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STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
MARCH 23, 2006**

MEMBERS
RANDALL SCHAEFER
Chairman
MARGARET CAVIN
Vice Chair
DAVID W. CLARK
SPIRIDON FILIOS
JERRY HIGGINS
WILLIAM "BRUCE" KING
J. BRIAN SCROGGINS

1. CALL TO ORDER:

Chairman Randy Schaefer called the meeting of the State Contractors Board to order at 8:45 a.m., Thursday, March 23, 2006, 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. William "Bruce" King
Mr. Guy M. Wells

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. George Lyford, Director of Investigations
Mr. Daniel Hammack, Chief of Enforcement

LEGAL COUNSEL PRESENT:

Mr. Bruce Robb, Esq., Legal Counsel

Mr. Grein stated the agenda was posted in compliance with the open meeting law on March 17, 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. Mike Steele spoke about an E-mail document he claimed was sent by a Board employee using the Board E-mail.

Mr. Larry Reinink, Jr., President of A Accurate Pool & Spa Services, Inc. spoke to the Board regarding the new bill that was passed on the consumer protection bond.

Mr. Ron Hair, Sales Manager for Adams Pool Solutions spoke regarding the pool industry in general.

Mr. Bob Portnoff spoke to the Board regarding unlicensed contractors.

Mr. Bryan Gorman, President of Swan Pools Inc., spoke to the Board regarding unlicensed contractors.

Ms. Stephanie Forsythe spoke on behalf of A Accurate Pool & Spa Services, Inc., in regard to the

consumer bond protection bill.

3. APPROVAL OF MINUTES: February 16, 2005

It was moved and seconded to approve the minutes of February 16, 2005. MOTION CARRIED.

It was moved and seconded to amend the agenda, adding application 1. MOTION CARRIED.

4. EXECUTIVE SESSION:

a. EXECUTIVE OFFICER'S REPORT:

This matter was continued to the April 20, 2006 Board Meeting.

b. APPOINTMENT OF MEMBER TO THE CONSTRUCTION EDUCATION COMMISSION:

It was moved and seconded to appoint Guy Wells to the Construction Education Commission. MOTION CARRIED.

c. DISCUSSION AND REVIEW OF RESPONSES UNDER NRS 40.6887:

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

d. DISCUSSION AND REVIEW OF ALLEGATION STATISTICS:

Ms. Grein provided a report on the allegations statistics.

e. DISCUSSION OF PROPOSED CHANGES TO NAC 624 CONCERNING INVESTIGATOR QUALIFICATIONS:

It was moved and seconded to approved the proposed changes to NAC 624 concerning investigator qualifications. MOTION CARRIED.

5. DEPARTMENTAL REPORTS:

EDUCATION:

Mr. Nadler provided a report on the Business Assistance Program.

ENFORCEMENT AND INVESTIGATIONS:

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

LEGAL

Mr. Robb provided a summary report of pending litigation. A written report was provided by Ms. Browning.

PUBLIC RELATIONS

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

RECOVERY FUND

Mr. Lyford provided a status report on the March 22, 2006 Residential Recovery Fund Meeting.

6. SUBCOMMITTEE REPORTS:

This matter was continued to the April 27, 2006 Board Meeting.

7. NEW APPLICATION DENIAL HEARING:

THE DORADO CORPORATION

Applicant was present.

It was moved and seconded to continue this matter for 30 days to allow applicant to complete a new application and provide background disclosures. MOTION CARRIED.

8. NEW APPLICATION DENIAL HEARING:

C & B SMIDDY INCORPORATED, dba NORTH SHORE CUSTOM FLOORING

Applicant was present with Counsel Steven Bus, Esq.

It was moved and seconded to approve the license applications for a C-16 (Finishing Floors) and C-20 (Tiling) with a monetary limit of \$100,000.00 and bond of \$10,000.00. **MOTION CARRIED.**

9. NEW APPLICATION DENIAL HEARING:

EMERALD GREEN LAWN SERVICES

Applicant was present.

It was moved and seconded to approve the license application for a C-10 (Landscape Contracting) with a monetary limit of \$50,000.00 and bond of \$5,000.00 contingent upon Board receiving copy of tax lien payment plan. **MOTION CARRIED.**

10. INTERVIEW:

PUEBLO VERDE LANDSCAPE MAINTENANCE, INC., License No. 58472

Licensee was present.

It was moved and seconded to reduce licensee's license limit to \$25,000.00 with a bond of \$10,000.00. MOTION CARRIED.

11. INTERVIEW:

VALDEZ CONSTRUCTION, License No. 56034

Licensee was present.

It was moved and seconded to reduce licensee's license limit to \$50,000.00 with a bond of \$5,000.00. MOTION CARRIED.

12. INTERVIEW:

WESTSTAR NEVADA, dba ISABELLA HOMES, License No. 56099

Licensee was not present

Mr. Higgins requested application to be reviewed in closed session.

13. APPROVAL OF CONSENT AGENDA:

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

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

14. APPLICATIONS (INITIAL AND RENEWAL) 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

LYONS EXCAVATION & EQUIPMENT RENTAL, LLC. (A-7 EXCAVATING & GRADING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application for a A-7 (Excavating & Grading) with a monetary limit of \$10,000.00 and bond of \$10,000.00 limited to working for Arco Electric and financial statement upon renewal. **MOTION CARRIED.**

NEVADA BUSINESS FURNISHINGS, INC. C-26 (INSTITUTIONAL CONTRACTING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application for a C-26 (Institutional Contracting) with a monetary limit of \$1,500,000.00 and bond of \$20,000.00. **MOTION CARRIED.**

THE FREE ENERGY STORE, LICENSE NO. 56042

Licensee was present.

It was moved and seconded to approve the pay out of licensee's \$2,000.00 cash bond. **MOTION CARRIED.**

SIGN A RAMA, LICENSE NO. 56852

Licensee was present.

It was moved and seconded to approve the addition of Mr. Robert Moore as a Qualified Employee. **MOTION CARRIED.**

ADVANCED ARCHITECTURAL METALS, INC., LICENSE NOS. 45072, 56031

Licensee was not present, but was represented by Counsel Paul Ray, Esq.

It was moved and seconded to grant a sixty (60) day extension to replace the Qualified Employee, a Business Review will be conducted and Mr. Joseph Irish will be available for interview with the Investigations Department. **MOTION CARRIED.**

SHANE HUNTERS PAINTING, (C-4A PAINTING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application for a C-4A (Painting) with a monetary limit of \$50,000.00 and bond of \$20,000.00 contingent upon payment of restitution. **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.

15. STAFF UPDATE: (Continued from March 26, 2002, October 1, 2002, November 16, 2004)

INNOVATIVE CONSTRUCTION SERVICES, INC. License No. 40232

Licensee was not present.

Investigator Welch informed the Board that this matter would be in litigation indefinitely.

It was moved and seconded for the case to not be brought back before the Board unless the licensee makes the request and at that time it can be heard by a Hearing Officer. **MOTION CARRIED.**

16. ADVISORY OPINION: (Continued from February 16, 2006)

DISCUSSION AND ACTION CONCERNING RENAISSANCE POOLS AND SPAS, INC. PETITION FOR DETERMINATION OF PROPER APPLICATION OF BOARD'S STATUTES AND REGULATIONS AND VAILIDITY OF STAFF'S SUBPOENAS:

Kevin R. Stolworthy, Esq., Cory J. Hilton, Esq. and Bruce Willoughby, Esq. represented Renaissance Pools and Spa, Inc.

Laura Browning, Esq. and David Brown, Esq. represented the Board.

The Advisory Opinion was requested by Renaissance Pools and Spa, Inc.

It was moved and seconded to approve the Advisory Opinion as written. **MOTION CARRIED.**

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Schaefer at 11:47 p.m.

Respectfully Submitted,

Nancy Chipman, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Randall Schaefer, Chairman