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STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
July 14, 2005**

MEMBERS
RANDALL SCHAEFER
Chairman
MARGARET CAVIN
Vice Chair
DAVID W. CLARK
SPIRIDON FILIOS
JERRY HIGGINS
J. BRIAN SCROGGINS
MICHAEL ZECH

1. CALL TO ORDER:

Chairman Randy Schaefer called the meeting of the State Contractors Board to order at 8:30a.m., Thursday, July 14, 2005, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Mr. Randy Schaefer - Chairman
Ms. Margaret Cavin
Mr. David Clark
Mr. Spiridon G. Filios
Mr. Jerry Higgins
Mr. J. Brian Scroggins
Mr. Michael Zech

STAFF MEMBERS PRESENT:

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

LEGAL COUNSEL PRESENT:

Ms. Laura Browning, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on July 8, 2005, 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.

2. PUBLIC COMMENT:

Mr. Bob Portnoff was present to express his concern regarding granting waiver of the examination requirements.

Mr. Steve Benna of C B Concrete, Co., Jan Foote of Unlimited Concrete, Inc. and other members of the concrete industry were present and commented regarding the issues resulting from weather conditions in Northern Nevada during the past year and the statute of limitations for filing complaints.

3. APPROVAL OF MINUTES: June 9, 2005

It was moved and seconded to approve the minutes of June 9, 2005. **MOTION CARRIED.**

4. EXECUTIVE SESSION:

a. EXECUTIVE OFFICER'S REPORT:

b. REVIEW AND APPROVAL OF PROPOSED BUDGET FY 2005 – 06:

Ms. Grein provided a draft of the proposed budget to the Board.

The budget for fiscal year 2004 – 2005 was approved temporarily pending completion of the budget figures for fiscal year 2005 – 2006.

c. ADOPTION OF PROPOSED REGULATION LCB FILE R046-05 – QUESTIONS AND DISPUTES CONCERNING CONSTRUCTIONAL DEFECTS:

Ms. Grein reported on the Workshop and Public Hearing concerning construction defect questions or disputes held July 11, 2005.

It was moved and seconded to adopt the proposed regulation. **MOTION CARRIED.**

d. REVIEW AND DISCUSSION OF PROPOSED REGULATIONS PURSUANT TO AB 501 AND SB 434:

Ms. Grein provided drafts of the proposed regulations required by AB 501 and SB 434.

It was moved and seconded to schedule Workshops and Public Hearings. **MOTION CARRIED.**

e. LEGISLATIVE DISCUSSION:

Ms. Grein provided an overview prepared by Dennis Haney, Esq. relating to construction issues contained within SB 300, SB 343 and AB 193.

f. REVIEW AND APPROVAL OF PROPOSED CONTRACT FOR PROFESSIONAL SERVICES – KEITH LEE:

Ms. Grein provided a proposed contract for professional services from Keith Lee.

It was moved and seconded to accept the proposed contract. **MOTION CARRIED.**

It was moved and seconded to close the meeting to the public. MOTION CARRIED.

g. CLOSED SESSION TO DISCUSS ANNUAL EXECUTIVE OFFICER EVALUATION (CONTINUED FROM JUNE 9, 2005):

It was moved and seconded to increase the salary of the Executive Officer by 4.5%. **MOTION CARRIED.**

It was moved and seconded to open the meeting to the public. MOTION CARRIED.

h. DISCUSSION AND ACTION REGARDING NSCB STAFF SALARY RANGES (CONTINUED FROM JUNE 9, 2005):

It was referred to the Executive Committee and moved and seconded to continue this matter to the August 18, 2005 Board Meeting. **MOTION CARRIED.**

5. DEPARTMENTAL REPORTS:

ENFORCEMENT AND INVESTIGATIONS:

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

HUMAN RESOURCE:

Ms. Grein reported on the status of the search for a Human Resource Specialist.

LEGAL:

Ms. Browning provided a status report on pending litigation.

LICENSING:

Ms. Mathias provided a status report of the Licensing Department.

PUBLIC RELATIONS:

Ms. Tanya Humphrey read a statement prepared by Sonya Ruffin.

RECOVERY FUND:

Mr. Lyford reported on the Recovery Fund Meeting that took place July 13, 2005.

6. SUBCOMMITTEE REPORTS:

EXECUTIVE SUBCOMMITTEE:

Ms. Grein advised the annual audit was underway, and the auditors report will be completed by September.

CLASSIFICATION/REGULATION SUBCOMMITTEE:

Ms. Grein advised the Workshop and Public Hearing on the proposed changes to the C-10 Classification is scheduled for August 16, 2005.

7. NEW APPLICATION HEARING:

NU IMAGE CORPORATION

Applicant was not present. Present for the Hearing was John Chou, Qualified Employee.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to deny the license application. MOTION CARRIED.

8. NEW APPLICATION HEARING:

JOE CABRAL CONSTRUCTIONS

Applicant was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to approve the license application for B-2 (Residential & Small Commercial) with a monetary license limit of \$150,000.00 and bond of \$10,000.00. MOTION CARRIED.

9. NEW APPLICATION HEARING:

ASAP MAINTENANCE, INC., DBA ASAP TILE

Applicant was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to deny the license application. MOTION CARRIED.

10. NEW APPLICATION HEARING:

AWESOME FLOORS, INC.

Applicant was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

It was moved and seconded to approve the license application for C-16 (Finishing Floors) with a monetary license limit of \$50,000.00 and bond of \$10,000.00. MOTION CARRIED.

11. NEW APPLICATION HEARING:

FAWN CONSTRUCTION

Applicant was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

This matter was continued to the August 18, 2005 Board Meeting.

12. APPROVAL OF CONSENT AGENDA:

It was moved and seconded to approve the consent agenda. MOTION CARRIED.

a. RATIFICATION OF STAFF APPROVED LICENSE APPLICATIONS, CHANGES OF LICENSURE, REINSTATEMENTS OF LICENSURE, VOLUNTARY SURRENDERS:

13. APPLICATIONS IN QUESTION: (CLOSED MEETING PURSUANT TO NRS 241.030)

It was moved and seconded to close the meeting to the public in accordance with NRS 241.030 to discuss financial matters. MOTION CARRIED

CONSOLIDATED DOOR & FRAME, LICENSE NO. 47942 (C-3 CARPENTRY) RAISE IN LIMIT, RECONSIDERATION

Licensee was present.

It was moved and seconded to approve the raise in limit application. MOTION CARRIED.

A S D, (C-15 ROOFING & SIDING) NEW APPLICATION, REQUESTING WAIVER OF TRADE EXAM

Applicant was present.

It was moved and seconded to approve the license application conditioned on the applicant providing test scores of July 13, 2005. MOTION CARRIED.

BYROM DAVEY, INC., (A-12 EXCAVATING, GRADING, TRENCHING & SURFACING; A-22 DESIGNATED FOR SYNTHETIC SURFACE, ATHLETIC FIELDS AND RUNNING TRACKS) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application. MOTION CARRIED.

CASA ADAME CUSTOM HOMES, (B-2 RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION, RECONSIDERATION

Applicant was present.

It was moved and seconded to approve the license application. MOTION CARRIED.

DRESHER FLOORING, (C-20 TILING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application. MOTION CARRIED.

INTEGRATED CONTRACTORS, LLC, (C-2 ELECTRICAL CONTRACTING) NEW APPLICATION, REQUESTING WAIVER OF CMS EXAM

Applicant was present.

It was moved and seconded to approve the license application. MOTION CARRIED.

SERVICE MAX PLUMBING, (A-7 EXCAVATING & GRADING) NEW APPLICATION, RECONSIDERATION

Applicant was present.

It was moved and seconded to approve the license application. MOTION CARRIED.

SONORA BROTHERS CONSTRUCTION COMPANY, INC., (A-GENERAL ENGINEERING) NEW APPLICATION, REQUESTING WAIVER OF TRADE EXAM

Applicant was present.

It was moved and seconded to approve the license application. MOTION CARRIED.

SUNTAKER SOLAR LAS VEGAS, INC., (C-37 SOLAR CONTRACTING) NEW APPLICATION, REQUESTING WAIVER OF TRADE EXAM

Applicant was present.

It was moved and seconded to approve the license application. MOTION CARRIED.

LAND ART LANDSCAPING, LICENSE NO. 38039 (C-10 LANDSCAPE CONTRACTING) ACTIVATE INACTIVE LICENSE

Licensee was present.

It was moved and seconded to approve reactivation of the license. MOTION CARRIED.

The licensee is ordered to submit to a Business Review within 90 days from July 14, 2005. The result of the

Business Review will be presented to the Executive Officer.

LAS VEGAS CROWN MOULDING, LLC, LICENSE NO. 57232 (C-3 CARPENTRY) RAISE IN LIMIT

Licensee was present.

It was moved and seconded to approve the raise in limit application. MOTION CARRIED.

ARMSTRONG INSPECTION SERVICES, INC., (B-2 RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application. MOTION CARRIED.

DOUBLE D BACKHOE SERVICE, (A-12, 15 EXCAVATE, GRADE, TRENCH & SURFACE; SEWERS, DRAINS & PIPES) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application. MOTION CARRIED.

INDEPENDENT FRAMING, (C-3 CARPENTRY) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application. MOTION CARRIED.

POGO TILE & STONE, INC., (C-20 TILING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application. MOTION CARRIED.

SIERRA DECORATIVE CURBING, LLC, (A-7 EXCAVATING & GRADING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application. MOTION CARRIED.

SIERRA DECORATIVE CURBING, LLC, (C-5 CONCRETE CONTRACTING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application. MOTION CARRIED.

SIERRA DECORATIVE CURBING, LLC, (C-18 LIMITED TO PAVERS ONLY) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application. MOTION CARRIED.

SIERRA NEVADA BUILDERS (DBA), (C-1D PLUMBING) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application. MOTION CARRIED.

J W SMITH CONSTRUCTION, LLC, (B-2 RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION

Applicant was present.

It was moved and seconded to approve the license application. MOTION CARRIED.

The licensee is ordered to submit to a Business Review within 6 months from July 14, 2005. The result of the Business Review will be presented to the Executive Officer.

T C R CONSTRUCTION, (B-2 RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION

Applicant was present.

It was moved and seconded to table the license application. MOTION CARRIED.

TEICHERT CONSTRUCTION (DBA), (A-GENERAL ENGINEERING) NEW APPLICATION, REQUESTING WAIVER OF CMS EXAM

Applicant was present.

It was moved and seconded to approve the license application. MOTION CARRIED.

BI STATE PROPANE (DBA), LICENSE NO. 57954 (C-38 EQUIPMENT USED FOR LP, NATURAL GAS) CHANGE IN QUALIFIER, REQUESTING WAIVER OF EXAM

Licensee was present.

It was moved and seconded to approve the change in qualifier application. MOTION CARRIED.

BI STATE PROPANE (DBA), LICENSE NO. 57954 (C-38 EQUIPMENT USED FOR LP, NATURAL GAS) EXTENSION TO REPLACE QUALIFIER

Licensee was present.

No action was taken based on the approval of the change of qualifier application.

PROFLAME (DBA), (C-38 EQUIPMENT USED FOR LP, NATURAL GAS) NEW APPLICATION, REQUESTING WAIVER OF TRADE EXAM

Applicant was present.

It was moved and seconded to approve the license application. 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 Chairman Schaefer at 12:17 p.m.

Respectfully Submitted,

Traci Greenlee, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Randall Schaefer, Chairman

ADJUDICATING BOARD MEMBER: SPIRIDON FILIOS**14. DISCIPLINARY HEARING:** (CONTINUED FROM JUNE 15, 2005)**CRYSTAL CASCADES,** LICENSE NO. 39911

This matter was continued from the June 15, 2005 meeting to allow the respondent to resolve issues with Angle Contracting.

Applicant was not present.

The following Agency Exhibits were entered:

Exhibit 4 – Copies of invoices from Angle Contracting to Crystal Cascades.

Exhibit 5 – Four invoices from Angle Contracting to Crystal Cascades.

Hearing Officer Filios ordered license number 39911, Crystal Cascades be Suspended on July 15, 2005. Mr. Riggs was ordered to comply with the Decision and Order of June 15, 2005 which required payment of the investigative costs in the amount of \$2,280.00 and resolution of the issues with Angle Contracting within 60 days from July 14, 2005 or license number 39911, Crystal Cascades will automatically be Revoked. If Mr. Riggs pays the investigative costs and resolves the issues with Angle Contracting then Mr. Riggs is ordered to submit to a Business Review. The result of the Business Review will be presented to the Executive Officer. Mr. Plouffe will be provided a billing and will reimburse the Board for the cost of the Business Review within 10 days of receipt of the billing. Failure to submit to the Business Review or reimburse the Board the investigative cost will result in the Suspension of the license.

