

Jim Gibbons
Governor

STATE OF NEVADA



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
MAY 7, 2008

REPLY TO:

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Henderson, Nevada 89074
(702) 486-1100
Fax (702) 486-1190
Investigations (702) 486-1110

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

CALL TO ORDER:

Hearing Officer Margaret Cavin called the meeting of the State Contractors Board to order at 9:03 a.m., Wednesday May 7, 2008, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Ms. Margaret Cavin
Mr. Jerry Higgins
Mr. Michael Efstratis

STAFF MEMBERS PRESENT:

Mr. Gary Hoid, Deputy Director of Investigations
Mr. George J. Lyford, Director of Investigations

LEGAL COUNSEL PRESENT:

Mr. Bruce Robb, Esq., Legal Counsel

The agenda was posted in compliance with the open meeting law on May 1, 2008 at Reno City Hall, Washoe County Court House and Washoe County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board Internet Website.

ADJUDICATING BOARD MEMBER: JERRY HIGGINS

1. DISCIPLINARY HEARING:

ATLAS TILE & STONE, LICENSE NOS. 58478 AND 59360

Ricardo Armas-Esparza Owner of Atlas Tile & Stone was present with Scott N. Freeman, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Higgins found Respondent Ricardo Armas-Esparza Owner of Atlas Tile & Stone, license numbers 58478 and 59360 guilty of violating NRS 624.3016(7) misrepresentation or the omission of a material fact. License numbers 58478 and 59630 were Revoked. Mr. Armas-Esparza was ordered to pay a fine of \$1,000.00 for the First Cause of Action and assessed investigative costs in the amount of \$1,576.00. The fine and investigative costs are to be paid within 30 days of May 7, 2008.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Higgins at 9:12 a.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Jerry Higgins, Hearing Officer

ADJUDICATING BOARD MEMBER: MARGARET CAVIN

2. SUMMARY SUSPENSION:

**GRASS VALLEY INDUSTRIES, INC.,
dba KERR CONCRETE, LICENSE NOS. 43235A, 43235B and 43235C**

Pursuant to the provisions of NRS 624.291(4) in the interest of the public health, safety and welfare, the license of Grass Valley Industries, Inc., dba Kerr Concrete, license numbers 43235A, 43235B and 43235C were summarily suspended.

3. DISCIPLINARY HEARING:

HELMS HARDWOOD FLOORING, LICENSE NO. 46156

Todd Laurence Helms Owner of Helms Hardwood Flooring was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Cavin heard testimony and received exhibits. Ms. Cavin suspended license number 46156 for failure to provide a financial statement. Respondent was ordered to complete repairs to the Marcarelli residence to the satisfaction of the Boards investigator within 30 days of May 7, 2008. The matter was continued to June 11, 2008.

4. DISCIPLINARY HEARING:

DAN KUHNER CONSTRUCTION, LICENSE NO. 58134

Daniel Kuhner, Owner of Dan Kuhner Construction was present with Michael Matsuka, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit 2 – Plans

Exhibit 3 – Timeline

Exhibit 4 – Photos taken May 5, 2008

The following Respondent Exhibits were entered:

Exhibit A – Photos

Exhibit B – Letter dated January 22, 2008

Exhibit C – Letter dated October 31, 2006

Exhibit D – Contract

Exhibit E – Letter dated January 31, 2008

Hearing Officer Cavin heard testimony and received exhibits. The matter was taken under submission.

5. DISCIPLINARY HEARING-DEFAULT ORDER:
WARNER BROTHERS CONSTRUCTION, LICENSE NO. 56842

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Cavin found Respondent Warner Brothers Construction, license number 56842 guilty of violating NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NRS 624.700(3)(a) failure to comply with the Board’s Notice to Correct; NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; NRS 624.3011(2) ; NRS 624.3015(2) bidding to contract or contracting for a sum for one construction project in excess of the limit placed on the license by the Board; NRS 624.700 engaging in business or submitting a bid without a license; NRS 624.3013(4) failure to keep in full force the bond or cash deposit pursuant to NRS 624.270 for the full period required by the Board; NRS 624.3013(3) failure to establish financial responsibility. License number 56842 was revoked. Prior to relicensure Respondent shall pay a fine of \$14,000.00 and investigative costs of \$2,107.00 and pay full restitution to the damaged parties.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Cavin at 12:05 p.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Margaret Cavin, Hearing Officer