

KENNY C. GUINN
Governor

STATE OF NEVADA



REPLY TO:

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

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

MEMBERS

MICHAEL ZECH
Chairman
DOUGLAS W. CARSON
MARGARET CAVIN
DAVID W. CLARK
JERRY HIGGINS
DENNIS K. JOHNSON
RANDY SCHAEFER

STATE CONTRACTORS' BOARD

MINUTES OF THE MEETING AUGUST 21, 2002

1. A. BOARD GOVERNANCE AND ADMINISTRATION

CALL TO ORDER

Chairman Michael Zech called the meeting of the State Contractors' Board to order at 8:45 a.m., Wednesday, August 21, 2002, State Contractors' Board, Henderson, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Mr. Michael Zech - Chairman
Mr. Jerry Higgins
Mr. Dennis Johnson
Mr. Randy Schaefer

BOARD MEMBERS ABSENT:

Mr. Douglas W. Carson
Ms. Margaret Cavin
Mr. David Clark

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Ms. Nancy Mathias, Licensing Administrator
Mr. George Lyford, Director of Investigations
Mr. Chris Denning, Deputy Director of Investigations

LEGAL COUNSEL PRESENT:

Ms. Carolyn Broussard, Legal Counsel
Mr. Dennis Haney, Legal Counsel (Haney, Woloson & Mullins)

Ms. Grein stated that Tom Lawrence had posted the agenda in compliance with the open meeting law on August 14, 2002, at the Sawyer State Building, Clark County Library, and Las Vegas City Hall. The agenda was also posted in both offices of the Board, Henderson and Reno, and on the Board's Internet web site.

It was learned there were 18 items on the amended agenda, each item of an emergency nature.

MR. HIGGINS MOVED TO HEAR THE AMENDED AGENDA.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

Chairman Zech called for a motion to approve the minutes of August 6, 2002.

MR. HIGGINS MOVED TO APPROVE THE MINUTES OF AUGUST 6, 2002.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

B. EXECUTIVE OFFICER'S REPORT, INCLUDING:

2. STATUS REPORT OF LITIGATION MATTERS:

Mr. Haney reviewed with the Board outstanding cases, that are in litigation. Mr. Haney recommended that a hearing officer be appointed to hear the Remington Homes case.

3. DISCUSSION OF VISION CRAFT HOMES APPEAL:

Mr. Haney recommended that the Board appoint a hearing officer to hear this case.

6. CASH DISBURSEMENT AND TRANSFER JOURNALS JUNE 30, 2002:

Ms. Grein requested that the Board's approval of the cash disbursements.

MR. JOHNSON MOVED TO APPROVE BANK OF AMERICA COMMERCIAL CHECKING ACCOUNT CHECK NUMBERS 23686 THROUGH 23899 WITH VOIDED CHECKS NOTED; 23900 THROUGH 24072 WITH VOIDED CHECKS NOTED; AND 24073 THROUGH 24251 WITH VOIDED CHECKS NOTED

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

MR. JOHNSON MOVED TO APPROVE THE BANK OF AMERICA MONEY MARKET ACCOUNT CHECK NUMBER 1083 THROUGH 1090 AND TRANSFER NUMBERS 02-34 THROUGH 02-39.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

MR. JOHNSON MOVED TO APPROVE THE FIRST INTERSTATE BANK PAYROLL ACCOUNT CHECK NUMBER 21788 THROUGH 22148.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

7. EXECUTIVE OFFICER'S REPORT JUNE 30, 2002:

Ms. Grein requested the Board's approval of the Executive Officer's quarterly report.

MR. HIGGINS MOVED TO APPROVE THE EXECUTIVE OFFICER'S QUARTERLY REPORT.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

9. FUTURE AGENDAS:

Ms. Grein informed the Board that the September 10, 2002 Reno Board meeting would be done via video conferencing.

10. APPROVAL OF RECOVERY FUND CLAIMS:

A Recovery Fund Meeting was held at 1:00 pm on Tuesday, August 20, 2002. Ms. Grein requested the Board approve the recommendation of the Recovery Fund Committee as follows:

AQUA POOLS, LICENSE #32761

Dwayne and Melinda Houston - deny

ACTION PAINTING, LICENSE #42099

Thomas Delaney - award \$8,000.00

FOLLMER CONTRACTING INC., LICENSE #40758

Norman Shelby - award \$1854.30

CHRISTIANSEN POOLS, LICENSE #10682

Paulisca Bucholtz - award \$1,941.72

Calvin Gilliam - award \$1,854.00

David and Yvette Lenzen - award \$2,000.00

Ms. Grein requested the Board's approval of the findings of the Recovery Fund Hearing.

MR. HIGGINS MOVED TO APPROVE THE RECOMMENDATION OF THE RECOVERY FUND COMMITTEE.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

The remaining items in the Executive Session were continued to the September 10, 2002 meeting in Reno.

C. DEPARTMENT REPORTS, INCLUDING:

1. INVESTIGATIONS DIVISION:**• SPECIAL INVESTGATIONS UNIT:**

Mr. Roy Schoonmaker, Supervisor of Special Investigations, presented the aging report for Las Vegas Special Investigations Division.

• COMPLIANCE INVESTIGATIONS UNIT:

Mr. Chris Denning, Deputy Director of Investigations, presented the aging report for Las Vegas Compliance Division.

2. LICENSING DIVISION:

Ms. Pat Potter, Licensing Supervisor, presented the aging report for the Las Vegas Licensing Department.

3. HUMAN RESOURCES:

Mr. Bart Thurgood, Human Resources Manager, presented a report concerning Human Resources activities including training and benefits.

4. PUBLIC EDUCATION:

Ms. Sonya Ruffin, Public Relations, informed the Board that new radio ads should be aired within the near future. She also stated that the NSCB newsletter is close to being printed.

2. PAYMENT AND PERFORMANCE BOND OPINION:**CASA GRANDE POOLS INC., LICENSE #54309**

Ms. Colleen Grande, President of Case Grande Pools Inc., was present. Ms. Grande has been in the pool business since 1992 and has recently incorporated. She requested the Board remove from the license the requirement for a 50% payment and performance bond for each residential pool and spa project.

MR. JOHNSON MOVED TO REMOVE THE REQUIREMENT FOR A 50% PAYMENT AND PERFORMANCE BOND FROM LICENSE #54309, CASA GRANDE POOLS INC., BASED UPON THE LICENSEE'S RECORD AS A SOLE PROPRIETORSHIP.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

In further discussion, the Board determined that any similar request for waiver must be considered on a case by case bases.

3. INFORMAL SETTLEMENTS:**1. HUNTER ELECTRIC., LICENSE #38140**

MR. JOHNSON MOVED TO ACCEPT THE STIPULATED SETTLEMENT AGREEMENT; THAT RESPONDENT PAY AN ADMINISTRATIVE FINE OF \$2,000 AND REIMBURSE THE BOARD FOR INVESTIGATIVE COSTS OF \$410 WITHIN 60 DAYS FROM THE DATE OF THE BOARD'S APPROVAL OF THIS STIPULATED

SETTLEMENT AGREEMENT; A WARNING LETTER SHALL BE PLACED IN RESPONDENT'S FILE FOR ONE YEAR; AND RESPONDENT REQUIRED TO TAKE THE CMS EXAM WITHIN SIX MONTHS.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

2. PHILIP MORGAN CO., LICENSE #37741

MR. JOHNSON MOVED TO ACCEPT THE STIPULATED SETTLEMENT AGREEMENT; THAT RESPONDENT REIMBURSE THE BOARD FOR INVESTIGATIVE COSTS OF \$2,000 WITHIN 60 DAYS FROM THE DATE OF THE BOARD'S APPROVAL OF THIS STIPULATED SETTLEMENT AGREEMENT; AND A WARNING LETTER SHALL BE PLACED IN RESPONDENT'S FILE FOR ONE YEAR.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

3. INTEGRITY POOLS INC., LICENSE #41217

MR. JOHNSON MOVED TO ACCEPT THE STIPULATED SETTLEMENT AGREEMENT; THAT RESPONDENT PAY AN ADMINISTRATIVE FINE OF \$500 AND REIMBURSE THE BOARD FOR INVESTIGATIVE COSTS OF \$680 WITHIN 60 DAYS FROM THE DATE OF THE BOARD'S APPROVAL OF THIS STIPULATED SETTLEMENT AGREEMENT; AND A WARNING LETTER BE PLACED IN RESPONDENT'S FILE FOR ONE YEAR.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

4. CENTURY ELEVATOR OF NEVADA LLC, LICENSE #43225

MR. JOHNSON MOVED TO ACCEPT THE STIPULATED SETTLEMENT AGREEMENT; THAT RESPONDENT REIMBURSE THE BOARD FOR INVESTIGATIVE COSTS OF \$984 WITHIN 30 DAYS FROM THE DATE OF THE BOARD'S APPROVAL OF THIS STIPULATED SETTLEMENT AGREEMENT; A WARNING LETTER SHALL BE PLACED IN RESPONDENT'S FILE FOR ONE YEAR; AND RESPONDENT AND MR. RICHARD CUMMINS ARE REQUIRED TO TAKE THE CMS EXAM WITHIN 90 DAYS AND THE TRADE EXAM IS TO BE WAIVED.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

5. HANSONS HOME IMPROVEMENT, LICENSE #39387

MR. JOHNSON MOVED TO ACCEPT THE STIPULATED SETTLEMENT AGREEMENT; THAT RESPONDENT PAY AN ADMINISTRATIVE FINE OF \$500 AND REIMBURSE THE BOARD FOR INVESTIGATIVE COSTS OF \$855 WITHIN 60 DAYS FROM THE DATE OF THE BOARD'S APPROVAL OF THIS STIPULATED

SETTLEMENT AGREEMENT; AND A WARNING LETTER SHALL BE PLACED IN RESPONDENT'S FILE FOR ONE YEAR.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

4. DISCIPLINARY HEARING:

D. R. CHRISTENSEN & SONS, INC., LICENSE #50895

Mr. Dale Christensen, President of D. R. Christensen & Sons, Inc. and Investigator Bob Macke were sworn in.

The hearing was for possible violation of NRS 624.3012(2) and NRS 624.3013(3).

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

Investigator Macke testified that he validated that Respondent entered into a contract with S. R. Trucking & Transport Inc. to haul materials for a contract price of \$6,912.00 of which Respondent has paid \$1,642.50. Investigator Macke stated that Respondent failed to furnish a financial statement.

Mr. Christensen testified that he did not dispute the amount owed, he does not have the means to pay. Mr. Christensen stated that he was in the process of filing for bankruptcy.

The evidentiary portion of the hearing was closed.

MR. SCHAEFER MOVED THE FIND D. R. CHRISTENSEN & SONS, INC., LICENSE #50895 IN VIOLATION OF BOTH CAUSES OF ACTION.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

MR. SCHAEFER MOVED TO REVOKE LICENSE #50895; REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND RECOVER THE INVESTIGATIVE COSTS OF \$1,277.00 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

5. DISCIPLINARY HEARING:

L & L LANDSCAPE, LICENSE #46363

Investigator Greg Welch was sworn in.

Mr. Larry Barrios, Owner of L & L Landscape was not present.

The hearing was for possible violation of NRS 624.3012(2); NRS 624.3013(3); and NRS 624.302(5).

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

Investigator Welch testified that he validated that Respondent owed Turf Equipment Supply Co. an approximate amount of \$2,679.68 for materials and supplies purchased on credit. Respondent has paid \$700.00 towards the balance and Respondent's indemnity company has paid \$1,329.68, leaving an amount outstanding of \$650.00. Investigator Welch further testified that Respondent did not attend a resolution meeting and failed to furnish a financial statement.

The evidentiary portion of the hearing was closed.

MR. HIGGINS MOVED TO FIND L & L LANDSCAPE, LICENSE #46363 IN VIOLATION OF ALL CAUSES OF ACTION; TO REVOKE LICENSE #46363; REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND RECOVER THE INVESTIGATIVE COSTS OF \$1,215.00 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

6. DISCIPLINARY HEARING:

QUANTUM CONSTRUCTION, LICENSE #36596

Mr. Michael White, Owner of Quantum Construction and Investigator Tom Lawrence were sworn.

The hearing was for possible violation of NRS 624.3017(1); NRS 624.3013(5), as set forth in NAC 624.700(3)(a); NRS 624.301(1); NRS 624.3013(5), as set forth in NAC 624.640(5); and NRS 624.302(5).

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

Investigator Lawrence testified that Respondent had contracted with Mr. and Mrs. Falkenberg for the construction of a concrete slab with patio cover at their residence for a contract price of \$23,324.00. Respondent has been paid \$25,000.00. Investigator Lawrence validated the workmanship issues and issued a Notice to Correct, which Respondent has not complied with. The contract failed to include Respondent's license number. Investigator Lawrence further testified that Respondent had contracted with Michael Chailland for the construction of a balcony/patio at his residence for a contract price of \$7,000.00 of which Mr. Chailland has paid \$7,000.00. Investigator Lawrence validated the workmanship issues and issued a Notice to Correct, which Respondent has not complied with. The contract failed to include Respondent's monetary limit. Respondent failed to attend an onsite meeting.

Mr. White testified that he had sent one of his uncles to install the french doors at the Chailland residence and was later notified by Mr. Chailland that he did not wish him to finish the project. He testified that Mr. Chailland had paid him \$2,800.00, which paid for the engineering plans, foundation, framing material and labor. Mr. White stated that another uncle owned a concrete company and he had used the company to pour the concrete slab at the Falkenberg residence.

Investigator Lawrence testified that Mr. Chailland had filed against Respondent's bond and finished the project.

The evidentiary portion of the hearing was closed.

MR. SCHAEFER MOVED TO DISMISS THE 4TH, 6TH, AND 7TH CAUSES OF ACTION AND TO FIND QUANTUM CONSTRUCTION, LICENSE #36596 IN VIOLATION OF THE 1ST, 2ND, 3RD, AND 5TH CAUSES OF ACTION.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

MR. SCHAEFER MOVED TO PLACE A ONE YEAR LETTER OF REPRIMAND IN RESPONDENT'S FILE; TO FINE RESPONDENT \$250.00 PER VIOLATION; TO RECOVER INVESTIGATIVE COSTS OF \$1,678.00 ALONG WITH ALL PREVIOUS FINES WITHIN 90 DAYS OR LICENSE WILL BE REVOKED; AND TO REQUIRE A FINANCIAL STATEMENT PRIOR TO REACTIVATION OF LICENSE.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

7. GREGG C. BOHANNON PLUMBING & CONSTRUCTION, LICENSE #41121

Mr. Brad Englert, Owner of Ideal Supply Co., Inc.; Investigator Bob Macke; and Licensing Analyst Mary Ann Enbody were sworn in.

Mr. Gregg Bohanon, Owner of Gregg C. Bohannon Plumbing & Construction, was not present.

The hearing was for possible violation of NRS 624.3013(3) and NRS 624.3013(4).

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

Mr. Englert testified that Respondent had purchased plumbing supplies from May 8, 1999 to July 29, 1999, for use at the construction of the Jockey Club project, for a total purchase amount of \$9,340.08. Mr. Englert further testified that Respondent executed a Promissory Note to pay Ideal Supply on a monthly basis for the material purchased. After one payment of \$600.00 on May 10, 2001, Respondent has failed to comply with the note.

Investigator Macke testified that he had notified Respondent, via certified mail to Respondent's address of record, to furnish a financial statement. To date, Respondent has failed to furnish a financial statement.

Ms. Enbody testified that Respondent's license had been suspended on March 15, 2002, for failure to maintain a bond. A request was made to Respondent to furnish a bond backdated to November 14, 2001, however, the bond that was received was backdated to March 15, 2002.

Mr. Englert testified that he had contacted Respondent's bond company and was told there was no bond at that time and no record of a previous bond.

The evidentiary portion of the hearing was closed.

MR. SCHAEFER MOVED TO FIND GREGG C. BOHANNON PLUMBING & CONSTRUCTION, LICENSE #41121, IN VIOLATION OF ALL CAUSES OF ACTION; TO REVOKE LICENSE #41121; REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND RECOVER THE INVESTIGATIVE COSTS OF \$1, 546.00 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

8. DISCIPLINARY HEARING – DEFAULT ORDERS:

SUN VALLEY PLUMBING & MECHANICAL dba ELKHORN PLUMBING & MECHANICAL, LICENSE #49872

No one from Sun Valley Plumbing & Mechanical dba Elkhorn Plumbing & Mechanical was present.

The hearing was for possible violation of NRS 624.302(5); NRS 624.3013(3); and NRS 624.3013(4).

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

MR. HIGGINS MOVED THAT THE BOARD FIND THE RESPONDENT IN DEFAULT AND ADOPT THE FINDINGS OF FACT CONCLUSIONS OF LAW AS SET FORTH IN THE ADMINISTRATIVE COMPLAINT; REVOKE LICENSE #49872, SUN VALLEY PLUMBING & MECHANICAL DBA ELKHORN PLUMBING & MECHANICAL; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND RECOVER THE INVESTIGATIVE COSTS OF \$1,516.00 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

HUDSON CONTROLS, INC., LICENSE NOS. 40470, 50126 AND 50127

No one from Hudson Controls, Inc. was present.

The hearing was for possible violation of NRS 624.3012(2); NRS 624.302(5); NRS 624.3013(3); and NRS 624.3013(4).

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

MR. HIGGINS MOVED THAT THE BOARD FIND THE RESPONDENT IN DEFAULT AND ADOPT THE FINDINGS OF FACT CONCLUSIONS OF LAW AS SET FORTH IN THE ADMINISTRATIVE COMPLAINT; REVOKE LICENSE NOS. 40470, 50126 AND 50127, HUDSON CONTROLS INC.; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND RECOVER THE INVESTIGATIVE COSTS OF \$1,352.00 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

ADDISON LANDSCAPING, LICENSE #46744

No one from Addison Landscaping was present.

The hearing was for possible violation of NRS 624.3017(1); NRS 624.3013(5), as set forth in NAC 624.700(3); NRS 624.3015(1); NRS 624.3013(5), as set forth in NAC 624.640(5); and NRS 624.3013(5), as set forth in NRS 624.720(1).

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

MR. HIGGINS MOVED THAT THE BOARD FIND THE RESPONDENT IN DEFAULT AND ADOPT THE FINDINGS OF FACT CONCLUSIONS OF LAW AS SET FORTH IN THE ADMINISTRATIVE COMPLAINT; REVOKE LICENSE #46744, ADDISON LANDSCAPING; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND RECOVER THE INVESTIGATIVE COSTS OF \$2,486.00 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

HIGH IMPACT DESIGN & ENTERTAINMENT d/b/a H I D E, INC., LICENSE #53420

No one from High Impact Design & Entertainment dba H I D E, Inc. was present.

The hearing was for possible violation of NRS 624.3013(3) and NRS 624.302(6).

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

MR. HIGGINS MOVED THAT THE BOARD FIND THE RESPONDENT IN DEFAULT AND ADOPT THE FINDINGS OF FACT CONCLUSIONS OF LAW AS SET FORTH IN THE ADMINISTRATIVE COMPLAINT; AND REVOKE LICENSE #53420, HIGH IMPACT DESIGN & ENTERTAINMENT DBA H I D E, INC.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

Mr. Timothy McGarry, attorney for H I D E, Inc. d/b/a High Impact Design & Entertainment, requested the Board to rescind the motion of revocation of the license. Mr. McGarry informed the Board the company wished to surrender the license at this time.

Licensing Analyst Lisa Bedsole was sworn in.

Ms. Bedsole testified that the financial statement failed to establish financial responsibility.

The evidentiary portion of the hearing was closed.

MR. HIGGINS MOVED TO RESCIND THE MOTION TO REVOKE LICENSE #53420, HIGH IMPACT DESIGN & ENTERTAINMENT DBA H I D E, INC.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

MR. HIGGINS MOVED TO ACCEPT THE SURRENDER OF LICENSE #53420, HIGH IMPACT DESIGN & ENTERTAINMENT DBA H I D E, INC.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

THE GAS SPECIALIST CORPORATION, LICENSE #53022

No one from The Gas Specialist Corporation was present.

The hearing was for possible violation of NRS 624.3013(3) and NRS 624.302(6).

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

MR. HIGGINS MOVED THAT THE BOARD FIND THE RESPONDENT IN DEFAULT AND ADOPT THE FINDINGS OF FACT CONCLUSIONS OF LAW AS SET FORTH IN THE ADMINISTRATIVE COMPLAINT; AND REVOKE LICENSE #53022, THE GAS SPECIALIST CORPORATION.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

9. STATUS HEARING:

PROFESSIONAL STAR CONSTRUCTION, LICENSE NOS. 43167A AND 48922

Ms. Broussard informed the Board that this case had been heard at the June 18, 2002, Board hearing. The license had been suspended for 60 days for Respondent to make restitution to complainants. A settlement agreement was being worked out whereby Dr. Nguyen would receive \$9,000 and Dr. Tigert would receive \$50,000 in restitution.

Dr. Tina Tigert informed the Board that she had received the settlement agreement yesterday afternoon and it wasn't exactly what she had requested. She does not want the payment plan to go on for very long.

Mr. Ben Bingham, attorney for Professional Star Construction, informed the Board that he had a \$20,000 cashier's check to give to Dr. Tigert today.

Chairman Zech informed Mr. Bingham that arrangements needed to be made for repayment that was satisfactory to both complainants. When this was done, Ms. Broussard was to be notified.

MR. JOHNSON MOVED TO KEEP PROFESSIONAL STAR CONSTRUCTION LICENSE IN SUSPENSION AND THE FINAL DECISION TO BE MADE AT THE RENO BOARD HEARING SEPTEMBER 10, 2002.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

The matter came back before the Board when Ms. Broussard informed the Board that an agreement had been reached with both complainants. Dr. Nguyen would receive \$1,000 up front and the balance over a three-month period. Dr. Tigert would receive \$20,000 up front and the balance over a three-month period.

MR. JOHNSON MOVED TO RESCIND HIS PREVIOUS MOTION.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

Ms. Broussard suggested the following terms for the Board's approval.

Respondent's licenses are to be suspended for six months. The suspension shall be held in abeyance contingent upon the following:

1. No valid complaint is filed within the six-month period. The validity of the complaints are to be determined by staff;
2. Provide form contract to staff showing license number and monetary limit;
3. Provide copies of all permitting documents, contract documents, and other information as required by staff, on a monthly basis;
4. Comply with all payment terms and other conditions of its contracts with Dr. Nguyen and Dr. Tigert;
5. Board costs of \$1,875.00 shall be paid at the end of the six-month period.

If conditions are not met during the six-month period, the Respondent's licenses will automatically be suspended.

Respondent's attorney stipulated to the terms of the action.

MR. JOHNSON MOVED TO APPROVE THE ABOVE RECOMMENDATION.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

10. APPLICATION HEARING:

GOLDEN EAGLE, (B-2 RESIDENTIAL AND SMALL COMMERCIAL)

Mr. Nshan Oundjian, Owner of Golden Eagle; Mr. Merrill Kingston, Golden Eagle; and Licensing Analyst Doris Talley were present.

The hearing was for possible violation of NRS 624.263.

MR. JOHNSON MOVED TO CLOSE THE MEETING TO THE PUBLIC IN ACCORDANCE WITH NRS 241.033 TO DISCUSS FINANCIAL MATTERS.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

Ms. Talley testified that the new financial statement did not support the requested license limit. She further testified regarding the applicants credit history.

Mr. Kingston and Mr. Oundjian answered questions regarding their financial status and credit history.

MR. JOHNSON MOVED TO REOPEN THE MEETING TO THE PUBLIC.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

MR. SCHAEFER MOVED TO TABLE THIS MATTER FOR 90 DAYS.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

11. APPLICATION INTERVIEW:

COOL CONCEPTS INC.

Mr. Terence Tarver, President of Cool Concepts Inc., was present.

MR. HIGGINS MOVED TO APPROVE COOL CONCEPTS INC. (C-21 REFRIGERATION AND AIR-CONDITIONING) WITH A \$30,000 MONETARY LIMIT AND A BOND OF \$10,000.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

12. APPLICATIONS: (CLOSED MEETING PURSUANT TO NRS 241.030)

MR. JOHNSON MOVED TO CLOSE THE MEETING TO THE PUBLIC IN ACCORDANCE WITH NRS 624.030 TO DISCUSS FINANCIAL MATTERS.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

LAKEVIEW TRUCKING & LANDSCAPE SERVICE – (C-10 - LANDSCAPE CONTRACTING) NEW APPLICATION

Mr. Frank Quatrino, Owner of Lakeview Trucking & Landscape Service, was present. Mr. Quatrino discussed his work history with the Board and stated that he would be doing jobs under \$10,000.

MR. JOHNSON MOVED TO APPROVE LAKEVIEW TRUCKING & LANDSCAPE SERVICE (C-10 LANDSCAPE CONTRACTING) WITH A \$10,000 MONETARY LIMIT AND A BOND OF \$2,000 WITH A FINANCIAL STATEMENT UPON RENEWAL AND WAIVE THE EXAM.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

W P M CONSTRUCTION LLC – (B - GENERAL BUILDING) NEW APPLICATION

Mr. Paul Misch, President of W P M Construction LLC, was present. Mr. Misch stated that his company would be building apartments and hotels for Marriott and needed a higher monetary limit than was originally awarded.

MR. SCHAEFER MOVED TO APPROVE W P M CONSTRUCTION LLC (B -

GENERAL BUILDING) WITH AN UNLIMITED MONETARY LIMIT AND A BOND OF \$50,000.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

ROYAL OAK CONSTRUCTION, LICENSE #35809 (RAISE IN LIMIT)

Mr. Richard Caves, Owner of Royal Oak Construction, was present. The Board informed Mr. Caves that the raise in limit to \$950,000 had been approved.

UTILITIES & C C INC., LICENSE #52585 (CHANGE IN QUALIFIER)

Mr. John Miller, applicant for Qualified Employee, was present. Mr. Miller stated that he had made restitution to Nedco and had paid the investigative costs. The Board suggested that an officer take the CMS exam.

MR. JOHNSON MOVED TO APPROVE JOHN MILLER AS THE NEW QUALIFIED EMPLOYEE CONTINGENT UPON VERIFICATION OF RESTITUTION MADE TO NEDCO AND INVESTIGATIVE FEES PAID.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

SEQUOIA PACIFIC BUILDERS INC. – (B-2 RESIDENTIAL AND SMALL COMMERCIAL) NEW APPLICATION

Mr. Chris Eatough, President of Sequoia Pacific Builders Inc., was present. Mr. Eatough stated that he had previously had a Nevada State Contractors' license but had let it expire.

MR. SCHAEFER MOVED TO APPROVE SEQUOIA PACIFIC BUILDERS INC. (B-2 - RESIDENTIAL AND SMALL COMMERCIAL) WITH A \$5 MILLION MONETARY LIMIT AND A BOND OF \$30,000.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

M S CONCRETE CO., INC. – (C-10 A,B – LANDSCAPING AND LANDSCAPE IRRIGATION)(C-18 – MASONRY) BOND RECONSIDERATION – BOARD DECISION

Mr. Mark Stephensen, President of M S Concrete Co., Inc., was present. The Board informed Mr. Stephensen that the bond had been changed to \$5,000.

The remainder of the applications on the agenda were reviewed and discussion occurred on the following: Nos. 2-9, 11, 17, 29, 32, 39, 43, 48, 49, 51, 54, 55, 58, 64, 69, 71-74, 78, 86-91, 96-102, 104-106, 108, 109, 114, 115, 122, 125, 128-130, 133, 135, 136, 139, 140, 144, 145, 147, 150, 160-163, 166, 167, 170; and on the amended agenda: Nos. 1-18

MR. HIGGINS MOVED TO REOPEN THE MEETING TO THE PUBLIC.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

MR. JOHNSON MOVED TO RATIFY ALL APPLICATIONS NOT SPECIFICALLY DISCUSSED IN CLOSED SESSION AS RECOMMENDED BY STAFF.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

13. PUBLIC COMMENT

Ms. Cheryl Young presented a letter, regarding the Residential Recovery Fund, to Mr. Dennis Haney, Board attorney. She requested that all the Board members receive a copy.

Ms. Melinda Houston requested a re-hearing of her Residential Recovery Fund claim as she felt the hearing on Tuesday, August 20, 2002 was biased. The Board informed Ms. Houston that there was no appeal in this matter.

14. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Zech at 2:19 p.m.

Respectfully Submitted,

Melinda Mertz, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Michael Zech, Chairman