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MEMBERS

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

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING

December 7, 2006

CALL TO ORDER:

Hearing Officer Dave Clark called the meeting of the State Contractors Board to order at 9:30 a.m., Thursday, December 7, 2006, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Mr. Dave Clark
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 December 1, 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

CONTINUED DISCIPLINARY HEARING-NON COMPLIANCE

1. MICHAEL COATES DRYWALL, LICENSE NO. 29955A

Hearing Officer Higgins ordered Michael Kelly Coates, Owner dba Michael Coates Drywall, license number 29955A to pay Jeffrey Homola \$1,420.00 for damage incurred to a pocket door during the drywall repairs. Upon notification to the Board that payment was made to Mr. Homola, the suspension of Michael Coates Drywall, license number 29955A shall be lifted.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Higgins at 9:40 a.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Jerry Higgins, Hearing Officer

ADJUDICATING BOARD MEMBER: DAVE CLARK

**2. CONTINUED DISCIPLINARY HEARING-NON-COMPLIANCE
WRIGHT OUTDOOR CENTER, LICENSE NO. 51599**

Licensee was present with Anne M. Vohl, Esq.

The following Respondent Exhibits were entered:

Exhibit B – Letter dated November 7, 2006 from Valkyrie Consulting
Exhibit C – Letter dated December 5, 2006 from Quality Curb

Hearing Officer Clark ordered the suspension of James Wright dba Wright Outdoor Center, license number 51599 be lifted. Licensee shall complete the pool repairs to the Ayala residence by May 9, 2007.

**3. DISCIPLINARY HEARING:
WESTERN STATE EQUIPMENT & BOBCAT, INC., LICENSE NO. 59992**

Licensee was not present but was represented by James B. Leslie, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Clark found Respondent Jon Gerald Winfield, President of Western State Equipment & Bobcat, Inc., license number 59992 guilty of violating NRS 624.3011(1)(b)(2) failure to comply with the safety laws or labor laws of the state; NRS 624.3013(3) failure to establish financial responsibility. Hearing Officer Clark accepted the voluntary surrender of Jon Gerald Winfield, President of Western State Equipment & Bobcat, Inc., license number 59992. Prior to relicensure, Respondent must pay all OSHA fines and NSCB investigative costs of \$2,000.00 and is not eligible for relicensure for a period of five years from December 7, 2006.

**4. DISCIPLINARY HEARING:
GARRETT ELECTRICAL SERVICES, LICENSE NO. 43434**

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File
Exhibit 2 – Summary of Electrical Costs

The following Respondent Exhibits were entered:

Exhibit A – Termination Agreement
Exhibit B – A Spear Workforce Invoices
Exhibit C – Invoicing Clarification

This matter was continued to January 10, 2007.

**5. DISCIPLINARY HEARING:
SUPERIOR CONCRETE, LICENSE NO. 55485**

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Clark found Respondent Dale Robert Lehto, Owner dba Superior Concrete, license number 55485 guilty of violating NRS 624.3012(2) failure to pay for materials and services; NRS 624.302(5) failure or refusal to cooperate in an investigation; NRS 624.3013(3) failure to establish financial responsibility. Licensee was ordered to pay a fine of \$100.00 each for the First, Second, and Fourth Causes of Action for a total fine of \$300.00 to be paid by January 15, 2007. The Third Cause of Action was dismissed. Licensee was ordered to pay Acme Concrete in full by December 20, 2006 and shall furnish a CPA prepared financial statement to the Board by January 15, 2007 or license number 55485 will be automatically suspended.

6. DISCIPLINARY HEARING:
STINNETT CONSTRUCTION, LICENSE NO. 49244

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit 2 – Photos taken November 28, 2006

The following Respondent Exhibit was entered:

Exhibit A – Invoices from Marraccini Plumbing and Heating and The Garage Door Center.

This matter was continued to January 10, 2007 to allow the licensee to complete the repairs to the Adams residence.

7. DISCIPLINARY HEARING:
DA DEVELOPMENT INC., LICENSE NO. 55592

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit 2 – Photos of the Schilling residence.

Exhibit 3 – Photos of the Woods residence.

Hearing Officer Clark found Respondent Dustin Andrew Urton, President of D A Development, Inc., license number 55592 guilty of two violations 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 624.3013(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; NRS 624.3013(3) failure to establish financial responsibility. Licensee was ordered to pay a fine of \$500.00 each for the First, Second, Third, Fifth and Sixth Causes of Action; \$200.00 for the Fourth Cause of Action for a total fine of \$2,700.00; reimburse the Board's investigative fees and costs in the amount of \$2,294.00; complete the repairs to the Schilling and Woods residence; provide 24 to 48 hours notice to make repairs and provide a person to communicate between workers and homeowners within 45 days of December 7, 2006 or license number 55592 will be automatically suspended. Licensee shall complete the concrete repairs to the Woods residence by May 1, 2007 or license number will be automatically be suspended. Licensee was ordered to furnish a CPA prepared financial statement to the Board within 60 days of December 7, 2006 or license number 55592 will be automatically suspended.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Clark at 12:30 p.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Dave Clark, Hearing Officer