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STATE OF NEVADA



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MEMBERS

MARGARET CAVIN, CHAIR
SPIRIDON FILIOS, VICE CHAIR
DAVID W. CLARK
JERRY HIGGINS
WILLIAM "BRUCE" KING
RANDY SCHAEFER
GUY M. WELLS

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
February 7, 2007

CALL TO ORDER:

Hearing Officer Dave Clark called the meeting of the State Contractors Board to order at 9:30 a.m., Wednesday February 7, 2007, 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:

Ms. Nancy Mathias, Licensing Administrator
Mr. George J. Lyford, Director of Investigations
Mr. Fred Schoenfeldt, SIU Supervisor

LEGAL COUNSEL PRESENT:

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

The agenda was posted in compliance with the open meeting law February 1, 2007 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: DAVE CLARK

1. DISCIPLINARY HEARING: Continued from January 10, 2007
GARRETT ELECTRICAL SERVICES, LICENSE NO. 43434

Licensee was present with James B. Leslie, Esq.

The following Agency Exhibit was entered:

Exhibit 3 – Settlement Demand from Trend Development

The following Respondent Exhibits were entered:

Exhibit D – Letter dated September 5, 2006 from Trend Development
Exhibit E – Letter dated September 13, 2006 from Trend Development
Exhibit F – Letter dated December 4, 2006 from Construction Design Services
Exhibit G – Letter dated September 22, 2006 from ANPAC
Exhibit H – Letter dated February 5, 2007 from James B. Leslie, Esq.
Exhibit I – Cost to Comply with Plans dated January 30, 2007 from Garrett Electrical Services

Hearing Officer Clark found Respondent Kevin Duane Garrett, Owner dba Garrett Electrical Services, license number 43434 guilty of violating NRS 624.3011(1)(a) disregard of plans and specifications; 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 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 624.3015(2) bidding to contract or contracting for a sum for one construction project in excess of the limit placed on the license by the Board.

Mr. Garrett was ordered to pay a fine of \$200.00 for the First, Second, Third and Fourth Causes of Action for a total fine of \$800.00; pay investigative costs in the amount of \$1,500.00; and reimburse Trend Development in the amount of \$12,000.00 within 60 days of February 7, 2007 or license number 43434 will automatically be suspended. The Fifth Cause of Action is dismissed.

2. DISCIPLINARY HEARING: Continued from January 10, 2007
STINNETT CONSTRUCTION, LICENSE NO. 49244

Licensee was present.

The following Respondent Exhibits were entered:

Exhibit B – Letter from G & M Plumbing

Exhibit C – Letter dated January 15, 2007 from The Garage Door Center

Hearing Officer Clark found Respondent Robert Paul Stinnett, Owner dba Stinnett Construction, license number 49244 guilty of violating NRS 624.3017(1) substandard workmanship; NRS 624.3016(6) failure to comply with NRS 624.600 which requires disclosures by general building contractors; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner. Mr. Stinnett was ordered to pay a fine of \$200.00 for the First Cause of Action; \$100.00 for the Fourth Cause of Action for a total fine of \$300.00; assessed investigative costs in the amount of \$1,500.00 and pay Mr. Adams in the amount of \$280.00 within 30 days of February 7, 2007 or license number 49244 will automatically be suspended. The Second Cause of Action is dismissed.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Clark at 11:25 a.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Dave Clark, Hearing Officer

ADJUDICATING BOARD MEMBER: JERRY HIGGINS**3. DISCIPLINARY HEARING:
HORTON CONSTRUCTION, LLC., LICENSE NO. 59159**

Licensee was present with Philip Kreitlein, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

The following Respondent Exhibit was entered:

Exhibit A – Series of documents (pages 1 – 43) from Philip Kreitlein, Esq.

Hearing Officer Higgins ordered Corey Duane Horton, Manager, dba Horton Construction, LLC, license number 59159 to pay the Hermans \$550.00 within 10 days of February 7, 2007 or license number 59159 will automatically be suspended. Upon receipt of the \$550.00 payment, the Hermans agree to release Respondent from further liability. The First, Second and Third Causes of Action are dismissed.

**4. DISCIPLINARY HEARING:
EUREKA BUILDERS, INC., LICENSE NO. 19657**

Licensee was present with Michael Kimmel, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Higgins dismissed the complaint conditioned upon Jack Matthews President of Eureka Builders, Inc., license number 19657 paying investigative costs in the amount of \$1,530.00 within 30 days of February 7, 2007 or license number 19657 will automatically be suspended.

**5. DISCIPLINARY HEARING – DEFAULT ORDER:
GEO COX GENERAL CONTRACTOR, LICENSE NO. 14221**

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Higgins found Respondent George William Cox, Owner dba Geo Cox General Contractor, license number 14221 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 624.520(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; NRS 624.3013(3) failure to establish financial responsibility. License number 14221 was Revoked. Respondent shall pay full restitution to the damaged parties; pay a fine in the amount of \$3,350.00; reimburse the Board for investigative costs of \$1,907.00 and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

**6. DISCIPLINARY HEARING – DEFAULT ORDER:
JB TILE & CONSTRUCTION, LICENSE NO. 46436**

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Higgins found Respondent Jerry Alan Beseler, Owner dba J B Tile & Construction, license number 46436 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; 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 46436 was Revoked. Respondent shall pay full restitution to the damaged parties; pay a fine in the amount of \$2,850.00; reimburse the Board for investigative costs of \$1,488.00 and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Higgins at 12:05 p.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Jerry Higgins, Hearing Officer