

**JIM GIBBONS**  
Governor

**STATE OF NEVADA**



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**MEMBERS**

MARGARET CAVIN  
*Chair*  
SPIRIDON FILIOS  
Vice Chair  
MICHAEL EFSTRATIS  
JERRY HIGGINS  
WILLIAM "BRUCE" KING  
RANDY SCHAEFER  
GUY M. WELLS

**STATE CONTRACTORS BOARD**

**MINUTES OF THE MEETING**  
**December 6, 2007**

**1. CALL TO ORDER:**

Chair Margaret Cavin called the meeting of the State Contractors Board to order at 9:00 a.m., Thursday, December 6, 2007, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

**BOARD MEMBERS PRESENT:**

Ms. Margaret Cavin - Chair  
Mr. Randy Schaefer  
Mr. Michael Efstratis  
Mr. Spiridon G. Filios  
Mr. Jerry Higgins  
Mr. Bruce King  
Mr. Guy Wells

**STAFF MEMBERS PRESENT:**

Ms. Margi Grein, Executive Officer  
Ms. Nancy Mathias, Licensing Administrator  
Mr. George Lyford, Director of Investigations  
Mr. Dan Hammack, Chief of Enforcement

**LEGAL COUNSEL PRESENT:**

Mr. Bruce Robb, Esq., Legal Counsel  
Mr. David Brown, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on November 29, 2007, at Las Vegas City Hall, Sawyer State Building and Clark County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board Internet Website.

Margaret Cavin administered the oath of office to new Board member Michael Efstratis.

**2. PUBLIC COMMENT:**

Mr. Robert Portnoff commented on recent news articles related to the Contractors Board.

Ms. Claudia Alvarez commented on her work related issues in the construction industry.

Mr. James Thompson commented on the content of the Public Comment permitted by the Board.

**3. APPROVAL OF MINUTES: October 18, 2007**

It was moved and seconded to approve the minutes of October 18, 2007. MOTION CARRIED.

**4. EXECUTIVE SESSION:**

**a. EXECUTIVE OFFICER'S REPORT**

**b. ADOPTION OF PROPOSED REGULATION LCB FILE NO. R094-07 REVISING CERTAIN FEES TO ACCOMMODATE BIENNIAL LICENSE RENEWAL**

It was moved and seconded to adopt LCB File No. R094-07. MOTION CARRIED.

**c. DISCUSSION AND REVIEW OF RESPONSES UNDER NRS 40.6887**

It was moved and seconded to approve response under NRS 40.6887. MOTION CARRIED.

**d. DISCUSSION AND APPROVAL OF SALARY INCENTIVES**

It was moved and seconded to approve a salary incentive plan based on an employee's length of service. MOTION CARRIED.

**e. DISCUSSION AND REVIEW OF COMPLAINT REPORTS**

Ms. Grein presented a comparison report for the preceding 5 year period.

**f. ELECTION OF TREASURER**

It was moved and seconded to elect Mr. Wells Treasurer. MOTION CARRIED.

**g. DEPARTMENTAL REPORTS:**

**ENFORCEMENT AND INVESTIGATIONS:**

Mr. Hammack provided a status report of the Enforcement and Investigations Department.

**LEGAL:**

Mr. Robb and Mr. Brown provided status reports on pending legal matters.

It was moved and seconded to approve the settlement for Thomas Rae, Case No. R0405-050. MOTION CARRIED.

**5. SUBCOMMITTEE REPORTS:** Executive Subcommittee, Recovery Fund Subcommittee, Classification/Regulation Subcommittee, Finance Subcommittee, Subcommittee (s) Discussion

This matter was continued.

**6. NEW APPLICATION DENIAL HEARING:**

**DESERT POOLSCAPE, LLC**

Applicant was present.

It was moved and seconded to approve the license application, Classification C-18 limited to the installation of pavers, with a monetary limit of \$25,000.00 and a bond of \$5,000.00 contingent upon passing the C-18 trade exam or providing proof of certification from the Pavers Institute. MOTION CARRIED.

**7. FINANCIAL RESPONSIBILITY HEARING:**

**UCHARAS, LLC., dba SPENCER DRYWALL & PAINT,** License No. 60105

Mr. King abstained from this matter.

Licensee was not present.

**It was moved and seconded to suspend license. MOTION CARRIED.**

**8. NEW APPLICATION DENIAL HEARING:**

**PREFERRED CONCRETE CONTRACTING**

Applicant was present.

**It was moved and seconded to approve the license application with a monetary limit of \$200,000.00 and a bond of \$25,000.00 contingent upon reimbursing the collection agency. MOTION CARRIED.**

**9. NEW APPLICATION DENIAL HEARING:**

**FALCON CONTRACTING INC.**

Applicant was present.

**It was moved and seconded to deny the application. MOTION CARRIED.**

**10. LICENSEE INTERVIEW:**

**PEGASUS LAS VEGAS, LLC,** License No. 65387

Licensee was present.

**It was moved and seconded to approve the change of Officer application. MOTION CARRIED.**

**11. NEW APPLICATION DENIAL HEARING (CONTINUED):**

**EMPYREAN CONSTRUCTION INC.**

Applicant was present.

**It was moved and seconded to approve the license application with a monetary limit of \$500,000.00 and a bond of \$50,000.00 contingent upon indemnification by Empyrean Holdings. MOTION CARRIED.**

**12. SUMMARY SUSPENSION:**

**PACIFIC CONTRACTORS LLC,** License No. 46626

Mr. Schaefer recused himself.

Rudy Romano, Controller was present on behalf of Licensee.

**It was moved and seconded to summarily suspend license number 46626, Pacific Contractors LLC,**

pursuant to the provisions of NRS 624.291(4) in the interest of public health, safety and welfare. The motion carried.

**13. APPROVAL OF CONSENT AGENDA:**

It was moved and seconded to approve the consent agenda. **MOTION CARRIED.**

**a. RATIFICATION OF STAFF APPROVED LICENSE APPLICATIONS, CHANGES OF LICENSURE, REINSTATEMENTS OF LICENSURE, VOLUNTARY SURRENDERS:**

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

**14. APPLICATIONS IN QUESTION (INITIAL AND RENEWAL):** (Closed meeting pursuant to NRS 241.030, list attached)

**I C F FRAMING & CONSTRUCTION** (C-2 CONCRETE CONTRACTING); NEW APPLICATION; RECONSIDERATION – WAIVER OF TRADE EXAM.

Applicant was present.

It was moved and seconded to approve the license (C-5 Concrete) with a \$350,000.00 limit, and a bond of \$15,000.00 contingent upon passing the C-5 exam within 60 days.

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.**

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

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Chair Cavin at 11:34a.m.

Respectfully Submitted,

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Tricia Buyson, Recording Secretary

APPROVED:

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Margi A. Grein, Executive Officer

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Margaret Cavin, Chair

**ADJUDICATING BOARD MEMBER: RANDY SHAEFER**

**15. DISCIPLINARY HEARING:** (Continued from November 8, 2006, April 25, 2007, September 26, 2007)

**AMERICAN PREMIERE, INC.,** License No. 51594

**AMERICAN PREMIERE HOMES AND DEVELOPMENT,** License No. 42749

**T & R PAINTING & DRYWALL, INC.,** License Nos. 57463, 48191, 37257

Licensee was present with counsel, Diana Sullivan Esq.

Continued to March 2008.

**ADJUDICATING BOARD MEMBER: SPIRIDON FILIOS**

**16. DISCIPLINARY HEARING:** (Continued from November 14, 2007)

**SIERRA WEST CONSTRUCTION COMPANY,** License No. 27466

Licensee was present with counsel, Peter Chasey, Esq.

The following Agency Exhibits were entered:

Hearing Officer Filios found Respondent Sierra West Construction Company license number 27466, guilty of One (1) violation of NRS 624.3012(2) willful or deliberate failure to pay any money when due for materials or services rendered in connection with his operations as a contractor, when he has the capacity to pay or when he has received sufficient money therefore; One (1) violation of NRS 624.3013(3) failure to establish financial responsibility pursuant to NRS 624.220 and 624.260 to 624.265, inclusive, at the time of renewal or at any time when required by the Board. Mr. Fritz is required to pay investigative costs assessed in the amount of \$2,616.00. Restitution to Longview Construction of \$83,029.00 within 30 days of hearing or license number 27466, Sierra West Construction Company, will be suspended. Financial statement and Investigative Costs due within 70 days of hearing or license number 27466, Sierra West Construction Company, will be revoked. If financial statement doesn't support license limit, homeowner will lower license limit.