be paid within 90 days from May 4, 2004 or license number 46361, Advanced Construction will automatically be suspended.

12. DISCIPLINARY HEARING:

HERMANN CONSTRUCTION, LICENSE NO. 38046

Licensee was present with counsel, Elaine S. Guenaga.

Hearing Officer Higgins found the respondent Robert Wayne Hermann, dba Hermann Construction, license number 38046 guilty of all causes of action. Mr. Hermann was ordered to pay delinquent Residential Recovery Fund payments in the amount of \$300.00. Mr. Hermann was assessed a fine of \$100.00 for the first, second, third, fourth, fifth, sixth, seventh, eighth and ninth causes of action totaling \$900.00. Investigative costs were assessed in the amount of \$1,389.00. Fines and costs are to be paid within 120 days from May 4, 2004 or license number 38046, Hermann Construction will automatically be Revoked, and otherwise it shall remain in inactive status.

13. DISCIPLINARY HEARING:

MORETTI ROOFING, LICENSE NO. 52799

Licensee was present.

Hearing Officer Higgins ordered Investigator Brio to obtain bids for the corrective work and present it to Mr. Moretti for approval. The Homeowner will allow the contractor that Investigator Brio and Mr. Moretti select to make repairs within 30 days from May 4, 2004.

14. DISCIPLINARY HEARING: (CONTINUED FROM JANUARY 6, 2004 AND APRIL 6, 2004)

D W ARNOLD, INC., LICENSE NO. 43866

Licensee was present with counsel, Jim Leslie.

This matter was dismissed.

15. DISCIPLINARY HEARING-DEFAULT HEARING:

ASPEN CONSTRUCTION, LICENSE NO. 41800

Licensee was not present.

Hearing Officer Higgins found respondent Aspen Construction, Gay M. Bateson, Vice President license number 41800, in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License number 41800, Aspen Construction, was Revoked. Ms. Bateson is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$2,141.00, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Adjudicating Board Member Higgins at 3:40 p.m.

Respectfully Submitted,

Annette Hodges, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

David W. Clark, Adjudicating Board Member

Jerry Higgins, Adjudicating Board Member