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Governor

STATE OF NEVADA

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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING  
December 15, 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, December 15, 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  
Mr. Daniel Hammack, Chief of Enforcement

**LEGAL COUNSEL PRESENT:**

Mr. Bruce Robb, Esq., Legal Counsel  
Ms. Laura Browning, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on December 9, 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 requesting information on the procedure to appeal a license application denial.

**3. APPROVAL OF MINUTES: November 17, 2005**

It was moved and seconded to approve the minutes of November 17, 2005. MOTION CARRIED.

**4. EXECUTIVE SESSION:**

**1. DISCUSSION AND APPROVAL OF PROPOSED SALARY INCENTIVES:**

It was moved and seconded to approve proposed salary incentives. **MOTION CARRIED.**

**2. DISCUSSION AND REVIEW OF RESPONSES UNDER NRS 40.6887:**

Ms. Grein provided copies of case responses.

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

**3. REVIEW OF NSCB 457(B) DEFERRED COMPENSATION PLAN:**

Ms. Grein stated the 457(b) Deferred Compensation Plan is in effect as of December 1, 2005.

It was moved and seconded to approve the 457(b) Deferred Compensation Plan. **MOTION CARRIED.**

**4. PROPOSED INDUSTRY EXPERT WITNESS PROGRAM:**

Ms. Grein provided a proposed draft of the Industry Expert Witness Program.

It was moved and seconded to proceed with the development of a plan for approval by the Board.

**b. ADOPTION OF PROPOSED REGULATION LCB R-174-05 CONCERNING REDUCTION OF FEES FOR CERTIFICATE OF ELIGIBILITY AND RENEWAL:**

Ms. Grein reported the Workshop and Public hearing on proposed regulation R-174-05 concerning the reduction of fees for an application to receive Certificate of Eligibility and to renew a Certificate of Eligibility was held on December 1, 2005.

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

**c. ADOPTION OF PROPOSED REGULATION LCB R-094-05 CONCERNING RESIDENTIAL POOLS AND SPA CONTRACTORS:**

Ms. Grein reported the Public Hearing on proposed regulation R-094-05 concerning residential Pool and Spa Contractors was held on December 1, 2005. Comments were received concerning the scope of work related to water and piping.

It was moved and seconded to adopt the proposed regulation excluding the scope of work provisions. **MOTION CARRIED.**

**d. DEPARTMENTAL REPORTS:****ENFORCEMENT AND INVESTIGATIONS:**

Mr. Hammack provided a status report of the enforcement and investigations department.

**HUMAN RESOURCES:**

Mr. Joseph Grepiotis was introduced as the Board's new compliance investigator.

**LICENSING:**

Ms. Mathias provided a status report of the licensing department.

**PUBLIC RELATIONS AND EDUCATION:**

Mr. Nadler provided a status report of the public relations and education department.

**RECOVERY FUND:**

Mr. Lyford provided a status of the Residential Recovery Fund meeting scheduled for January 18, 2005.

**5. LEGAL:**

**a. LEGAL REPORT:**

Ms. Browning and Mr. Robb provided a summary report of pending litigation.

**b. DISCUSSION AND ACTION CONCERNING RENAISSANCE POOLS AND SPAS PETITION FOR DETERMINATION OF:****1. PROPER APPLICATION OF BOARD'S STATUTES AND REGULATIONS.****2. VALIDITY OF STAFF'S SUBPOENAS.**

Kevin Stolworthy, Esq. and Richard Peel, Esq. were present on behalf of Renaissance Pools and Spas.

Bruce Robb, Esq. recommended the Board agendize the petition of Renaissance Pools and Spas as an advisory opinion pursuant to NRS 624.160.

It was moved and seconded to place the petition on the January 18, 2006 agenda. **MOTION CARRIED.**

**6. SUBCOMMITTEE REPORTS:**

This matter was continued.

**7. NEW APPLICATION DENIAL HEARING:****CALVARY CONCRETE CONSTRUCTION**

Applicant was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to approve the license application for C-5 (Concrete Contracting) with a monetary limit of \$100,000.00 and bond of \$10,000.00. **MOTION CARRIED.**

**8. NEW APPLICATION DENIAL HEARING:****DEE & HOLIDAY BUSINESS ENTERPRISES, INC.**

Applicant was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to approve the license application for B-2 (Residential & Small Commercial) with a monetary license limit of \$500,000.00 and bond of \$20,000.00 contingent upon submittal of an amended application and new financial statement reflecting new equity in the company or personal indemnification by Dee Towels. A financial statement is due at the time of renewal 2006. **MOTION CARRIED.**

**9. FINANCIAL REVIEW HEARING:****BIGHORN GLASS, INC., LICENSE NO. 41876A**

Licensee was present.

It was moved and seconded to lower the monetary license limit to \$300,000.00 and the bond to remain the same conditioned upon a financial review at the time of renewal 2006. **MOTION CARRIED.**

**10. NEW APPLICATION DENIAL HEARING:**

**SOLELY MIST, LLC, DBA FODOR LOADER**

Applicant was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to approve the license application for A-12 (Excavate, Grade, Trench, and Surface) with a monetary license limit of \$50,000.00 and bond of \$5,000.00 contingent upon payment of court fine. **MOTION CARRIED.**

**11. NEW APPLICATION DENIAL HEARING:**

**HARDACKER ROOFING CORPORATION**

Applicant was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to approve the license application for C-15 (Roofing and Siding) with a monetary license limit of \$1,000,000.00 and bond of \$50,000.00. **MOTION CARRIED.**

**12. RENEWAL DENIAL/FINANCIAL RESPONSIBILITY HEARING:**

**BROWN & READ ENGINEERING, INC., LICENSE NOS. 56119, 56120**

Licensee was present.

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

**13. NEW APPLICATION DENIAL HEARING:**

**ALL OUT GUTTERS**

Applicant was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to approve the license application for C-13 (Wrecking Buildings) with a monetary limit of \$10,000.00 and bond of \$2,000.00 contingent upon submittal of an amended application. **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**

**ACCENT SURFACES, LLC,** (B-GENERAL BUILDING) NEW APPLICATION

Applicant was present with Counsel David Brown, Esq.

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

**A C N CONSTRUCTION, INC.,** (B-GENERAL BUILDING) NEW APPLICATION

Applicant was present.

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

**GREENCARE LAWN & LANDSCAPE ENTERPRISES, INC.,**(C-10 LANDSCAPE CONTRACTING) NEW APPLICATION

Applicant was present.

**It was moved and seconded to approve the license application conditioned upon payment of court fine. MOTION CARRIED.**

**THE FINISHING TOUCH LANDSCAPE & DESIGN,** (C-10 LANDSCAPE CONTRACTING) NEW APPLICATION

Applicant was present.

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

**METRO AUDIO AND VIDEO SYSTEMS, LLC,** (C-2 ELECTRICAL CONTRACTING) NEW APPLICATION

Applicant was present.

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

**PREMIER STEEL, INC.,** (C-14B STRUCTURAL STEEL) NEW APPLICATION

Applicant was present.

**It was moved and seconded to approve the license application conditioned upon financial statement at the time of renewal 2006. MOTION CARRIED.**

**ALL STAR PAINTING & REPAIRS,** (C-4A PAINTING) NEW APPLICATION

Applicant was present.

**It was moved and seconded to approve the license application contingent upon taking and passing the Construction Management Survey exam and trade exam. MOTION CARRIED.**

**INDEPENDENT CUSTOM HOMES,** (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.**

**M L ENTERPRISES,** (C-4A PAINTING) NEW APPLICATION, REQUESTING RECONSIDERATION

Applicant was present.

**It was moved and seconded to approve the license application contingent upon taking and passing the Construction Management Survey Exam. MOTION CARRIED.**

**DE ANGELI CONSTRUCTION**, LICENSE NO. 22294 (B-2 RESIDENTIAL & SMALL COMMERCIAL) RAISE IN LIMIT

Licensee was present.

**It was moved and seconded to approve the raise in limit application. 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 11:49 p.m.

Respectfully Submitted,

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Traci Greenlee, Recording Secretary

APPROVED:

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Margi Grein, Executive Officer

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Randall Schaefer, Chairman

**ADJUDICATING BOARD MEMBER: SPIRIDON FILIOS**

**16. DISCIPLINARY HEARING:**

**WATT RESIDENTIAL PARTNERS, A CALIFORNIA GENERAL PARTNERSHIP**, LICENSE NO. 40576  
**J L H REALTY & CONSTRUCTION, INC.**, LICENSE NO. 55813

Licensee was not present. Present was Counsel Joel Odon, Esq. and Ed Cooper, Project Manager.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

**Hearing Officer Filios continued this matter for 90 days to allow the Respondent to provide documents requested by the Hearing Officer and to come to a conclusion on how to repair the residences.**

**17. DISCIPLINARY HEARING:**

**CONCORDIA HOMES OF NEVADA, INC.**, LICENSE NO. 55215

Licensee was present with Counsel John Naylor, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

**Hearing Officer Filios continued this matter for 90 days to allow Laura Peragus, homeowner time to compile a list of workmanship items to be validated by Investigator Welch.**