

KENNY C. GUINN  
Governor

STATE OF NEVADA



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING  
August 9, 2006

REPLY TO:

**LAS VEGAS**  
2310 Corporate Circle  
Suite 200  
Henderson, Nevada 89074  
(702) 486-1100  
Fax (702) 486-1190  
Investigations (702) 486-1110

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**RENO**  
9670 Gateway Drive, Suite  
100  
Reno, Nevada 89521  
(775) 688-1141  
Fax (775) 688-1271  
Investigations (775) 688-1150

**CALL TO ORDER:**

Hearing Officer Jerry Higgins called the meeting of the State Contractors Board to order at 9:30 a.m., Wednesday, August 9, 2006, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

**BOARD MEMBERS PRESENT:**

Mr. Jerry Higgins

**STAFF MEMBERS PRESENT:**

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

**LEGAL COUNSEL PRESENT:**

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

The agenda was posted in compliance with the open meeting law on August 3, 2006 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:**  
**DC's PLUMBING, LICENSE NO. 54879**

Licensee was present with Counsel, Charles Woodman, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File  
Exhibit 2 – Letter from DC's Plumbing to resolve complaint

Hearing Officer Higgins found Respondent Dakota Dewane Converse, Owner, dba DC's Plumbing, license number 54879 guilty of violating NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; NRS 624.3013(3) failure to establish financial responsibility. Mr. Converse was ordered to pay a fine of \$500.00 for the First Cause of Action and \$100.00 for the Fourth Cause of Action for a total fine of \$600.00; no fine was assessed for the Fifth Cause of Action, however, licensee was ordered to furnish a personal financial statement to the Board and pay investigative cost of \$1,822.00 within 60 days of August 9, 2006 or license number 54879 will automatically be suspended. The Second and Third Causes of Action were dismissed. Licensee has 30 days to complete the repairs on the Krupnak residence or license number 58479 will automatically be suspended.

**2. DISCIPLINARY HEARING:**  
**MICHAEL COATES DRYWALL, LICENSE NO. 29955A**

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File  
Exhibit 2 – Repair Agreement

Hearing Officer Higgins found Respondent Michael Coates, Owner dba Michael Coates Drywall, license number 29955A guilty of violating NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; NRS 624.3013(5), as set forth in NAC 624.640(5) each licensee shall include in all bids he submits or contracts he enters into for construction work within this State, the number of his license and any monetary limit placed upon his license; NRS 624.3016(6) failure to comply with NRS 624.600 which requires disclosures by general building contractors. No fine was assessed for the First Cause of Action. Mr. Coates was ordered to pay a fine of \$100.00 for the Fourth Cause of Action; \$250.00 each for the Fifth and Sixth Causes of Action for a total fine of \$600.00; and assessed investigative costs in the amount of \$1,746.00. The Second, Third and Seventh Causes of Action are dismissed. Fines and costs to be paid within 60 days of August 9, 2006 or license number 29955A will be automatically suspended. Licensee shall honor the Homola agreement and complete the repairs by October 1, 2006. If repairs are not completed by October 1, 2006, license number 29955A will automatically be suspended.

**3. DISCIPLINARY HEARING:**  
**SNELLING CONSTRUCTION, LICENSE NO. 50809**

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File  
Exhibit 2. Photos of the Pimental Residence  
Exhibit 3 Bids from Pimental

The following Respondent Exhibits were entered:

Exhibit A – Letter dated March 14, 2006 from Barbara Olavarria, Resident Agent  
Exhibit B – Letter dated March 15, 2006 from Byrd Concrete, Inc.

Hearing Officer Higgins found Respondent Scott Thomas Snelling, Owner dba Snelling Construction, license number 50809 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 624.302(5) failure or refusal to cooperate in an investigation; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; NRS 624.3016(6) failure to comply with NRS 624.600 which requires disclosures by general building contractors. No fine was assessed for the First Cause of Action. Mr. Snelling was ordered to pay a fine of \$100.00 each for the Second and Third Causes of Action, \$250.00 each for the Third and Sixth Causes of Action for a total fine of \$700.00; assessed investigative costs in the amount of \$1,000.00; and ordered to reimburse Mr. Pimental \$1,300.00. The Fourth and Seventh Causes of Action were dismissed. Fines and costs shall be paid within 60 days of August 9, 2006 or license number 50809 will be automatically suspended.

**4. DISCIPLINARY HEARING:**  
**SIERRA NURSERIES, LLC., LICENSE NO. 59039**

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Higgins found Respondent Sierra Nurseries, LLC, license number 59039 in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Licensee was found guilty of (2) violations of NRS 624.3012(2) failure to pay for materials and services; NRS 624.302(5) failure or refusal to cooperate in an investigation; NRS 624.302(6) failure or refusal to comply with a written request by the Board for information or records; NRS 624.3013(3) failure to establish financial responsibility. License number 59039 was Revoked. Respondent shall pay full restitution to the damaged parties and reimburse the Board for investigative costs of \$1,650.00 and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

**5. DISCIPLINARY HEARING:**  
**STONECOAT, INC., LICENSE NO. 58497**

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Higgins Respondent Gary Lee Mitchell, Owner dba Stonecoat, Inc. in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Licensee was found guilty of 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 624.302(5) failure or refusal to cooperate in an investigation; 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 58497 was Revoked. Respondent shall pay full restitution to the damaged parties and reimburse the Board for investigative costs of \$1,752.00 and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

**6. DISCIPLINARY HEARING:**  
**MILLER INDUSTRIES, LICENSE NO. 34831**

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Higgins found Respondent Richard Wayne Miller, Owner dba Miller Industries license number 34831 in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Licensee was found 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; Twice violated NRS 624.302(5) failure to cooperate in an investigation; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; NRS 624.3013(5) as set forth in NAC 624.640(5) each licensee shall include in all bids he submits or contracts he enters into for construction work within this State, the number of his license and any monetary limit placed upon his license; NRS 624.3013(3) failure to establish financial responsibility. License number 34831 was Revoked. Respondent shall pay full restitution to the

**damaged parties and reimburse the Board for investigative costs of \$1,728.00 and any claims and associated expenses that may be paid out of the Residential Recovery Fund.**

**7. CONTINUED DISCIPLINARY HEARING:**

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

**GENERAL BUILDERS INC., dba AMERICAN GENERAL DEVELOPMENT, LICENSE NO.22816**

Licentee was present with Counsel, Douglas Rands, Esq.

The following Agency Exhibits were entered:

- Exhibit 1 – Board Hearing File
- Exhibit 2 – Letter dated June 16, 2006 from Douglas Rands, Esq.
- Exhibit 3 – Estimate from R.D. Swope Construction
- Exhibit 4 – Photo of Selitsch residence

Respondent entered the following Exhibits:

- Exhibit A – Respondent’s Exhibits include:
  - Swimming Pool Proposal to Boris Selitsch dated March 25, 2004
  - Silver State Pools Construction Agreement and Attachments
  - Washoe County, Nevada, Building Permit No. 05-0339
  - General Builders Ledger Sheet
  - NSCB Amended Notice to Correct dated September 12, 2005
  - Correspondence from Silver State Pools to Gary Leonard dated November 9, 2005
  - Correspondence from Aquamatic Cover Systems to Davie Pries regarding installation

Exhibit B – Respondent’s Supplemental Exhibit include:

- Pool Safe Experts Report
- Plans
  - Design Specifications – Pool/Spa
  - Plumbing Schematic – Pool/Spa
  - Electrical Schematic – Pool/Spa
- Contracts
  - Master
  - Exhibits
  - Proposal
- Aquamatic Cover Systems
  - Homeowner’s Manual
  - Cover Skew Adjustment
- Pictures
- Permit Status

**This matter was taken under submission by Hearing Officer Higgins.**

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Higgins at 4:20 p.m.

Respectfully Submitted,

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Sandy Diederich, Recording Secretary

APPROVED:

\_\_\_\_\_  
Margi A. Grein, Executive Officer

Jerry Higgins, Hearing Officer