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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

JULY 7, 2004

1. CALL TO ORDER:

Chairman Randy Schaefer called the meeting of the State Contractors Board to order at 8:15 a.m., Wednesday, July 7, 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
Mr. David Clark
Mr. Spiridon G. Filios
Mr. Jerry Higgins
Mr. J. Brian Scroggins
Mr. Michael Zech

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Ms. Nancy Mathias, Licensing Administrator
Mr. Daniel Hammack, Chief of Enforcement

BOARD MEMBER ABSENT:

Ms. Margaret Cavin

LEGAL COUNSEL PRESENT:

Bruce Robb, Esq. Legal Counsel

It was moved and seconded to amend the agenda, adding applications 1 - 13. **MOTION CARRIED.**

2. APPROVAL OF MINUTES: June 22, 2004

It was moved and seconded to approve the minutes of June 22, 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.**

LAKE TAHOE DEVELOPER INC., (B-GENERAL BUILDING) NEW APPLICATION

Applicant was present.

It was moved and seconded to table the application for 60 days to allow further staff review.
MOTION CARRIED.

FLOORING MASTERS, (C-16 FINISHING FLOORS) NEW APPLICATION

Applicant was present

It was moved and seconded to approve the license application (C-16 Finishing Floors) with a monetary limit of \$5,000.00 and bond of \$2,000.00. **MOTION CARRIED.**

POWERCOM INC., (C-2 ELECTRICAL CONTRACTING) NEW APPLICATION, NAME SIMILARITY, RECONSIDERATION

Applicant was present

It was moved and seconded, that applicant must change its name. **MOTION CARRIED.**

THIESSEN TEAM USA INC., (C-11 SPRAY MIXTURES CONTAINING CEMENT) NEW APPLICATION

Applicant was present

It was moved and seconded to approve the license application (C-11 Spray Mixtures Containing Cement) with a monetary limit of \$300,000.00 and bond of \$20,000.00. **MOTION CARRIED.**

I M E (DBA), (C-2 ELECTRICAL CONTRACTING) NEW APPLICATION

Applicant was present

It was moved and seconded to approve the license application (C-2 Electrical Contracting) unlimited and bond of \$50,000.00. **MOTION CARRIED.**

J & D ELECTRIC, (C-2G RESIDENTIAL WIRING) NEW APPLICATION

Applicant was present

It was moved and seconded to approve the license application (C-2G Residential Wiring) with a monetary limit of \$135,000.00 and bond of \$10,000.00. **MOTION CARRIED.**

SPIRIT UNDERGROUND LLC, LICENSE NOS. 57656 AND 57657 (C-2 ELECTRICAL CONTRACTING; A-7, 15, 19 EXCAVATING & GRADING, SEWERS, DRAINS & PIPES, PIPELINE & CONDUITS)

Licensee was present

It was moved and seconded to approve the raise in limit to unlimited with a bond of \$50,000.00. **MOTION CARRIED.**

BLACKSTONE BUILDERS INC., (B-2 RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION

Applicant was present

It was moved and seconded to approve the license application (B-2 Residential & Small Commercial) with a monetary limit of \$750,000.00 and bond of \$20,000.00. **MOTION CARRIED.**

EARTH MOVERS LLC, (A-4, 8, 12, 15, 16, 19, 21 BRIDGES, SEAL/STRIPE ASPHALTIC SURFACES, EXCAVATE, GRADE, TRENCH, SURFACE, SEWERS, DRAINS & PIPES, PAVING STREETS, DRIVEWAYS, LOTS, PIPELINE & CONDUITS, FENCING & GUARDRAILS) NEW APPLICATION, NAME SIMILARITY

Applicant was present

It was moved and seconded to approve the license application (A-4, 8, 12, 15, 16, 19, 21 Bridges, Seal/Strip Asphaltic Surfaces, Excavate, Grade, Trench, Surface, Sewers, Drains & Pipes, Paving Streets, Driveways, Lots, Pipeline & Conduits, Fencing & Guardrails) with a monetary limit of \$5,000,000.00 and bond of \$30,000.00 and name to remain the same. **MOTION CARRIED.**

URBAN METROPOLITAN DEVELOPMENT LLC, (A-23 REMOVAL OF ASBESTOS) NEW APPLICATION

Applicant was present

It was moved and seconded to approve the license application (A-23 Removal of Asbestos) with a monetary limit of \$500,000.00 and bond of \$15,000.00. **MOTION CARRIED.**

PATIO COVERS DELUX INC., (C-14I AWNINGS) NEW APPLICATION

Applicant was not present, but was represented by counsel, Keith Gregory.

It was moved and seconded to approve the license application (C-14I Awnings) with a monetary limit of \$25,000.00 and bond of \$5,000.00 requiring the licensee to provide quarterly reports including copies of contracts during the first year of licensure. The licensee is to provide a financial statement at the time of renewal. 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:

Ms. Grein reported on the upcoming workshop and public hearing to be held July 15, 2004, regarding proposed changes to NAC 624.200.

The Board Members agreed to discontinue the Construction Management Subcommittee reports until after the next Legislative Session.

5. EXECUTIVE SESSION:

a. EXECUTIVE OFFICERS PROGRESS REPORT ON FY 2003-04 PRIORITIES:

This matter was continued to the July 20, 2004 Henderson Meeting.

b. DISCUSSION AND ADOPTION OF REGULATION LCB FLE NO. 106-04 CONCERNING THE APPLICATION PROCESS OUTLINED IN NAC 624.590:

It was moved and seconded to adopt LCB File No. 10604 as a permanent regulation. **MOTION CARRIED.**

c. DEPARTMENTAL REPORTS

Ms. Grein provided the Board with a status update for each department.

d. DISCUSSION AND APPROVAL OF PROPOSED BUDGET FY 2004-05:

It was moved and seconded to approve the proposed budget for fiscal year 2004-2005. **MOTION CARRIED.**

e. APPOINTMENT OF CONSTRUCTION EDUCATION COMMISSION MEMBER (NRS 624.570(2)):

It was moved and seconded to appoint Brian Scorggins as the Construction Education Commission Member.
MOTION CARRIED.

PUBLIC COMMENT:

Mr. Clarence Dickens was present and requested the Board to grant a license based on his licensure in Michigan. It was explained to Mr. Dickens that he needed to apply for a Nevada State Contractors License.

Mr. Bob Portnoff was present with a request that he be allowed to reimburse the Board for the cost of the bill for a phone call he made to Laura Browning, Esq., Board Counsel.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Schaefer at 9:49 a.m.

Respectfully Submitted,

Traci Greenlee, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Randall Schaefer, Chairman

ADJUDICATING BOARD MEMBER: JERRY HIGGINS**6. DISCIPLINARY HEARING – DEFAULT ORDERS:****a. UNIQUE DRYWALL & STUCCO, LICENSE NO. 37374A**

Licensee was not present

The Board Hearing File was entered into the record as Exhibit #1.

Hearing Officer Higgins found respondent Unique Drywall & Stucco, James T. Morris, President, license number 37374A, in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Mr. Morris was found guilty of NRS 624.3012(3) failure to obtain release of lien; NRS 624.3013(3) failure to establish financial responsibility; NRS 624.3013(5), per NRS 624.520(1) failure to provide Recovery Fund notice. License number 37374A, Unique Drywall & Stucco was Revoked. Mr. Morris is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$1,436.00 and any expenses that may be paid out of the Residential Recovery Fund.

b. CONVENANT PAINTING AND DECORATING, LICENSE NO. 45364

Licensee was not present

The Board Hearing File was entered into the record as Exhibit #1.

Hearing Officer Higgins found respondent Duard W. Kerley, dba Covenant Painting and Decorating, license number 45364, in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Mr. Kerley was found guilty of NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), per NAC 624.700(3) failure to comply with a Notice to Correct; NRS 624.3016(1) fraudulent or deceitful act; NRS 624.301(2) abandonment; NRS 624.301(5) failure to comply with terms of a contract; NRS 624.3013(3) failure to establish financial responsibility; NRS 624.3013(5), per NAC 624.640(5) failure to include license number and monetary limit on contract; NRS 624.3013(5), per NRS 624.520(1) failure to provide Recovery Fund notice. License number 45364, Covenant Painting and Decorating was Revoked. Mr. Kerley is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$1,741.00 and any expenses that may be paid out of the Residential Recovery Fund.

c. SCHENDEL ROOFING, LICENSE NO. 43862

Licensee was not present

The Board Hearing File was entered into the record as Exhibit #1.

Hearing Officer Higgins found respondent Matt W. Schendel, dba, Schendel Roofing, license number 43862, in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Mr. Schendel was found guilty of NRS 624.3012(2) failure to pay; NRS 624.302(5) failure to respond to written request from the Board; NRS 624.3013(3) failure to establish financial responsibility; NRS 624.3013(5), per NAC 640(3) failure to notify Board of address change. License number 43862, Schendel Roofing was Revoked. Mr. Schendel is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$1,302.00 and any expenses that may be paid out of the Residential Recovery Fund.

7. DISCIPLINARY HEARING: (Continued from May 3, 2004)

HAMLIN DEVELOPMENT CO., INC., LICENSE NOS. 47827 AND 47827A

Licensee was present with counsel, James Leslie, Esq.

This matter was continued from the May 3, 2004 Reno Board Meeting to hear the First, Second and Third Causes of Action.

The Board Hearing file was entered into the record as Exhibit #1.

Request was made by Counsel, James Leslie, Esq. to continue this matter to the August 10, 2004 Reno Board Meeting to allow Mr. Hamlin the opportunity to reach a settlement with the homeowner.

Respectfully Submitted,

Traci Greenlee, Recording Secretary_____

APPROVED:

Margi Grein, Executive Officer

Jerry Higgins, Adjudicating Board Member