

BRIAN SANDOVAL
Governor

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

STATE OF NEVADA



STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
JUNE 14, 2012**

REPLY TO:

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

www.nscb.nv.gov

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

CALL TO ORDER:

Bruce Robb Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, June 14, 2012, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

OTHER BOARD MEMBERS PRESENT:

Ms. Margaret Cavin
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. Daniel Hammack, Chief Enforcement
Mr. Gary Hoid, Deputy Director of Investigations
Ms. Susan Broili-Kamesch, Licensing Supervisor – Reno

LEGAL COUNSEL PRESENT:

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

The agenda was posted in compliance with the open meeting law **June 8, 2012** 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: MARGARET CAVIN

**2. FINANCIAL RESPONSIBILITY HEARING:
SCOTT C. BOYD CONSTRUCTION, LICENSE NO. 54228**

Licensee was present.

Hearing Officer Cavin approved the renewal of license number 54228.

3. FINANCIAL RESPONSIBILITY HEARING:**GYULA LASZLO LOVAS DBA, DECO PLUS PAINTING, LICENSE NO. 53374**

Licensee was present.

Hearing Officer Cavin approved the renewal with the license limit reduced to \$15,000.00. Respondent must provide a copy of the resolution from Sherwin Williams within fifteen (15) days and must provide a payment agreement with the IRS within sixty (60) days. A financial review will be conducted at next renewal.

4. FINANCIAL RESPONSIBILITY HEARING:**VALLEY WEST LANDSCAPING & MAINTENANCE LLC, LICENSE NO. 75704**

Licensee was not present.

Hearing Officer Cavin found the Respondent guilty of violating NRS 624.3013(3) failure to establish financial responsibility and NRS 624.302(5) failure to comply with written request of the Board. Respondent must pay a fine of \$500.00 and investigative fees in the amount of \$474.66 and provide a current financial statement within thirty (30) days or license number 75704 will automatically be revoked.

5. FINANCIAL RESPONSIBILITY HEARING:**BRETT PATRICK TRAYLOR DBA PREMIER WINE CELLARS & SAUNAS, LICENSE NO. 75769**

Licensee was present.

Hearing Officer Cavin ordered Respondent not to bid on any new projects until a current financial statement is provided in the correct format within thirty (30) days or license number 75769 will automatically be suspended.

6. FINANCIAL RESPONSIBILITY HEARING:**INNOVATIVE AIR LLC, LICENSE NO. 75780**

Licensee was not present.

Hearing Officer Cavin found the Respondent guilty of violating NRS 624.3013(3) failure to establish financial responsibility and NRS 624.302(5) failure to comply with written request of the Board. License number 75780 is suspended. Respondent must pay a fine of \$500.00 and investigative fees of \$465.03; provide a current financial statement within thirty (30) days or license number 75780 will automatically be revoked.

7. FINANCIAL RESPONSIBILITY HEARING:**JOHN ERICK REUSCHE DBA, JOHN REUSCHE CONSTRUCTION, LICENSE NO. 75837**

Licensee was not present.

Hearing Officer Cavin found the Respondent guilty of violating NRS 624.3013(3) failure to establish financial responsibility, NRS 624.302(5) failure to comply with written request of the Board and NRS 624.3013(4) failure to maintain its bond. License is revoked. Respondent must pay a fine of \$750.00 and investigative fees of \$465.03.

8. FINANCIAL RESPONSIBILITY HEARING:
K & D ENERGY SOLUTIONS LLC, LICENSE NO. 75728

Licensee was not present.

Hearing Officer Cavin found the Respondent guilty of violating NRS 624.3013(3) failure to establish financial responsibility and NRS 624.302(5) failure to comply with written request of the Board. License is revoked. Respondent must pay a fine of \$500.00 and investigative fees of \$465.03.

9. DISCIPLINARY HEARING-DEFAULT HEARING:
WILLIS ELECTRIC INC, LICENSE NO. 10779A

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Cavin found Respondent Willis Electric Inc, license number 10779A in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Licensee was found guilty of NRS 624.3012(2) failure to pay for materials and services; NRS 624.302(5) failure or refusal to cooperate in an investigation; NRS 624.3011(1)(b)(4) failure to comply with the building laws of the state regarding industrial insurance and NRS 624.3013(3) failure to establish financial responsibility. License number 10779A was revoked. Respondent shall pay and administrative fine in the amount of \$2,250.00 and investigative costs of \$1,697.00.

10. DISCIPLINARY HEARING:
AMERICAN DESIGN & CONSTRUCTION, LICENSE NO. 60531A

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File
Exhibit 2 – 4 Contractual addendums
Exhibit 3 – January 27, 2012 letter from Gunderson Law Firm
Exhibit 4 – Emails and text messages
Exhibit 5 – Ramey project accounting
Exhibit 6 – Holmen project accounting
Exhibit 7 – Weber's Cabinets payments (Ramey Project)
Exhibit 8 – Weber's Cabinets payments (Holmen Project)

Hearing Officer Cavin found Respondent guilty of violating 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 624.3012(2) failure to pay for materials and services; NRS 624.3012(4) failure to obtain the discharge of Lien; NRS 624.3016(1) fraudulent or deceitful act; NRS 624.3016(6) failure to comply with NRS 624.600 which requires disclosures by general building contractors; NRS 624.3011(2) if a contractor performs construction without obtaining any necessary building permit there is a rebuttable presumption that the contractor willfully and deliberately violated the building laws of this State or of its political subdivisions; NRS 624.302(5) failure or refusal to cooperate in an investigation; NRS 624.302(6) failure or refusal to comply with a written request by the Board for information or records; NRS 624.3013(1) failure to keep records showing all records for a period of not less than 3 years after the completion of any construction project or operation and NRS 624.3013(3) failure to establish financial responsibility. License number 60513A is revoked. Respondent shall pay a fine of \$11,500.00 and investigative fees of \$2,598.00 prior to re-licensure.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Cavin at 12:23 p.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Margaret Cavin, Hearing Officer