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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
November 17, 2005

MEMBERS
RANDALL SCHAEFER
Chairman
MARGARET CAVIN
Vice Chair
DAVID W. CLARK
SPIRIDON FILIOS
JERRY HIGGINS
J. BRIAN SCROGGINS
MICHAEL ZECH

1. CALL TO ORDER:

Chairman Randy Schaefer called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, November 17, 2005, 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
Ms. Margaret Cavin
Mr. David Clark
Mr. Spiridon G. Filios
Mr. Jerry Higgins
Mr. J. Brian Scroggins

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
Mr. Gary Hoid, Deputy Director of Investigations

LEGAL COUNSEL PRESENT:

Mr. Bruce Robb, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on November 10, 2005, 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.

2. PUBLIC COMMENT:

Mr. Bob Portnoff was present and commented on Disciplinary Hearings and hearsay being allowed in the Public Record.

3. APPROVAL OF MINUTES: October 20, 2005

It was moved and seconded to approve the minutes of October 20, 2005. **MOTION CARRIED.**

4. EXECUTIVE SESSION:

a. EXECUTIVE OFFICER'S REPORT:

Ms. Grein stated that Mr. Zech's term as Board Member has expired. To date no new appointment has been made.

Ms. Grein stated she is continuing to work with David Brown, Esq. on the process for addressing construction defect questions and disputes. The Board requested that the process include a regular report to the Board on the overall status of the cases.

Ms. Grein advised the Public Workshop and Hearing on the proposed regulation change concerning residential pools and spas and Public Workshop and Hearing regarding the Certificate of Eligibility is scheduled for December 1, 2005.

b. DISCUSSION AND APPROVAL OF PROPOSED REGULATION R-155-05 FOR PROVISIONS GOVERNING FINANCIAL STATEMENTS REQUIRED PURSUANT TO NAC 624.590:

Ms. Grein reported the Public Hearing and Workshop concerning financial statement requirements was held on October 26, 2005.

It was moved and seconded to adopt the proposed regulation. **MOTION CARRIED.**

5. DEPARTMENTAL REPORTS:

ENFORCEMENT AND INVESTIGATIONS:

Mr. George Lyford provided a status report of the enforcement and investigation department.

HUMAN RESOURCES:

Ms. Grein reported the Board's Christmas party will be held on December 13, 2005.

LEGAL:

Bruce Robb gave a summary report of pending litigation.

LICENSING:

Ms. Potter provided a status report of the Licensing Department.

PUBLIC RELATIONS:

Mr. Nadler provided a status report of the Public Relations Department.

RECOVERY FUND:

Mr. Lyford gave a summary report of Residential Recovery Fund Meeting held on November 16, 2005.

6. SUBCOMMITTEE REPORTS:

This matter was continued.

7. NEW APPLICATION DENIAL HEARING:

FUBAR CONCRETE, LLC

Applicant was present with Counsel William Potter, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to approve the license for C-5 (Concrete Contracting) with a monetary license limit of \$15,000.00 and bond of \$5,000.00 conditioned upon applicant paying money owed to Steel Engineers, Inc. MOTION CARRIED.

8. NEW APPLICATION DENIAL HEARING:

M R M SHOTCRETE BUILDERS

Applicant was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to approve the license for C-11 (Spraying Mixtures Containing Cement) with a monetary limit of \$50,000.00 and bond of \$5,000.00 conditioned upon a financial review at the time of renewal 2006. MOTION CARRIED.

9. NEW APPLICATION DENIAL HEARING:

BAYVIEW ENVIRONMENTAL SERVICES, INC.

This matter was continued.

10. DISCIPLINARY HEARING: (CONTINUED) Jeffrey Wilson

GENERAL BUILDERS, INC., DBA SILVER STATE POOLS, LICENSE NO. 22816A

GENERAL BUILDERS, INC., DBA AMERICAN GENERAL DEVELOPMENT, LICENSE NO. 22816

It was moved and seconded to accept the recommendation made by Board's Counsel and the Executive Officer that Respondent pay fine of \$2,050.00 and investigative costs in the amount of \$2,500.00 within 30 days from November 17, 2005 or license number 22816A, General Builders, Inc., dba Silver State Pools and license number 22816, General Builders, Inc., dba American General Development will automatically be Suspended. MOTION CARRIED.

11. NEW APPLICATION HEARING:

FULL HOUSE CABINETRY, INC,

Applicant was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to approve the license for C-3(b) (Finish Carpentry) with a monetary limit of \$25,000.00 and bond of \$5,000.00. MOTION CARRIED.

12. FINANCIAL RESPONSIBILITY HEARING:

PACIFIC CONCRETE, LICENSE NO. 57491

Licensee was present.

It was moved and seconded to approve the financial review with the monetary license limit and bond to remain the same. MOTION CARRIED.

13. NEW APPLICATION DENIAL HEARING:

DESIGN BUILD ELECTRIC, INC.

Applicant was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to approve the license for C-2 (Electrical Contracting) with a monetary limit of \$200,000.00 and bond of \$25,000.00 conditioned upon Paul Godfrey retaking and passing the Construction Management Exam. **MOTION CARRIED.**

14. 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:

15. APPLICATIONS IN QUESTION: (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**

ADVANCED CONCEPTS PAINTING, LLC, (C-4 PAINTING & DECORATING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application contingent upon amended background disclosure form. **MOTION CARRIED.**

CONSTRUCTION GROUP INTERNATIONAL, LLC, (B-2 RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION, REQUESTING WAIVER OF TRADE EXAM

Applicant was present.

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

WILSON TILE AND MARBLE, INC., (C-19 INSTALL TERRAZZO & MARBLE) NEW APPLICATION

Applicant was present.

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

WILSON TILE AND MARBLE, INC., (C-20 TILING) NEW APPLICATION

Applicant was present.

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

SCHWAGER DAVIS, INC., LICENSE NO. 45446, (A-GENERAL ENGINEERING) ONE TIME RAISE IN LIMIT, RECONSIDERATION

Licensee was present.

It was moved and seconded to deny the one time raise in limit application. **MOTION CARRIED.**

WHALEY CONSTRUCTION, (C-3 CARPENTRY) NEW APPLICATION, RECONSIDERATION

Applicant was present.

It was moved and seconded to approve the license application contingent upon amended application. **MOTION CARRIED.**

GREAT BASIN HARDWOODS, (C-3B FINISH CARPENTRY) NEW APPLICATION, RECONSIDERATION

Applicant was present.

It was moved and seconded to approve the license application conditioned upon disposition of pending charge within 180 days. MOTION CARRIED.

E & M ENTERPRISES, INC., LICENSE NO. 54638 (B-2, 3 RESIDENTIAL & SMALL COMMERCIAL; SPECULATIVE BUILDING) BROADENING OF CLASSIFICATION, RECONSIDERATION

Licensee was present.

It was moved and seconded to approve the broadening of classification application. MOTION CARRIED.

WORLDMARK POOLS & SPAS, LICENSE NO. 56570 (A-10 COMMERCIAL & RESIDENTIAL POOLS) CHANGE IN QUALIFIER

Licensee was present.

It was moved and seconded to approve Donald F. Sakowski as the trade qualifier contingent upon Donald F. Sakowski taking and passing the trade exam within 90 days. 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.

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 Chairman Schaefer at 11:40 p.m.

Respectfully Submitted,

Traci Greenlee, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Randall Schaefer, Chairman

