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Governor

STATE OF NEVADA

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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
OCTOBER 1, 2002**

1. A. CALL TO ORDER

Chairman Michael Zech called the meeting of the State Contractors' Board to order at 8:45 a.m., Tuesday, October 1, 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. Douglas W. Carson
Ms. Margaret Cavin
Mr. David Clark
Mr. Dennis Johnson
Mr. Randy Schaefer

BOARD MEMBERS ABSENT:

Mr. Jerry Higgins

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. David Reese, Legal Counsel (Cooke, Roberts & Reese)

Ms. Grein stated that Jerry McGill had posted the agenda in compliance with the open meeting law on September 25, 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. A summary suspension of Metroland Builders, License #46698, and a continuation of the Board's Restated Money Purchase Pension Plan & Trust Investment Policy Guidelines were added to the amended agenda.

MR. CLARK MOVED TO HEAR THE AMENDED AGENDA.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

Chairman Zech called for a motion to approve the minutes of September 10, 2002.

MS. CAVIN MOVED TO APPROVE THE MINUTES OF SEPTEMBER 10, 2002.

MR. CLARK SECONDED THE MOTION.

THE MOTION CARRIED.

B. EXECUTIVE OFFICER'S REPORT, INCLUDING:

2. STATUS REPORT OF LITIGATION MATTERS:

Ms. Grein provided a report of outstanding litigation matters.

4. LEGISLATIVE PROPOSALS 2003:

Ms. Grein stated that the combined bill draft request has been incorrectly titled Construction Defects, and she will contact the legislative Counsel Bureau to request it be corrected.

5. REVIEW & DISCUSSION PERFORMANCE GUIDELINES:

Mr. Schaefer stated that the amended Performance Guidelines had been reviewed by himself, representatives of the Homebuilders Association, and staff.

Ms. Broussard reminded the Board of possible liability of adopting the guidelines and the possibility of future litigation. A copy of the legal opinion dated July 2001, prepared by the firm of Dennis Haney Esq., was provided and discussed.

MR. SCHAEFER MOVED TO ACCEPT THE AMENDED PERFORMANCE GUIDELINES.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

6. REVIEW OF SEPTEMBER 16-19, 2002 NASCLA CONFERENCE:

Ms. Grein expressed her appreciation to staff and the Board for assisting with the 2002 NASCLA Conference and informed the Board that she has received positive feedback from participants.

8. REVIEW AND APPROVAL OF PROPOSED CHANGES TO INVESTIGATIONS AND ENFORCEMENT PROGRAM:

The Board discussed updating the Investigation and Enforcement Program to include guidelines for Hearing Officers. Chairman Zech requested the matter be placed on the October 22, 2002 agenda.

10. REVIEW OF STATUS OF CONTRACTOR EDUCATION PROGRAM:

Ms. Grein provided a report concerning education programs for contractors.

11. REVIEW OF STATUS OF CONTRACTOR EXAMINATION PROGRAM:

Mr. Tadas Dabsys, Vice President of PSI, explained changes to the contractor examination program since PSI assumed administering the exams.

12. REVIEW OF STATUS OF RECOVERY FUND:

Ms. Grein informed the Board on the status of Recovery Fund cases.

The remaining items in the Executive Session were continued to the October 22, 2002 meeting in Henderson.

2. DISCIPLINARY HEARING:

THE TRITON FENCE COMPANY, INC., LICENSE #50584

Mr. Jim Bush, Pace Contracting and Investigator Jeff Sudweeks were sworn in.

Mr. Richard Brown, attorney for the Respondent, was present.

The hearing was for possible violation of NRS 624.301(1); NRS 624.302(6); NRS 624.302(5); NRS 624.3013(3); and NRS 624.3013(5), as set forth in NAC 624.700(3)(a).

Mr. Brown requested a continuance of this matter since he had recently been retained to represent Respondent.

MS. CAVIN MOVED TO CONTINUE THIS MATTER TO THE OCTOBER 22, 2002, BOARD HEARING.

MR. CLARK SECONDED THE MOTION.

THE MOTION CARRIED.

3. ADVISORY OPINION:

IRONWORKERS LOCAL #118 –Ironworkers Local #118 requested an Advisory Opinion concerning license requirements for the erection and welding of precast panels for Lyon County School District Project No. PWP LY200267.

Based upon the information provided, the Board opined that a C-5 license classification could perform the work described for Lyon County School District Project No. PWP LY200267.

HOUSE OF DRAKE – House of Drake requested an Advisory Opinion concerning the license requirements for the installation of satellite dishes for residential and commercial applications.

Based upon the information provided, the Board opined that a licensee holding a C2(e) signal systems classification could perform the installation of satellite dishes in both residential and commercial applications.

Additionally, staff was requested to provide a report on October 22, 2002, regarding unlicensed satellite dish contractors in the Reno area.

CCC GROUP, INC. – CCC Group, Inc. requested an Advisory Opinion concerning the license requirements for the installation of detention equipment and electronic security systems.

Based upon the information provided, the Board opined that in addition to the C2 license currently held by CCC Group, Inc. a C3 (Carpentry) license would be required to perform all of the work described.

ECO-LOGIC ENGINEERING – Eco-Logic Engineering requested an Advisory Opinion concerning the license requirements for the water pipeline replacement project for the

Tonopah Public Utilities Project No. NY 2002-965.

Based upon the information provided, the Board opined that an A19 (Pipeline and Conduits) would be required to perform the work described.

4. STAFF UPDATE:

INNOVATIVE CONSTRUCTION SYSTEMS INC., LICENSE #40232 (CONTINUED FROM MARCH 26, 2002)

Investigator Greg Welch informed the Board that he had received a status report from Innovative Construction Systems Inc. on pending litigation against Meadow Valley Contractors indicating no trial date has been set and there is an arbitration proceeding against Clark County scheduled within six months.

The Board requested an update after the arbitration proceedings.

5. DISCIPLINARY HEARING:

A D A COMPLIANCE CORPORATION, LICENSE NOS. 48704, 48702, 48703

Mr. Michael Loya, President of A D A Compliance Corporation; Mr. Thomas Langford, Territory Sales Manager of C P S Inc.; Ms. Lisa Giordano, Credit Manager of C P S Inc.; and Investigator Bob Macke were sworn in.

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. Loya requested a continuance since his attorney was unable to attend today's hearing and that Mr. Wells, his former Qualified Employee, had not complied with his subpoena.

Ms. Broussard informed the Board that Mr. Wells did not have the subpoenaed documents and is hospitalized and unable to attend the meeting today. Ms. Broussard further advised she had not received notice of any attorney representing Mr. Loya.

The Board denied the continuance.

Ms. Giordano testified that Respondent contracted with CPS, from August 14, 1999 to August 24, 2000, for materials in the amount of \$4,367.12 and has paid \$456.79. Ms. Giordano further testified that she had reviewed the invoices with Mr. Loya, who had never objected to Mr. Wells signing for the materials or disputed the amount owed to CPS.

Investigator Macke testified that Respondent had not attended a resolution meeting and to date, has failed to furnish a financial statement. Respondent's license has been suspended since August 11, 2001 for failure to maintain bond.

Mr. Loya testified that he did dispute the amount owed as he feels CPS had not applied his payments properly. He stated that he had never received a cash receipt for his payments.

Ms. Giordano testified that she could not send cash through the mail, so their employees took the cash, deposited in their personal accounts and wrote a check back to CPS to send to the home office for deposit. The work order sheet was Mr. Loya's receipt and it was documented on this sheet what was paid, signed and dated by a CPS employee.

Mr. Loya testified that he had not known about the resolution meeting until after the fact. Mr. Loya further testified that he had received the request for a financial statement, but

decided to not furnish one.

The evidentiary portion of the hearing was closed.

MR. CARSON MOVED TO FIND A D A COMPLIANCE CORPORATION, LICENSE NOS. 48704, 48702 AND 48703, IN VIOLATION OF ALL CAUSES ACTION.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

MR. CARSON MOVED TO SUSPEND LICENSE NOS. 48704, 48702, AND 48703 BY BOARD ACTION FOR 90 DAYS; RESPONDENT TO MAKE RESTITUTION OR REACH AN AGREEMENT WITH C P S INC. WITHIN 90 DAYS OR LICENSES WILL AUTOMATICALLY BE REVOKED; AND RESPONDENT MUST APPEAR BEFORE THE BOARD PRIOR TO REACTIVATION OF LICENSES.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

6. DISCIPLINARY HEARING:

DENNETT BROTHERS CONSTRUCTION, LICENSE # 11862;
DENNETT BROTHERS INC., LICENSE #17237;
EMERALD DEVELOPMENT INCORPORATED, LICENSE NOS. 24195 AND 24286
(STAFF UPDATE)

Investigator Greg Welch informed the Board that Mr. Dennett had retained new legal counsel, Mr. David Winterton. Mr. Dennett stated that a lawsuit with Martin-Harris Construction Company had been settled in District Court on September 26, 2002. Investigator Welch stated that he had been unable to reach Mr. Winterton regarding the bankruptcy reorganization plan that was to be filed in August or September of 2002.

The Board requested an update on the bankruptcy reorganization plan at the October 22, 2002, Board Hearing.

7. DISCIPLINARY HEARING:

UNITED ELECTRIC d/b/a **ONE SOURCE ELECTRIC**, LICENSE #50463

Ms. Geri Farrell, Credit Manager at Nedco Supply and Investigator Jerry McGill were sworn in.

No one from United Electric d/b/a One Source Electric was 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.

Ms. Farrell testified that One Source Electric had entered into an agreement with Nedco Supply for the purchase of materials from January 2001 through December 2001 in the amount of \$53,739.18, of which Respondent has paid \$0.00 towards purchase amount. Ms. Farrell further testified that the signatures on the invoices are all authorized signors.

Investigator McGill testified that Respondent did not attend a resolution meeting and to

date, has not furnished a financial statement.

The evidentiary portion of the hearing closed.

MS. CAVIN MOVED TO ACCEPT THE TESTIMONY PRESENTED AND THE FILE AS FORMAL FINDINGS OF FACT CONCLUSIONS OF LAW; TO FIND UNITED ELECTRIC DBA ONE SOURCE ELECTRIC, LICENSE #50463, IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE #50463; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND TO REIMBURSE THE BOARD FOR INVESTIGATIVE COSTS OF \$1,252 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

8. DISCIPLINARY HEARING:

McINTOSH DESIGNS & LANDSCAPING, LICENSE #46188

Ms. Carol Ann McIntosh, Owner of McIntosh Designs & Landscaping; Mr. Al McIntosh, Owner of McIntosh Designs & Landscaping; Investigator Jim Ables; and Investigator Bob Macke were sworn in.

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 624.3013(5), as set forth in NAC 624.640(5); and NRS 624.3015(1).

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

Investigator Macke testified that Respondent entered into a contract with Mr. Ogden to act as a construction manager for the construction of a pool at the Ogden residence for a contract price of \$3,000.00. The Respondent further contracted with Mr. Ogden for 520 square feet of sculptured rock concrete as well as a sidewalk and resurfacing of the existing patio, which is outside the scope of Respondent's C-10 license and contract did not contain Respondent's monetary limit. Investigator Macke further testified that a settlement agreement had been reached between Mr. Ogden and Respondent.

Investigator Ables testified that Respondent had contracted with Stephen Grizzel for the construction of a concrete slab with coating and a sidewalk at his residence for a contract price of \$2,085.00. The contract was outside the scope of Respondent's C-10 license and failed to include Respondent's monetary limit.

Mr. McIntosh testified that they did not sign any of the bids and the homeowners had paid all subcontractors themselves.

The evidentiary portion of the hearing was closed.

MR. SCHAEFER MOVED TO FIND McINTOSH DESIGNS & LANDSCAPING, LICENSE #46188, IN VIOLATION OF ALL CHARGES.

MR. CARSON SECONDED THE MOTION.

THE MOTION CARRIED.

MR. SHAEFER MOVED TO PLACE A SIX-MONTH LETTER OF REPRIMAND IN RESPONDENT'S FILE AND TO RECOVER INVESTIGATIVE COSTS OF \$1,000.

MR. CARSON SECONDED THE MOTION.

THE MOTION CARRIED.

9. SUMMARY SUSPENSION HEARING:

FUTURA STONE OF NEVADA, LICENSE #23085

Mr. Robert Locke, Owner of Futura Stone of Nevada; Mr. Joe Lauer, Homeowner; Investigator Bob Macke; and Director of Investigations George Lyford were sworn in.

Mr. Lyford requested the Board summarily suspend the license of Futura Stone of Nevada, License #23085, based upon evidence that the Respondent's individual license had been sold approximately two years ago. The new owner, who is unlicensed, continues to obtain building permits and perform work using the license.

Investigator Macke testified that Futura Stone was operating without a business license.

Mr. Locke confirmed he sold his license approximately two years ago to Mr. David Cody. Mr. Locke was not aware he could not sell his license. Mr. Locke expressed his desire to surrender the license.

MR. SCHAEFER MOVED TO SUSPEND LICENSE #23085, FUTURA STONE FOR 60 DAYS TO ALLOW RESPONDENT TO REPAIR HOMEOWNERS DRIVEWAY TO INVESTIGATOR'S SATISFACTION AFTER WHICH BOARD WOULD ACCEPT THE VOLUNTARY SURRENDER OF LICENSE.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

10. SUMMARY SUSPENSION HEARING:

SIERRASAGE LLC, LICENSE #52571

Mr. Craig Hamilton, SierraSage LLC; Mr. Bill Rheinschild, Manager of SierraSage LLC; and Director of Investigative George Lyford were sworn in.

Mr. Lyford requested the Board summarily suspend the license of SierraSage LLC, License #52571, based on evidence that two of the member entities of SierraSage LLC are in default with the Nevada Secretary of State; there are seven money-owing and three industry regulation complaints pending; the licensee failed to respond to a request for a financial statement; and the license is currently suspended for no qualified employee.

MR. CARSON MOVED TO DENY THE SUMMARY SUSPENSION; CONTINUE THE SUSPENSION FOR NO QUALIFIED EMPLOYEE; AND CONTINUE THIS MATTER UNTIL IT CAN BE HEARD ON OCTOBER 22, 2002.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

METROLAND BUILDERS, LICENSE #46698

Mr. Pablo Andres, Owner of Metroland Builders; Investigator Jim Ables; and Deputy Director of Investigations Chris Denning were sworn in.

Staff requested the Board summarily suspend the license of Metroland Builders, License #46698, based on evidence that contractor is contracting with unlicensed persons; taking funds without performing work; and workmanship complaints.

MR. CARSON MOVED TO SUMMARILY SUSPEND METROLAND BUILDERS, LICENSE #46698.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

11. DISCIPLINARY HEARING:

SUN BLOCK PATIOS, LICENSE #44854

Investigator Bob Macke was sworn in.

No one from Sun Block Patios was present.

The hearing was for possible violation of NRS 624.3011(1)(b)(1); NRS 624.3017(1); NRS 624.3013(5), as set forth in NAC 624.700(3)(a); and NRS 624.3013(5), as set forth in NAC 624.640(5).

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

Investigator Macke testified that Respondent had entered into a contract with William Goodrich for the construction of an aluminum patio cover at his residence for a contract price of \$900.00. Investigator Macke 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 and monetary limit.

The evidentiary portion of the hearing was closed.

MR. CLARK MOVED TO ALLOW RESPONDENT 60 DAYS TO ACCOMPLISH REPAIRS TO INVESTIGATOR'S SATISFACTION; IF NOT DONE IN 60 DAYS LICENSE #44854, SUN BLOCK PATIOS, WILL BE REVOKED; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND RECOVER INVESTIGATIVE COSTS OF \$1,814.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

12. DISCIPLINARY HEARING – DEFAULT ORDERS:

D & S ENTERPRISES, LICENSE #44811

No one from D & S Enterprises 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(5), as set forth in NAC 624.640(3).

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

MR. CARSON 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 #44811, D & S ENTERPRISES; TO REQUIRE FULL RESTITUTION TO THE

DAMAGED PARTIES; AND RECOVER THE INVESTIGATIVE COSTS OF \$1,518 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

MR. SCHAEFER ABSTAINED.

SWISS SERVICES OF NEVADA INC., LICENSE #46379

No one from Swiss Services of Nevada Inc. was present.

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.

MR. CARSON 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 #46379, SWISS SERVICES OF NEVADA INC.; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND RECOVER THE INVESTIGATIVE COSTS OF \$1,274 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

PRECISION MASONRY CONSTRUCTORS, LICENSE #33807

No one from Precision Masonry Constructors 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(5), as set forth in NAC 624.640(3).

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

MR. CARSON 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 #33807, PRECISION MASONRY CONSTRUCTORS; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND RECOVER THE INVESTIGATIVE COSTS OF \$1,202 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

**KOLOB HEATING AND COOLING, LICENSE #39996;
KOLOB PLUMBING, LICENSE #47897**

No one from Kolob Heating and Cooling and Kolob Plumbing was present.

The hearing was for possible violation of NRS 624.301(1); NRS 624.3015(2); NRS 624.3013(5), as set forth in NAC 624.640(5); NRS 624.3013(3); NRS 624.3013(4); and NRS 624.3018(2).

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

MR. CARSON 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 #39996, KOLOB HEATING AND COOLING AND LICENSE #47897, KOLOB PLUMBING; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND RECOVER THE INVESTIGATIVE COSTS OF \$1,387 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

C B K, INC., LICENSE #47621

No one from C B K, Inc. was present.

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

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

MR. CARSON 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 #47621, C B K, INC.; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND RECOVER THE INVESTIGATIVE COSTS OF \$958 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

MR. CLARK ABSTAINED.

SET RIGHT TILE & MARBLE, LICENSE #38617A

No one from Set Right Tile & Marble 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)(a); NRS 624.3013(5), as set forth in NAC 624.640(5); and NRS 624.700(1)(a) and (b).

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

MR. CARSON 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 #38617A, SET RIGHT TILE & MARBLE; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND RECOVER THE INVESTIGATIVE COSTS OF \$1,313 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

13. APPLICATION HEARING:**PAYLESS FLOORING & DESIGN**

Mr. Michael Rachlin, Owner of Payless Flooring & Design, was present.

MR. CARSON MOVED TO APPROVE PAYLESS FLOORING & DESIGN (C-16 FINISHING FLOORS) WITH A \$100,000 MONETARY LIMIT AND A BOND OF \$10,000.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

14. INFORMAL SETTLEMENTS:**1. B F S, LICENSE #40504**

MS. CAVIN MOVED TO ACCEPT THE ADMINISTRATIVE CITATION; THAT RESPONDENT MAKE RESTITUTION TO THE HOMEOWNER WITHIN 30 DAYS;; RESPONDENT SHALL REIMBURSE THE BOARD FOR INVESTIGATIVE COSTS OF \$500 AND RETEST AND PASS THE C-21 (B) (AIR CONDITIONING) EXAM WITHIN 60 DAYS.

MR. CLARK SECONDED THE MOTION.

THE MOTION CARRIED.

MR. SCHAEFER ABSTAINED.

2. A L M CONSTRUCTION ACOUSTICAL SOLUTIONS, LICENSE #50841

MS. CAVIN MOVED TO ACCEPT THE STIPULATED SETTLEMENT AGREEMENT; THAT RESPONDENT PAY AN ADMINISTRATIVE FINE OF \$1,000 AND REIMBURSE THE BOARD FOR INVESTIGATIVE COSTS OF \$243 WITHIN 30 DAYS; AND A WARNING LETTER TO BE PLACED IN RESPONDENT'S FILE FOR ONE YEAR.

MR. CLARK SECONDED THE MOTION.

THE MOTION CARRIED.

MR. SCHAEFER ABSTAINED.

3. SEALCO INCORPORATED, LICENSE NOS. 47633, 26617A, AND 26617

MS. CAVIN MOVED TO ACCEPT THE STIPULATED SETTLEMENT AGREEMENT; THAT RESPONDENT REIMBURSE THE BOARD FOR INVESTIGATIVE COSTS OF \$548 WITHIN 60 DAYS; AND A WARNING LETTER TO BE PLACED IN RESPONDENT'S FILE.

MR. CLARK SECONDED THE MOTION.

THE MOTION CARRIED.

MR. SCHAEFER ABSTAINED.

4. ROBERT EUGENE RIPPE, LICENSE #46022

MS. CAVIN MOVED TO ACCEPT THE STIPULATED SETTLEMENT AGREEMENT; THAT RESPONDENT PAY AN ADMINISTRATIVE FINE OF \$1,000 AND REIMBURSE THE BOARD FOR INVESTIGATIVE COSTS OF \$684 WITHIN 60 DAYS; AND A WARNING LETTER TO BE PLACED IN RESPONDENT'S FILE.

MR. CLARK SECONDED THE MOTION.

THE MOTION CARRIED.

MR. SCHAEFER ABSTAINED.

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

MS. CAVIN MOVED TO CLOSE THE MEETING TO THE PUBLIC IN ACCORDANCE WITH NRS 624.030 TO DISCUSS FINANCIAL MATTERS.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

LEEMING CONSTRUCTION SERVICES INC. – (B2 – RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION

Mr. Jim Leeming, President of Leeming Construction Services Inc., was present. Mr. Leeming discussed his financial history with the Board and stated that he has been working as a consultant regarding construction defects.

MR. CARSON MOVED TO APPROVE LEEMING CONSTRUCTION SERVICES INC. (B2 – RESIDENTIAL & SMALL COMMERCIAL) WITH A \$2.5 MILLION MONETARY LIMIT AND A BOND OF \$30,000 WITH A FINANCIAL STATEMENT UPON RENEWAL.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

The remainder of the applications on the agenda were reviewed and discussion occurred on the following: Nos. 1-4, 8, 10, 13, 27, 29, 33, 34, 37-42, 46, 47, 49, 55, 56, 59, 60, 63-66, 69, 72, 73, 78, 81, 83, 85, 87, 91-93, 96, 98, 102, 103, 111-113, 115, 119, 123, 125, 132, 133, 136, 140-142, 146, 147, 152, 155, 161, 164, 165, 167, 171, 172, 175, 177, 181-183, 194; and on the amended agenda: Nos. 1-16

MS. CAVIN MOVED TO REOPEN THE MEETING TO THE PUBLIC.

MR. CLARK SECONDED THE MOTION.

THE MOTION CARRIED.

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

MR. CLARK SECONDED THE MOTION.

THE MOTION CARRIED.

16. PUBLIC COMMENT

Mr. Keith Gregory, attorney, questioned the Board on whether a contractor with a \$250,000 monetary limit could testify in court regarding a \$7 Million construction defect case. Chairman Zech stated that the matter would be within the Court's discretion. Mr. Gregory was instructed regarding the process for requesting an Advisory Opinion.

Mr. Dowell Huggins, Owner of Natural Energy Concepts Inc., requested the Board create another classification for solar power, as their company will have nothing to do with heating pools.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Zech at 3:53 p.m.

Respectfully Submitted,

Melinda Mertz, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Michael Zech, Chairman