

JIM GIBBONS
Governor

STATE OF NEVADA



REPLY TO:

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

www.nscb.state.nv.us

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

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
July 26, 2007

1. CALL TO ORDER:

Chair Cavin called the meeting of the State Contractors Board to order at 9:00 a.m., Thursday, July 26, 2007, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Ms. Margaret Cavin - Chair
Mr. Randy Schaefer
Mr. David Clark
Mr. Spiridon G. Filios
Mr. Jerry Higgins
Mr. Bruce King
Mr. Guy Wells

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Ms. Nancy Mathias, Licensing Administrator
Mr. George Lyford, Director of Investigations
Mr. Dan Hammack, Chief of Enforcement
Mr. Gary Hoid, Deputy Director of Investigations

LEGAL COUNSEL PRESENT:

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

Ms. Grein stated the agenda was posted in compliance with the open meeting law on July 19, 2007, 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.

AMENDED AGENDA:

It was moved and seconded to add items 1-5 on the amended agenda and correct item #378 on the consent agenda. MOTION CARRIED.

2. PUBLIC COMMENT:

Mr. Robert Portnoff commented on a custom home builder.

3. APPROVAL OF MINUTES: JUNE 28, 2007

It was moved and seconded to approve the minutes of June 28, 2007. MOTION CARRIED.

4. EXECUTIVE SESSION:

a. REVIEW AND APPROVAL OF EXECUTIVE OFFICER'S QUARTERLY REPORT 04/01/07 THROUGH 6/30/07

It was moved and seconded to approve the Executive Officer's Quarterly Report for the period ending June 30, 2007. MOTION CARRIED.

b. REVIEW AND APPROVAL OF CASH DISBURSEMENTS AND TRANSFER JOURNALS 04/01/07 THROUGH 06/30/07

It was moved and seconded to approve the cash disbursements and transfer journals for April 1, 2007 through June 30, 2007. MOTION CARRIED.

c. DISCUSSION AND REVIEW OF RESPONSES UNDER NRS. 40.6887

It was moved and seconded to approve the response under NRS 40.6887. MOTION CARRIED.

d. DISCUSSION OF PROPOSED AMENDMENTS TO NAC 624.630; NAC 624.130 TO IMPLEMENT BIENNIAL RENEWALS; NAC 624.665 CONCERNING CHANGES IN PERSONNEL; NAC 624.380 CLASSIFICATION C-21 (REFRIGERATION AND AIR CONDITIONING); NAC 624.300 CLASSIFICATION C-13 (SHEET METAL); AND NAX 624.574 CLASSIFICATION C-42 (CABLE TELEVISION)

It was moved and seconded to proceed with the rulemaking process. MOTION CARRIED.

e. DEPARTMENTAL REPORTS:

EDUCATION:

It was moved and seconded to approve the education program. MOTION CARRIED.

ENFORCEMENT AND INVESTIGATIONS:

Mr. Hammack provided a status report of the Enforcement and Investigations Department.

LEGAL:

Mr. Robb provided a status report on pending litigation.

LICENSING:

Ms. Stewart provided a status report on the Licensing Department.

PUBLIC RELATIONS:

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

5. SUBCOMMITTEE REPORTS:

Executive Subcommittee, Recovery Fund Subcommittee, Classification/Regulation Subcommittee, Finance Subcommittee
Subcommittee(s) Discussion

6. ELECTION OF OFFICERS:

The current officers were elected to serve an additional term. Mr. Wells was designated as the Board member to serve on the Construction Education Commission. MOTION CARRIED.

7. CASH BOND CLAIM:**Saxton, Inc., License No. 51958****Determination of disposal of above-referenced licensee's cash bond.**

Christelle Montgomery, Esq., was present on behalf of the Chapter 7 Trustee.

Lance Van Lydegroff, Esq., was present on behalf of Sierra Nevada Stucco.

It was moved and seconded that absent a settlement agreement between the Bankruptcy Court and Sierra Nevada Stucco the cash bond proceeds shall be disbursed to the Bankruptcy Court. MOTION CARRIED.**8. NEW APPLICATION DENIAL:****N. W. MASONRY**

Applicant was present.

It was moved and seconded to deny the application. MOTION CARRIED.**9. APPROVAL OF CONSENT AGENDA:****a. RATIFICATION OF STAFF APPROVED LICENSE APPLICATION, CHANGE OF LICENSURE, REINSTATEMENT OF LICENSURE, VOLUNTARY SURRENDERS (List attached, items 1 to 656)****It was moved and seconded to approve the consent agenda. MOTION CARRIED.****10. APPLICATIONS (INITIAL AND RENEWAL) IN QUESTION:** (Closed meeting pursuant to NRS 241.030, list attached)**It was moved and seconded to close the meeting to the public in accordance with NRS 241.030 to discuss financial matters. MOTION CARRIED****ELIZABETH SWIFT CONSTRUCTION** (B-2 RESIDENTIAL & SMALL COMMERCIAL) ONE-TIME RAISE IN LIMIT.

Applicant was present.

It was moved and seconded to approve the one-time raise in limit. MOTION CARRIED.**CUSTOM CABINET FACTORY OF NEW YORK INC** (B-2 RESIDENTIAL AND SMALL COMMERCIAL) NEW APPLICATION

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 \$500,000.00 and a bond of \$20,000.00 contingent upon passing the exam for a B-2 license. MOTION CARRIED.**MCM** (B-2 RESIDENTIAL AND SMALL COMMERCIAL) NEW APPLICATION, RECONSIDERATION

Applicant was present with counsel, Keith Gregory, Esq.

It was moved and seconded to approve the license application (B-2 Residential and Small Commercial) with a monetary limit of \$100,000.00 and a bond of \$10,000.00 contingent upon reimbursing the Recovery Fund for \$30,000.00 and a business review after one year. 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 Chair Cavin at 10:55 A.M.

Respectfully Submitted,

Janet Brinkley, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Margaret Cavin, Chair

ADJUDICATING BOARD MEMBER: GUY WELLS**DISCIPLINARY HEARING:** (Continued from May 23, 2007)**JAEHN CONSTRUCTION WEST,** License No. 19223**FRAMERS OF NEVADA,** License No. 19224

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing file.

The following Respondent's Exhibits were entered:

Exhibit B – Three (3) photos of the Harris project taken by the Respondent.

This matter was continued for 45 days to allow the contractor to complete the Harris project and finish paying Chez Moi two more payments of \$5,000.00 each.

ADJUDICATING BOARD MEMBER: RANDY SCHAEFER**DISCIPLINARY HEARING:** (Continued from April 25, 2007)**HARDIN CONCRETE COMPANY, INC.** License No. 49119

Licensee was present with counsel, Lance Welch, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing file.

Exhibit 2 – The Board's Administrative Citation #C-0705-0470.

Respondent Hardin Concrete Company, Inc., Earl King Hardin, President, license number 49119, stipulated to one (1) violation of NRS 624.3017 (1) substandard workmanship; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with the Board's Notice to Correct; one (1) violation of NRS 624.3015(1) acting beyond scope of license; one (1) violation of NRS 624.3011(1)(b)(1) willful disregard of the building laws of the State; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner; one (1) violation of NRS 624.3016(5), as set forth in NRS 624.600 failure to comply with NRS 624.600; one (1) violation of 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 the license and any monetary limit placed upon his license. The Sixth Cause of Action was dismissed. The Respondent was ordered to hire a properly licensed contractor to pull an electrical permit and to complete the electrical work at the Gray residence. Repairs are to be completed by August 23, 2007. This matter was continued until the August 23, 2007 hearing. License number 49119, Hardin Concrete Company, Inc., is suspended.

DISCIPLINARY HEARING: (Continued from April 25, 2007)

CREATIVE POOL DESIGN, INC., License No. 32964A

Licensee was present with counsel, Keith Gregory, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing file.

This matter was continued to August 23, 2007. Pulte Homes and North Las Vegas Building Department will be subpoenaed for documents concerning the Carder residence.