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STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
April 27, 2006**

These are DRAFT minutes not yet ratified by the Board.

1. CALL TO ORDER:

Chairman Randy Schaefer called the meeting of the State Contractors Board to order at 8:40 a.m., Thursday, April 27, 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. Jerry Higgins
Mr. Bruce King

BOARD MEMBERS ABSENT:

Mr. Spiridon Filios
Mr. Guy Wells

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

LEGAL COUNSEL PRESENT:

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

Mr. Grein stated the agenda was posted in compliance with the open meeting law on April 21, 2006, 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 spoke to the Board regarding his contacts with Board staff.

3. APPROVAL OF MINUTES: March 23, 2006

It was moved and seconded to approve the minutes of March 23, 2006. **MOTION CARRIED.**

4. EXECUTIVE SESSION:

a. APPROVAL OF EXECUTIVE OFFICER'S QUARTERLY REPORT FOR PERIOD ENDING 03/31/06:

It was moved and seconded to approve the Executive Officer's Quarterly Report for period ending March 31, 2006. **MOTION CARRIED.**

b. REVIEW AND APPROVAL OF CASH DISBURSEMENTS AND TRANSFER JOURNALS 01/01/06 – 03/31/06:

It was moved and seconded to approve the cash disbursements and transfer journals January 1, 2006 – March 31, 2006. **MOTION CARRIED.**

c. APPROVAL OF FINANCIAL REPORT FOR PERIOD ENDING 03/31/06:

It was moved and seconded to approve the financial report for period ending March 31, 2006. **MOTION CARRIED.**

d. DISCUSSION AND REVIEW OF RESPONSES UNDER NRS 40.6887:

Ms. Grein stated that there were no responses to review at this time.

e. DISCUSSION AND ADOPTION OF PROPOSED REGULATION R-207-05 CONCERNING RESIDENTIAL POOL AND SPA CONTRACTORS TO INSTALL CERTAIN WATER AND GAS SERVICE LINES:

It was moved and seconded to adopt regulation R-207-05. **MOTION CARRIED.**

f. DISCUSSION AND APPROVAL TO NOTICE FOR COMMENT AND HEARING PROPOSED AMENDMENTS TO NAC 624 CONCERNING ADMINISTRATIVE FINES:

It was moved and seconded to accept the proposed language and schedule public hearings. **MOTION CARRIED.**

g. FOLLOW UP ON MATTERS MENTIONED DURING PUBLIC COMMENT AT THE MARCH 23, 2006 MEETING:

Ms. Grein reviewed with the Board the findings of the public comment from the March 23, 2006 Meeting.

h. ADVISORY OPINION CONCERNING LICENSURE REQUIREMENTS FOR THE INSTALLATION OF APPLIANCES:

It was moved and seconded to continue this matter. **MOTION CARRIED.**

5. DEPARTMENTAL REPORTS:

ENFORCEMENT AND INVESTIGATIONS:

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

LEGAL:

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

LICENSING:

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

PUBLIC RELATIONS:

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

6. SUBCOMMITTEE REPORTS:

This matter was continued to the May 18, 2006 Board Meeting.

7. INTERVIEW:

KENEBEC, INC., LICENSE NO. 37061

Licensee was present.

It was moved and seconded to lower licensee's monetary license limit to \$200,000.00 with a review of licensee's Chapter 11 Bankruptcy in 6 months. **MOTION CARRIED.**

8. INTERVIEW:

STREAMLINE PAINTING, LICENSE NO. 56253

Licensee was present.

This matter was tabled for 30 days to allow licensee to provide to the Board personal financial information.

9. NEW APPLICATION DENIAL HEARING:

GREAT BASIN STONE & TILE, LICENSE NO.

Applicant was present with counsel, Julian Smith, Jr., Esq.

It was moved and seconded to approve the license application for a C-20 (Tiling) with a monetary limit of \$40,000.00 and bond of \$5,000.00. **MOTION CARRIED.**

10. SUMMARY SUSPENSION:

ELEGANT KITCHEN & BATH, INC., LICENSE NO. 59210

Licensee was present.

Mr. Lyford provided a summary of the case.

It was moved and seconded to summarily suspend license number 59210, Elegant Kitchen & Bath, Inc. (C-3 Carpentry), pursuant to the provisions of NRS 624.291(4) in the interest of the public health, safety and welfare. The Respondent is allowed to complete existing work. The Respondent shall not enter into any new contracts, but can sell materials as long as installation is done by another contractor hired by the homeowner. **MOTION CARRIED.**

11. FINANCIAL REVIEW HEARING:

BORMANN CONSTRUCTION, LTD., LICENSE NO. 59210

Licensee was not present.

It was moved and seconded to approve the renewal of license number 59210, Bormann Construction, LTD. **MOTION CARRIED.**

12. NEW APPLICATION DENIAL HEARING:

MONSTER PAINTING

Applicant was present with counsel, Eric Dobberstein, Esq.

It was moved and seconded to approve the license application for a C-4 (Painting and Decorating) with a monetary limit of \$50,000.00 and bond of \$10,000.00. Applicant must resubmit an amended application. **MOTION CARRIED.**

13. NEW APPLICATION DENIAL HEARING:

QUALITY LANDSCAPE CREATIONS

Applicant was present.

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

14. FINANCIAL REVIEW HEARING:

CONNECTING POINT SERVICES, INC., LICENSE NO. 43649

Licensee was not present.

It was moved and seconded to allow the licensee 30 days to provide a current financial statement or license shall be revoked. **MOTION CARRIED.**

15. 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.**

16. 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**

ALLIE, LLC. (B-2 RESIDENTIAL AND SMALL COMMERCIAL) NEW APPLICATION

Applicant was present.

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

PROFESSIONAL MARBLE & TILE, INC., (C-20 TILING) NEW APPLICATION

PROFESSIONAL MARBLE & TILE, INC., (C-19 INSTALL TERAZZO & MARBLE) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license applications for a C-20 (Tiling) and C-19 (Install Terazzo & Marble) with a monetary limit of \$250,000.00 and bond of \$20,000.00. **MOTION CARRIED.**

STAFFORD SMITH, INC., (C-26A KITCHEN & LABORATORY EQUIPMENT) NEW APPLICATION, RECONSIDERATION

Applicant was present.

It was moved and seconded to approve the license application for a C-26A (Kitchen & Laboratory Equipment) with an unlimited monetary limit and bond of \$50,000.00. **MOTION CARRIED.**

THE METAL COMPANY, LLC., (C-14 STEEL REINFORCING & ERECTION) NEW APPLICATION

Applicant was present.

It was moved and seconded to deny the license application for a C-14 (Steel Reinforcing & Erection). **MOTION CARRIED.**

TUB PROS, INC., (C-1D PLUMBING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application for a C-40 (Designated for the Installation of Prefabricated Tub and Shower Units, Excluding Plumbing) with a monetary limit of \$90,000.00 and bond of \$10,000.00. **MOTION CARRIED.**

VIRGIN VALLEY CONSTRUCTION, LLC., (C-5 CONCRETE CONTRACTING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application for a C-5 (Concrete Contracting) with a monetary limit of \$250,000.00 and bond of \$10,000.00 contingent upon applicant providing a letter of credit and/or current bank verification. **MOTION CARRIED.**

FIESTA POOLS AND SPAS, LICENSE NO. 60859, MISCELLANEOUS; RECONSIDERATION: CONSUMER PROTECTION BOND

Licensee was present.

It was moved and seconded to reduce the consumer protection bond to \$25,000.00. **MOTION CARRIED.**

S D I, LICENSE NO. 45547, FINANCIAL STATEMENT REVIEW

Licensee was present.

It was moved and seconded to reduce licensee's monetary license limit to \$150,000.00 with a bond of \$15,000.00. **MOTION CARRIED.**

UNITED CUSTOM POOLS AND SPAS, LICENSE NO. 52771, MISCELLANEOUS; RECONSIDERATION: CONSUMER PROTECTION BOND

Licensee was present.

It was moved and seconded to reduce the consumer protection bond to \$100,000.00. **MOTION CARRIED.**

WORLDMARK POOLS AND SPAS, LICENSE NO. 56570, MISCELLANEOUS; RECONSIDERATION: CONSUMER PROTECTION BOND

Licensee was present.

It was moved and seconded to table this matter. **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 12:41 p.m.

17. DISCIPLINARY HEARING:

ADJUDICATING BOARD MEMBER: RANDALL SCHAEFER

FRONTIER BUILDERS, INC., LICENSE NO. 44386

Licensee was present with counsel, Neal Tomlinson, Esq.

Hearing Officer Schaefer found Respondent Frontier Builders, Inc., Lavar R. Short, President, license number 44386 guilty of violation of NRS 624.3013(5) as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner. Mr. Short was assessed a fine of \$100.00 for the Third Cause of Action. The First and Second Causes of Action were dismissed. Fine is to be paid within 30 days or license number 44386, Frontier Builders, Inc., will be suspended. Respondent was ordered to reimburse Ms. Townsend \$3,260.50 within 15 days or license number 44386, Frontier Builders, Inc. will be suspended.

Respectfully Submitted,

Nancy Chipman, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Randall Schaefer, Chairman