

BRIAN SANDOVAL
Governor

MEMBERS
Kevin E. Burke, Chairman
Thomas "Jim" Alexander
Donald L. Drake
Nathaniel W. Hodgson, III
William "Bruce" King
Stephen P. Quinn
Guy M. Wells

STATE OF NEVADA



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
JANUARY 12, 2011

REPLY TO:

NORTHERN NEVADA
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2310 Corporate Circle
Suite 200
Henderson, Nevada 89074
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CALL TO ORDER:

Hearing Officer Bruce King called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday January 12, 2011, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Mr. Donald L. Drake

STAFF MEMBERS PRESENT:

Ms. Margi A. Grein, Executive Officer
Ms. Nancy Mathias, Licensing Administrator
Mr. George J. Lyford, Director of Investigations
Mr. Gary Hoid, Deputy Director of Investigations

LEGAL COUNSEL PRESENT:

Louis Ling, Esq., Legal Counsel
Bruce Robb, Esq., Legal Counsel

The agenda was posted in compliance with the open meeting law January 6, 2011 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: BRUCE KING

2. DISCIPLINARY HEARING:
AZTECS CONCRETE LLC, LICENSE NO. 69359A

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer King found the Respondent Aztecs Concrete LLC, license number 69359A guilty of violating NRS 624.3014(a) aiding or abetting an unlicensed person, NRS 624.3013(3) failure to establish financial responsibility. No fine was imposed on the First Cause of Action. Respondent was ordered to pay a fine of \$100.00 for the First Cause of Action for a total fine of \$100.00; licensee was ordered to furnish a personal financial statement to the Board and pay investigative cost of \$1,000.00 within 30 days of January 12, 2011 or license number 69359A will automatically be suspended.

3. DISCIPLINARY HEARING:**STONE CENTER OF NEVADA LLC, LICENSE NOS. 57673, 70676**

James Frost was present, but was not representing Stone Center of Nevada LLC.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer King found the Respondent Stone Center of Nevada LLC, license numbers 57673 and 70676 guilty of violating NRS 624.3012(4) failure to obtain the discharge of Lien; NRS 624.3012(2) failure to pay for materials and services; 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(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 624.3018(2) association of any act or omission constituting a cause for disciplinary action and NRS 624.3013(3) failure to establish financial responsibility. Respondent was ordered to pay a fine of \$1,000.00 each for the First and Second Causes of Action, \$3,000.00 each for the Third and Fourth Causes of Action, \$100.00 each for the Fifth and Sixth Causes of Action, \$500.00 each for the Seventh and Ninth Causes of Action for a total fine of \$9,200.00; investigative costs in the amount of \$1,763.00 to be paid within 30 days or license numbers 57673 and 70676 will be automatically revoked. No fine was imposed on the Eight Cause of Action. Licensee cannot reapply for any license until all fines and fees are satisfied. All complainants are to be made whole within 30 days from January 12, 2011 or license numbers 57673 and 70676 will be automatically revoked.

4. DISCIPLINARY HEARING:**P R S OF NEVADA LTD, dba PROFESSIONAL ROOFING SERVICES, LICENSE NO. 59002**

This matter was continued to May 11, 2011.

5. DISCIPLINARY HEARING:**LINCOLN HEATING & AIR CONDITIONING, LICENSE NO. 35711**

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer King found the Respondent Lincoln Heating & Air Conditioning, license number 35711 guilty of violating NRS 624.3011(1)(b)(1) disregarding the building laws of the State; NRS 624.3013(3) failure to establish financial responsibility. The fine and investigative cost established by citation no. C-1009-1401 are reaffirmed. No additional administrative fines or investigative fees were imposed.

6. DISCIPLINARY HEARING:**TURF PRO LLC, LICENSE NO. 67683**

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer King found the Respondent Turf Pro LLC, license number 67683 guilty of violating twice (2) 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 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; NRS 624.3015(4) knowingly entering into a contract with a contractor while that contractor is not licensed and NRS 624.3013(3) failure to establish financial responsibility. Respondent was ordered to pay a fine of \$1,000.00 each for the First and Second Causes of Action, \$500.00 for the Third, \$1,000.00 each for the Fourth and Fifth Causes of Action and \$200.00 for the Sixth Cause of Action for a total fine of \$4,700.00; investigative costs in the amount of \$1,809.00 and provide a current financial statement within 30 days of January 12, 2011 or license number 67683 will be automatically suspended. Licensee shall pay for and hire a licensed contractor to complete the repairs to the Sipin and Baumgardner residences within 60 days from January 12, 2011 or license number 67683 will be automatically revoked.

7. DISCIPLINARY HEARING:
WHITE PINE FENCE CO, LICENSE NO. 52755

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer King found the Respondent Sonny James Gubbine, Owner and Qualified Individual dba, White Pine Fence Company, license number 52755 guilty of violating NRS 624.3012(2) failure to pay for materials and services; NRS 624.3012(1) diversion of money or property received for the completion of a specific construction project or operation or for a specified purpose in the completion of any construction project acting in the capacity of a contractor; 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(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. License number 52755 is revoked. Respondent shall pay investigative costs in the amount of \$1,486.00. No administrative fines are assessed.

8. FINANCIAL RESPONSIBILITY HEARING-CONTINUED HEARING:
PIPE MAINTENANCE SERVICES INC, LICENSE NO. 73675

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer King found the Respondent guilty of one (1) violation of NRS 624.3013(3) failing to establish financial responsibility and one (1) violation of NRS 624.302(6) failing to comply with a written request by the Board. Licensee shall provide a financial statement supporting the limit including subordinating the shareholder; pay an administrative fine of \$700.00 and investigative costs of \$485.17 within 30 days or license will be automatically suspended.

9. FINANCIAL RESPONSIBILITY HEARING:
MAGILL'S PLUMBING SERVICE, LICENSE NO. 73652

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer King found the Respondent guilty of one (1) violation of NRS 624.3013(3) failing to establish financial responsibility and one (1) violation of NRS 624.302(6) failing to comply with a written request by the Board. License is suspended. Licensee must provide a financial statement supporting the limit; provide information on derogatory credit; pay an administrative fine of \$700.00 and investigative costs of \$473.78 within 30 days or license number 73652 will be automatically revoked.

10. FINANCIAL RESPONSIBILITY HEARING:
GEORGE ADOUMRAD GENERAL CONTRACTING, LICENSE NO. 73458

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer King found the Respondent guilty of one (1) violation of NRS 624.3013(3) failing to establish financial responsibility. License is suspended. Licensee must provide a financial statement supporting the limit; pay an administrative fine of \$200.00 and investigative costs of \$473.78 within 30 days or license number 73458 will be automatically revoked.

11. FINANCIAL RESPONSIBILITY HEARING:
MIKE BRYAN PLUMBING, LICENSE NO. 73489

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer King found the Respondent guilty of one (1) violation of NRS 624.3013(3) failing to establish financial responsibility and one (1) violation of NRS 624.302(6) failing to comply with a written request by the Board. License is suspended. Licensee’s monetary license limit is reduced to \$10,000.00 and must provide a personal financial statement and pay investigative costs prior to reactivation of license.

12. FINANCIAL RESPONSIBILITY HEARING:
SECOR PAINTING LLC, LICENSE NO. 73842

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer King found the Respondent guilty of one (1) violation of NRS 624.3013(3) failing to establish financial responsibility and one (1) violation of NRS 624.302(6) failing to comply with a written request by the Board. License is suspended. Licensee must provide a financial statement supporting the limit; pay an administrative fine of \$700.00 and investigative costs of \$465.03 within 30 days or license number 73842 will be automatically revoked.

13. FINANCIAL RESPONSIBILITY HEARING:

PARAGON PAINT & FINISH WORK LLC, LICENSE NO. 73951

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer King found the Respondent guilty of one (1) violation of NRS 624.3013(3) failing to establish financial responsibility and one (1) violation of NRS 624.302(6) failing to comply with a written request by the Board. License is suspended. Licensee must provide a financial statement supporting the limit; bring status with the Nevada Secretary of State to active; pay an administrative fine of \$700.00 within 30 days or license number 73951 will be automatically revoked.

**14. FINANCIAL RESPONSIBILITY HEARING:
GOLDSTAR VENTURES dba, DUKES PLUMBING, HEATING & AIR, LICENSE NOS. 73651, 73994**

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer King found no violations and ordered that Goldstar Ventures dba, Dukes Plumbing, Heating & Air, license numbers 73651 and 73994 remain active.

**15. FINANCIAL RESPONSIBILITY HEARING:
HERNANDEZ LAWN CARE & LANDSCAPING, LICENSE NOS. 71149, 71596 and 72358**

Licensee was present with John Moore, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer King continued this matter for 60 days.

**16. FINANCIAL RESPONSIBILITY HEARING:
ELISHA ELWOOD DURHAM SR., dba ADVANCE GARDNERING SERVICE, LICENSE NO. 52281**

Licensee was present with Mr. Araski, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer King continued this matter for 30 days.

**17. FINANCIAL RESPONSIBILITY HEARING:
CARPET STAR LLC, LICENSE NOS. 72884, 73885**

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer King suspended Carpet Star LLC, license numbers 72884 and 73885 pending the outcome of the ongoing disciplinary action findings.

18. FINANCIAL RESPONSIBILITY HEARING:
MOUNTAIN VIEW LANDSCAPE LLC, LICENSE NO. 73801

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer King ordered a financial review within 6 months.

ADJOURNMENT

There is no further business to come before Hearing Officer King.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Bruce King, Hearing Officer

ADJUDICATING BOARD MEMBER: DONALD L. DRAKE

**19. FINANCIAL RESPONSIBILITY HEARING-REHEARING:
BANNER CONSTRUCTION INC, LICENSE NOS. 72905, 72906, 73434, 73993**

Licensee was present with Mr. Karp, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Drake ordered the licenses remain revoked, until a financial statement that supports the license limits is submitted. Once the financial statement that supports the limit is provided, the B-2 will be put on inactive status, the C-3 limit will be reduced to \$50,000.00, the C-2 limit will be reduced to \$10,000.00 and the C-1 limit will be reduced to \$10,000.00. The bond amounts will remain the same for all licenses.

**20. FINANCIAL RESPONSIBILITY HEARING-REHEARING:
PAHRUMP VALLEY IRRIGATION LLC, LICENSE NO. 73395**

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Drake ordered the license be reactivated. Licensee shall pay the investigative costs of \$469.66 within 60 days.

**21. FINANCIAL RESPONSIBILITY HEARING-CONTINUED HEARING:
ROBERT MARR CONSTRUCTION, LICENSE NO. 72658**

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Drake granted an additional 60 days to provide a financial statement to support limit. If not provided or does not support the license will be automatically suspended.

**22. FINANCIAL RESPONSIBILITY HEARING-CONTINUED HEARING:
TEMAC DEVELOPMENT INC, LICENSE NO. 73373**

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Drake ordered the licensee to provide a CPA prepared financial statement within 30 days.

There is no further business to come before Hearing Officer Drake. There being no further business to come before the Board, the meeting was adjourned at 1:00 p.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Donald L. Drake, Hearing Officer