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MEMBERS
RANDALL SCHAEFER
Chairman
MARGARET CAVIN
Vice Chair
DAVID W. CLARK
SPIRIDON FILIOS
JERRY HIGGINS
WILLIAM "BRUCE" KING
GUY M. WELLS

STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
OCTOBER 19, 2006**

1. CALL TO ORDER:

Chairman Randy Schaefer called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, October 19, 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
Mr. David Clark
Mr. Spiridon G. Filios
Mr. Jerry Higgins
Mr. William "Bruce" King
Mr. Guy M. Wells

BOARD MEMBERS ABSENT:

Ms. Margaret Cavin – Vice Chair

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Ms. Nancy Mathias, Licensing Administrator
Mr. George Lyford, Director of Investigations

LEGAL COUNSEL PRESENT:

Mr. Bruce Robb, Esq., Legal Counsel
Mr. Steven Morris, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on October 12, 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:

Dr. Laurie Irish commented on the investigation of Advanced Architectural Metals, Inc.

Mr. Robert Portnoff commented on Silver State Pools.

3. APPROVAL OF MINUTES: September 21, 2006

It was moved and seconded to approve the minutes of September 21, 2006. **MOTION CARRIED.**

It was moved and seconded to amend the agenda, adding application items #1 and #2 for Steel

Specialties Unlimited, Inc., license numbers 58596 and 58697. MOTION CARRIED.

4. EXECUTIVE SESSION:

a. APPROVAL OF AUDITED FINANCIAL REPORT FOR PERIOD ENDING JUNE 30, 2006:

It was moved and seconded to approve the audited financial report for period ending June 30, 2006. MOTION CARRIED.

b. REVIEW AND APPROVAL OF EXECUTIVE OFFICER'S REPORT – JULY 1, 2006 THROUGH SEPTEMBER 30, 2006:

This matter was continued to the November 16, 2006 Board Meeting.

c. REVIEW AND APPROVAL OF CASH DISBURSEMENTS AND TRANSFER JOURNALS – JULY 1, 2006 THROUGH SEPTEMBER 30, 2006:

It was moved and seconded to approve the cash disbursements and transfer journals for July 1, 2006 – September 30, 2006. MOTION CARRIED.

d. APPROVAL OF QUARTERLY FINANCIAL REPORT FOR PERIOD JULY 1, 2006 THROUGH SEPTEMBER 30, 2006:

It was moved and seconded to approve the quarterly financial report for period July 1, 2006 – September 20, 2006. MOTION CARRIED.

e. DISCUSSION REGARDING NEWPOINT GROUP PROJECT:

Ms. Grein stated that Mr. Ben Frank of the NewPoint Group would present his report at the November 16, 2006 Board Meeting.

f. LEGISLATIVE DISCUSSION:

This matter was continued to the November 19, 2006 Board Meeting.

g. 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.

LICENSING:

Ms. Mathias 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 informed the Board that there had been 33 Residential Recovery Fund claims against Elegant Kitchen and Bath, Inc. The Committee approved claims totaling \$506,786.31. Each claimant would receive 78.9% of their claim for a total payout of \$400,000.00. Mr. Lyford stated that the next Recovery Fund meeting was scheduled for December 13, 2006.

6. SUBCOMMITTEE REPORTS:

This matter was continued.

7. NEW APPLICATION DENIAL HEARING:

THE APPRECIATED PAINTER:

Applicant was present.

It was moved and seconded to deny the application and to permit the applicant to reapply. MOTION CARRIED.

8. NEW APPLICATION DENIAL HEARING:

SILVER CITY CONSTRUCTION, LLC, dba SILVER CITY BUILDERS

Applicant was present with counsel, Tom Hartford, Esq.

It was moved and seconded to approve the license application for a B (General Building) with a monetary limit of \$250,000.00 and bond of \$30,000.00 with a Business Review within six months and a financial statement upon renewal. MOTION CARRIED.

9. SUMMARY SUSPENSION: (Continued from September 21, 2006)

JADE SUMMIT, LLC, License No. 49978

Licensee was present with counsel, Zach Larson, Esq.

Licensee waived right to a Hearing within 60 days as set forth in NRS 624.291. It was moved and seconded to continue the suspension of the license. MOTION CARRIED.

10. SUMMARY SUSPENSION:

BEHL HOMES CONSTRUCTION, LLC, dba BEHL CUSTOM HOMES, License No. 52113

Licensee was not present.

It was moved and seconded to summarily suspend license number 52113, Behl Homes Construction, LLC, dba Behl Custom Homes (B-2 Residential and Small Commercial), pursuant to the provisions of NRS 624.291(4) in the interest of the public health, safety and welfare. MOTION CARRIED.

11. APPROVAL OF CONSENT AGENDA:

It was moved and seconded to approve the consent agenda as amended to correct the name for item number 449.

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

12. 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

DELIVERY COMPANY, INC., (C-38 (B) GAS APPLICANCES & EQUIPMENT) NEW APPLICATION;
RECONSIDERATION – WAIVER OF TRADE EXAM

Applicant was present.

It was moved and seconded to waive the trade exam. MOTION CARRIED.

**DIVERSIFIED CONSTRUCTORS, LLC, A CONSORTIUM, (B-GENERAL BUILDING) NEW APPLICATION;
BOARD DECISION**

Applicant was present.

It was moved and seconded to approve the license application for a B (General Building) with a monetary limit of \$950,000.00 and bond of \$30,000.00 with a name change. MOTION CARRIED.

**GILANFARR DEVELOPMENT, (B-2 RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION;
RECONSIDERATION**

Applicant was present.

It was moved and seconded to approve the license application for a B-2 (Residential and Small Commercial) with a monetary limit of \$750,000.00 and a bond of \$25,000.00 contingent upon infusion of \$80,000.00 cash into the company and applicant must take and pass the CMS exam. MOTION CARRIED.

HIGH DESERT RANCH, (A21-FENCING AND GUARDRAILS) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application for an A-21 (Fencing and Guardrails) with a monetary limit of \$150,000.00 and a bond of \$10,000.00. MOTION CARRIED.

MAKI PAINTING, (C-4 (A) PAINTING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application for a C-4 (a) (Painting) with a monetary limit of \$20,000.00 and a bond of \$2,000.00 contingent upon the Board receiving a letter of recommendation from Judge Breen and no further criminal activity. MOTION CARRIED.

PINNACLE STONE AND GRANITE, LLC, (C-19 INSTALL TERAZZO AND MARBLE) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application FOR A c-19 (Install Terazzo and Marble) with a monetary limit of \$25,000.00 and a bond for \$5,000.00. MOTION CARRIED.

PURE TECH WATER OF LAS VEGAS, (C-30 INSTALL EQUIPMENT TO TREAT WATER) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application for a C-30 (Install Equipment to Treat Water) with a monetary limit of \$10,000.00 and a bond of \$1,000.00. MOTION CARRIED.

JOHN HORN CONSTRUCTION, (C-3 CARPENTRY) ONE TIME RAISE IN LIMIT

Applicant was present.

It was moved and seconded for the applicant to resubmit his application for a One Time Raise in Limit. MOTION CARRIED.

STEEL SPECIALTIES UNLIMITED, INC., LICENSE NOS. 58596 AND 58697 (C-26 (b) BUILDING ACCESSORIES & SPECIALTIES) (C-14 (c) ORNAMENTAL METAL) EXTENSION TO REPLACE QUALIFIER

Licensee was not present. Mr. Gene O'Brien was present representing the Licensee.

It was moved and seconded to deny Licensees' request for an extension to replace the qualified individual. 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 11:10 AM

Respectfully Submitted,

Janet Brinkley, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Randall Schaefer, Chairman

ADJUDICATING BOARD MEMBER: GUY WELLS

13. DISCIPLINARY HEARING:

W. C. S. U., INC., dba MONUMENTS BACKYARD EXPERIENCE, License Nos. 56257 and 56258

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 - Board Hearing File.

Hearing Officer Wells found Respondent, W.C.S.U, Inc., dba Monuments Backyard Experience, Patrick John Nixon, President, license numbers 56257 and 56258, guilty of violation of NRS 624.3013(2) misrepresentation of a material fact in connection with any information or evidence furnished Board in connection with official matters of Board; NRS 624.3016(1) any fraudulent or deceitful act committed in capacity of a contractor; and NRS 624.3018(2) certain persons prohibited from serving as officer, director, associate or partner of licensee. Respondent was assessed fines of \$5,000.00 for each of the First and Second Causes of Action for a total fine of \$10,000.00. The Board's investigative costs were assessed in the amount of \$1,776.00.