

KENNY C. GUINN  
Governor

## STATE OF NEVADA



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

## STATE CONTRACTORS BOARD

### MINUTES OF THE MEETING FEBRUARY 10, 2004

#### 1. CALL TO ORDER

Chairman Randall Schaefer called the meeting of the State Contractors Board to order at 8:25 a.m., Tuesday, February 10, 2004, State Contractors Board, Reno and Henderson, 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

#### BOARD MEMBERS ABSENT:

None

#### STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer  
Ms. Nancy Mathias, Licensing Administrator  
Mr. George Lyford, Director of Investigations  
Mr. Gary Hoid, Deputy Director of Investigations Reno  
Mr. Daniel Hammack, Acting Deputy Director of Investigations Las Vegas

#### LEGAL COUNSEL PRESENT:

Ms. Carolyn Broussard, Legal Counsel  
Mr. Bruce Robb, Legal Counsel (Walter Bruce Robb)

It was moved and seconded to hear the amended agenda. MOTION CARRIED.

#### 2. APPROVAL OF MINUTES: JANUARY 21, 2004

It was moved and seconded to approve the minutes of January 21, 2004. MOTION CARRIED.

#### 3. BOARD GOVERNANCE AND ADMINISTRATION:

##### a. EXECUTIVE OFFICER'S PROGRESS AND DEPARTMENTAL REPORTS: INVESTIGATIONS, LICENSING, LEGAL, HUMAN RESOURCES, AND PUBLIC RELATIONS:

This matter was continued.

**b. REVIEW AND DISCUSSION OF PROPOSED GUIDELINES FOR ADMINISTRATIVE CITATIONS AND FINES, PURSUANT TO NRS 624.361:**

It was moved and seconded to approve the draft of the proposed regulations for Administrative Citations and notice the matter for a workshop and Public Hearing. MOTION CARRIED.

**c. DISCUSSION OF CONTRACT WITH LEGISLATIVE LIAISON:**

It was moved and seconded to request proposals from potential lobbyists for representation at the 2005 legislative session. MOTION CARRIED

**d. REVISION OF SELECT POSITION SALARIES:**

It was moved and seconded to refer the proposal of select position salary adjustments to the Executive Committee for review. MOTION CARRIED.

**e. REVIEW AND APPROVAL OF REVISED PROCEDURES FOR INVESTIGATIONS:**

It was moved and seconded to approve the revised procedures for the issuance of Notices to Correct. MOTION CARRIED.

**f. REVIEW AND DISCUSSION OF CHANGES TO NRS 624 AND NAC 624:**

It was moved and seconded to continue the review of NRS 624 and NAC 624 and report suggested changes to the Board. MOTION CARRIED.

**g. REVIEW AND DISCUSSION OF REVISED PROCEDURES FOR APPLICATIONS:**

It was moved and seconded to adopt revised Procedures for review and approval of Applications. MOTION CARRIED.

**h. REVIEW AND DISCUSSION OF PROPOSED REGULATION LCB FILE NO. R158-03:**

Ms. Grein reported a workshop and public hearing for March 11, 2004, to receive further comment on the proposed regulation.

**I. REVIEW AND DISCUSSION OF BOARD MEETING AND HEARING PROCEEDINGS:**

Boards meeting and hearing procedures were discussed.

**J. REVIEW AND DISCUSSION OF C-3 CLASSIFICATION:**

The Board requested Ms. Mathias review the C-3 classification and report recommended changes to the Classification Subcommittee.

**4. APPLICATIONS:**

**a. APPLICATIONS:** (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.

**SAN SEBASTIAN CONSTRUCTION MANAGEMENT & CONSULTIN\***, (B - GENERAL CONSTRUCTION)  
NEW APPLICATION, RECONSIDERATION OF MONETARY LIMIT

Applicant was present. The reconsideration of monetary limit was approved based on the limitation of the license to Construction Management only.

**PROGRESSIVE LANDSCAPING, (C10 - LANDSCAPE CONTRACTING), NEW APPLICATION**

Applicant was present. The application was denied.

**TOMS HEATING & AC INC, LICENSE NO. 44427, (C - 1F,H, I - HEATING / COOLING / CIRCULATE AIR; PIPES & VENTS FOR GAS; WATER HEATERS), BROADENING OF CLASSIFICATION**

Applicant was present. The broadening of license classification C-1 D was approved limited to pool plumbing only.

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

**b. RATIFICATION OF LICENSE APPLICATIONS, CHANGES OF LICENSURE, REINSTATEMENTS OF LICENSURE:**

**It was moved and seconded to ratify all applications not specifically discussed in closed session as recommended by staff. MOTION CARRIED.**

**5. SUBCOMMITTEE REPORTS:**

**a. EXECUTIVE SUBCOMMITTEE; RECOVERY FUND SUBCOMMITTEE; CONSTRUCTION MANAGEMENT SUBCOMMITTEE; CLASSIFICATION/REGULATION SUBCOMMITTEE; CONSTRUCTION DEFECT SUBCOMMITTEE; FINANCE SUBCOMMITTEE:**

This matter was continued.

**6. SUMMARY SUSPENSION:**

**ASPEN CONSTRUCTION, LICENSE NO. 41800**

**It was moved and seconded to summarily suspend, pursuant to NRS 624.291(4), license number 41800, Aspen Construction (B-2 Residential & Small Commercial), in the interest of the public health, safety and welfare. MOTION CARRIED.**

**7. RENEWAL APPLICATION HEARING:**

**CAPITOL TILE & STONE, LICENSE NO. 48558**

Licensee was present.

**It was moved and seconded to approve the renewal of license number 48558, Capitol Tile & Stone on a probationary status. Staff is to perform quarterly credit checks and report to the Board any late payments or money owing complaints. MOTION CARRIED.**

**8. APPLICATION HEARING:**

**STARLITE CONCRETE, INC.**

Applicant was present.

**It was moved and seconded to approve the license application (C-5 Concrete Contracting) with a \$50,000 monetary limit and a \$5,000 bond with a financial review upon renewal. MOTION CARRIED.**

**9. RENEWAL APPLICATION HEARING:**

**D R LEWIS**, LICENSE NO. 48094

Applicant was present.

**It was moved and seconded to approve the renewal of license number 48094, D R Lewis. MOTION CARRIED.**

**PUBLIC COMMENT:**

No one from the general public was present to speak for or against any items on the agenda.

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Chairman Schaefer at 10: 37 p.m.

Respectfully Submitted,

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Annette Hodges, Recording Secretary

APPROVED:

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Margi Grein, Executive Officer

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Randall Schaefer, Chairman

**ADJUDICATING BOARD MEMBER: JERRY HIGGINS**

**10. DISCIPLINARY HEARING:**

**WESTERN DESIGN & BUILDING, LICENSE NO. 15110**

Licensee was not present.

Hearing Officer Higgins found the respondent Western Design & Building, Norman Kenneth Schade, Partner, guilty of all causes of action. License number 15110, Western Design & Building, was Revoked, however, that revocation will be stayed for 30 days to allow Mr. Schade the opportunity to make restitution to the Ganis and to reimburse the Board for Investigative Costs of \$2,244. If restitution is not made and investigation cost are not paid within 30 days from February 10, 2004, license number 15110, Western Design & Building will be Revoked.

**11. DISCIPLINARY HEARING:**

**NORTHERN CALIFORNIA INLAND MATERIALS, LICENSE NO. 43728**

Licensee was present with counsel, Greg Dyer.

Jenamar Builders and the licensee reached a settlement agreement. Hearing Officer Higgins continued this matter for 90 days to insure that the repairs are completed and monetary issues are settled. The matter is to be brought back before Mr. Higgins for final disciplinary action in May of 2004.

**12. DISCIPLINARY HEARING - DEFAULT ORDER:**

**MOUNTAIN HIGH LANDSCAPE, LICENSE NO. 51050**

Licensee was not present.

It was moved and seconded to find respondent Mountain High Landscape, Blayne Ernest Eaton, Vice President, license number 51050, in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License number 51050, Mountain High Landscape, was Revoked. Mr. Eaton is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$1,239, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure. MOTION CARRIED.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Adjudicating Board Member Higgins at 1:08 p.m.

Respectfully Submitted,

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Annette Hodges, Recording Secretary

APPROVED:

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Margi Grein, Executive Officer

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Jerry Higgins, Adjudicating Board Member