

**MEMBERS**

MICHAEL ZECH  
*Chairman*  
DOUGLAS W. CARSON  
MARGARET CAVIN  
DAVID W. CLARK  
JERRY HIGGINS  
DENNIS K. JOHNSON  
RANDY SCHAEFER



**STATE CONTRACTORS' BOARD**

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**MINUTES OF THE MEETING  
MARCH 5, 2002**

**1. CALL TO ORDER:**

The meeting of the State Contractors' Board was called to order by Chairman Michael Zech at 8:48 a.m., Tuesday, March 5, 2002, State Contractors' Board, Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

**BOARD MEMBERS PRESENT:**

Mr. Mike Zech – Chairman  
Mr. Douglas W. Carson  
Ms. Margaret Cavin  
Mr. David W. Clark , participated by telephone for applications only.  
Mr. Jerry Higgins  
Mr. Dennis Johnson  
Mr. Randy Schaefer

**BOARD MEMBERS ABSENT:**

Mr. David W. Clark, as a result of acting as hearing officer for the Bottom Line Case

**STAFF MEMBERS PRESENT:**

Ms. Margi Grein, Executive Officer  
Mr. George Lyford, Director of Special Investigations  
Mr. Frank Torres, Deputy Director of Investigations  
Ms. Nancy Mathias, Licensing Administrator

**LEGAL COUNSEL PRESENT:**

Mr. Dennis Haney, Legal Counsel (Haney, Woloson & Mullins)  
Mr. David Reese, Legal Counsel (Cooke, Roberts & Reese)

Ms. Grein stated that Ron Carney had posted the agenda in compliance with the open meeting law on February 27, 2002 at the Washoe County Court House, Washoe County Library, and Reno City Hall. The agenda was also posted in both offices of the Board, Reno and Henderson, and on the Board's Internet web page.

It was learned there were 15 items on the amended agenda, each item of an emergency nature. In addition, Spanish Steps Owners Association Reconstruction Committee requested the advisory opinion be continued to the next Board meeting in Henderson, Nevada.

**MS. CAVIN MOVED TO HEAR THE AMENDED AGENDA.**

**MR. CARSON SECONDED THE MOTION.**

**THE MOTION CARRIED UNANIMOUSLY.**

**2.EXECUTIVE SESSION:**

**A. BOARD GOVERNANCE AND ADMINISTRATION:**

**1. SUBCOMMITTEE REPORT AND DISCUSSION:**

**A. STAFF ATTORNEY SEARCH:**

Ms. Grein informed the Board of two additional applicants.

Mr. Higgins informed the Board that applicants will be selected for interviews at the next Board meeting in Henderson.

**B. LICENSE CLASSIFICATIONS:**

Mr. Johnson informed the Board that the subcommittee is working on the license classifications and meetings are scheduled.

**C. TELECOMMUNICATIONS:**

This matter was continued.

**2. FINES AND PENALTY MATRIX:**

This matter was continued.

**B. FINANCIAL REVIEW 12-31-01:**

**1. CASH DISBURSEMENT AND TRANSFER JOURNALS 12-31-01:**

This matter was continued.

**2. EXPENDITURE APPROVAL:**

This matter was continued.

**3. EQUIPMENT:**

This matter was continued.

**C. EXECUTIVE OFFICER'S REPORT:**

**1. LEGAL REPRESENTATION AND PENDING CASE REPORT:**

This matter was continued.

**2. UPDATED REPORT ON INTERNAL CONTROL PROCEDURES:**

This matter was closed pursuant to NRS 241.030.

**MR. CARSON MOVED TO CLOSE THE MEETING TO THE PUBLIC IN ACCORDANCE WITH NRS 241.033 TO DISCUSS FINANCIAL MATTERS.**

**MR. JOHNSON SECONDED THE MOTION.**

**THE MOTION CARRIED.**

**MR. SCHAEFER MOVED TO REOPEN THE MEETING TO THE PUBLIC.**

**MR. HIGGINS SECONDED THE MOTION.**

**THE MOTION CARRIED.**

**3. ATTORNEY REPORT ON REVIEW OF RULES AND PRACTICE AND REGULATIONS PURSUANT TO NRS 233B.050(1)(D)(E):**

This matter was continued.

**4. FUTURE AGENDAS:**

Ms. Grein presented topics for future agendas to the Board.

**D. DEPARTMENT REPORTS, INCLUDING:**

**1. INVESTIGATIONS DIVISION:**

Mr. Frank Torres, Deputy Director of Investigations presented the aging report for the Reno Compliance and Criminal Investigations Departments.

**2. LICENSING DIVISION:**

This matter was continued.

**3. RECOVERY FUND CLAIMS:**

**1. FOLLMER CONTRACTING INC., # 40758**

No one from Follmer Contracting was present.

Mr. George Lyford, NSCB Director of Special Investigations informed the Board that the Residential Recovery Fund Committee met on December 17, 2001. The Committee recommended the homeowner be paid \$2,032.00 from the Residential Recovery Fund.

**MR. CARSON MOVED TO APPROVE THE RECOMMENDATION OF THE COMMITTEE.**

**MS. CAVIN SECONDED THE MOTION.**

**THE MOTION CARRIED.**

**2. CHRISTIANSEN POOLS, # 10682**

No one from Christiansen pools was present.

Mr. George Lyford, NSCB Director of Special Investigations informed the Board that the Residential Recovery Fund Committee met on December 17, 2001. The Committee recommended the homeowner be paid \$3,170.00 from the Residential Recovery Fund for liens filed against the property.

**MR. CARSON MOVED TO APPROVE THE RECOMMENDATION OF THE COMMITTEE.**

**MS. CAVIN SECONDED THE MOTION.**

**THE MOTION CARRIED.**

**4. STAFF UPDATE:**

**W.E. BANASZAK, # 40602 – STAFF UPDATE (CONTINUED FROM January 8, 2002)**

Mr. Torres informed the Board that Investigator Gary Hoid validated the complaint and issued a Notice to Correct for six workmanship items. Mr. Torres stated the Respondent has scheduled a time with the homeowner to commence the repairs. Mr. Torres will provide another update at the next Reno Board meeting.

**5. SETTLEMENT AGREEMENT:**

**ASPEN CONSTRUCTION, # 41800**

Dennis Haney, legal counsel for the board presented a proposed settlement for pending court case of Aspen Construction license 41800.

**MR. CARSON MOVED TO DIRECT FOR THE BOARD COUNSEL TO SETTLE THE COURT CASE IN ACCORDANCE WITH HIS RECOMMENDATION.**

**MS. CAVIN SECONDED THE MOTION.**

**THE MOTION CARRIED.**

**6. APPLICATION INTERVIEW:**

**MARTINEZ LANDSCAPE, (C-10 LANDSCAPE CONTRACTING) NEW APPLICATION**

Mr. Raul Martinez, Owner, Martinez Landscape; NSCB Licensing Supervisor, Ms. Kathy Stewart was present.

Ms. Stewart informed the Board that Mr. Martinez's application had been previously denied on December 4, 2001. His experience gained had been based on part time employment, however landscaping is seasonal and the majority of his experience in this field was acquired as a minor. A current financial statement dated March 2, 2002 had been provided.

Mr. Martinez stated he plans to perform residential landscape maintenance and landscaping of new residential tracks.

**MR. CARSON MOVED TO APPROVE MARTINEZ LANDSCAPE FOR A C-10 LANDSCAPE CONTRACTING LICENSE WITH A MONETARY LIMIT OF \$25,000.00 AND A BOND OF \$5,000.00; UPON COMPLETING THE APPLICATION PROCESS AND PASSING THE REQUIRED EXAM.**

**MR. JOHNSON SECONDED THE MOTION.**

**THE MOTION CARRIED.**

**7. DISCIPLINARY HEARING DEFAULT ORDERS:**

**1. NEVADA SUPERIOR PAINTING, #49348 – DISCIPLINARY HEARING – DEFAULT ORDER**

No one from Nevada Superior Painting was present.

The hearing was for possible violations of NRS 624.301(1); NRS 624.302(5); NRS 624.3013(5) as set forth in NAC 624.640(5); NRS 624.3013(4); and NRS 624.3013(3) pursuant to NRS 624.220 and 624.260 to 624.265.

The Notice of Hearing and Complaint was entered into the record as Exhibit #1.

**MR. HIGGINS MOVED TO ACCEPT THE FILE AS FINDINGS OF FACTS, CONCLUSIONS OF LAW; TO FIND NEVADA SUPERIOR PAINTING LICENSE # 49348 IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE # 49348 NEVADA SUPERIOR PAINTING; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND TO RECOVER THE INVESTIGATIVE COSTS OF \$1,174.00 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.**

**MS. CAVIN SECONDED THE MOTION.**

**THE MOTION CARRIED.**

**2. RUBY WEST CONSTRUCTION, # 45995 – DISCIPLINARY HEARING – DEFAULT ORDER**

No one from Ruby West Construction was present.

The hearing was for possible violations of NRS 624.3017(1); NRS 624.3012(5) as set forth in NAC 624.700(3)(a); NRS 624.3011(1)(b)(1); NRS 624.3012(2); NRS 624.3013(3) pursuant to NRS 624.220 and 624.260 to 624.265; NRS 624.3013(4); NRS 624.3013(5) and NRS 624.302(5).

The Notice of Hearing and Complaint was entered into the record as Exhibit #1.

**MS. CAVIN MOVED TO ACCEPT THE FILE AS FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND RUBY WEST CONSTRUCTION, LICENSE # 45995 IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE # 45995 RUBY WEST CONSTRUCTION; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND RECOVER THE INVESTIGATIVE COSTS OF \$3,070.00 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.**

**MR. HIGGINS SECONDED THE MOTION.**

**THE MOTION CARRIED.**

**8. ADVISORY OPINIONS:**

**1. LARRY SCHARMANN** – Mr. Larry Scharmman requested an Advisory Opinion concerning the licensing requirements for the installation of retractable screens.

Based upon the information provided, the Board opined that a contractors license would not be required to perform the installation of retractable screens.

**2. SPANISH STEPS OWNERS ASSOCIATION RECONSTRUCTION COMMITTEE** – Spanish Steps Owners Association Reconstruction Committee requested an Advisory Opinion concerning the license requirements for Matrix Construction Consulting Inc., to perform construction management.

This matter was continued to the next Board meeting on March 26, 2002 in Henderson Nevada.

**3. CLARK COUNTY SCHOOL DISTRICT** – Clark County School District requested an

Advisory Opinion concerning the licensing requirements for Demolition and Utility Relocation for Cambridge / Twain E.S. CCSD # 1467.

Based upon the information provided, the Board opined that a licensee holding an A (General Engineering) or AB (General Engineering and General Building) could perform the work described. A licensee holding an A-13 (Wrecking Buildings) classification could act as the prime contractor provided properly licensed subcontractors were hired to perform any work outside of the scope of the A-13 license.

**4. DESTEFANO FLOORING AND COATING** – Destefano Flooring and Coating license # 47876 requested an Advisory Opinion concerning the licensing requirements required to apply a decorative coating over pre-existing concrete slabs.

Based upon the information provided, the Board opined that a licensee holding a C16(a) (Floor Coverings) and C16(e) (Urethane Coatings) classification license could perform the work described.

**5. PETS SAFE SYSTEMS** – PetSafe Systems requested an Advisory Opinion concerning the licensing requirements for the installation of pet containment systems.

Based upon the information provided, the Board opined that a contractors license would not be required to perform the installation of the PetSafe pet containment systems.

Mr. Rob Bernhadi questioned the Board concerning the licensing requirements for the installation of Pet Doors and was advised a license would be required.

**6. JET STREAM CONSTRUCTION, INC.** – Clark County School District (CCSD Project No. 1508). Jet Stream Construction Inc. requested an Advisory Opinion concerning the licensing requirements for the installation of metal framing for exterior or bearing walls and hollow metal doors and window frames.

Based upon the information provided, the Board opined that a licensee holding a C-3 (Carpentry) or a C-4 (Painting and Decorating) classification license could perform the work required for Clark County School District Project No. 1508.

**7. BURKE ELECTRIC** – Burke Electric requested an Advisory Opinion concerning the licensing requirements for a subcontractor performing welding for the construction of an electrical generating plant.

Based upon the information provided, the Board opined that a licensee holding an A (General Engineering), AB (General Engineering and General Building) or A-17 (Lines to Transmit Electricity) classification license could perform the work described.

**8. SCHELL CREEK CONSTRUCTION** – Schell Creek Construction license #27297 requested an Advisory Opinion concerning the licensing requirements to conduct minor repairs and tenant improvements on the NDOT Carson City Building which is four stories tall.

Based upon the information provided, the Board opined that a full B (General Building ) license would be required to perform work on a four-story building.

The Board suggested that Schell Creek Construction license # 27297 B-2 (Residential and Small Commercial) apply to broaden his license to a B (General Building) license for tenant improvement only.

**9. NDOT** – The Nevada Department of Transportation requested an Advisory Opinion concerning the licensing requirements for the installation of solar panels and emergency

call boxes.

Based upon the information provided, the Board opined that a licensee holding a C-2 (Electrical) C-2(e) (Signal Systems) A (General Engineering) or AB (General Engineering and General Building) classification license could perform solar panel and emergency call box installation.

**9. INFORMAL SETTLEMENTS:**

**1. TRIMPACK, LLC., # 41082**

**MR. CARSON MOVED TO ACCEPT THE STIPULATED SETTLEMENT AGREEMENT; THAT THE RESPONDENT REIMBURSE THE BOARD FOR INVESTIGATIVE COSTS OF \$408.00 WITHIN 30 DAYS FROM THE DATE OF THE BOARD'S APPROVAL OF THE AGREEMENT; AND A WARNING LETTER BE PLACED IN THE RESPONDENT'S FILE FOR ONE YEAR.**

**MR. JOHNSON SECONDED THE MOTION.**

**THE MOTION CARRIED.**

**MS. CAVIN ABSTAINED.**

**2. PINECREST CONSTRUCTION & DEVELOPMENT, # 33629A**

**MR. CARSON MOVED TO ACCEPT THE STIPULATED SETTLEMENT AGREEMENT; THAT THE RESPONDENT SHALL PAY THE ADMINISTRATIVE FINE OF \$6,000.00; AND REIMBURSE THE BOARD FOR INVESTIGATIVE COSTS OF \$691.00 WITHIN 30 DAYS FROM THE BOARD'S APPROVAL OF THE AGREEMENT.**

**MR. JOHNSON SECONDED THE MOTION.**

**THE MOTION CARRIED.**

**MS. CAVIN ABSTAINED.**

**3. AL SHANKLE CONSTRUCTION, # 30674**

**MR. CARSON MOVED TO ACCEPT THE STIPULATED SETTLEMENT AGREEMENT; THAT A WARNING LETTER BE PLACED IN THE RESPONDENT'S FILE FOR ONE YEAR.**

**MR. JOHNSON SECONDED THE MOTION.**

**THE MOTION CARRIED.**

**MS. CAVIN ABSTAINED.**

**4. BAYMARR CONSTRUCTORS, # 417787**

**MR. CARSON MOVED TO ACCEPT THE STIPULATED SETTLEMENT AGREEMENT; THAT THE RESPONDENT REIMBURSE THE BOARD FOR INVESTIGATIVE COSTS OF \$653.00 WITHIN 30 DAYS FROM THE DATE OF THE BOARD'S APPROVAL OF THE AGREEMENT; AND A WARNING LETTER BE PLACED IN THE RESPONDENT'S FILE FOR ONE YEAR.**

**MR. JOHNSON SECONDED THE MOTION.**

**THE MOTION CARRIED.**

**MS. CAVIN ABSTAINED.**

**5. G B S CONSTRUCTION, # 49909 AND 49910**

**MR. CARSON MOVED TO ACCEPT THE STIPULATED SETTLEMENT AGREEMENT; THAT THE RESPONDENT REIMBURSE THE BOARD FOR INVESTIGATIVE COSTS OF \$617.00 WITHIN 30 DAYS FROM THE DATE OF THE BOARD'S APPROVAL OF THE AGREEMENT; AND A WARNING LETTER BE PLACED IN THE RESPONDENT'S FILE FOR ONE YEAR.**

**MR. JOHNSON SECONDED THE MOTION.**

**THE MOTION CARRIED.**

**MS. CAVIN ABSTAINED.**

**10. APPLICATIONS: (CLOSED MEETING PURSUANT TO NRS 241.030)**

**MR. CARSON MOVED TO CLOSE THE MEETING TO THE PUBLIC IN ACCORDANCE WITH NRS 241.033 TO DISCUSS FINANCIAL MATTERS.**

**MS. CAVIN SECONDED THE MOTION.**

**THE MOTION CARRIED.**

**KOCH ELECTRIC CO., (C-2 ELECTRICAL CONTRACTING) NEW APPLICATION**

Mr. Michael J. Koch, Owner Koch Electric was present. The Board informed Mr. Koch that the license application (C-2 Electrical Contracting) was approved with a monetary limit of \$25,000. and a bond of \$5,000. upon passing the required exam.

**DESERT BREEZE CONSTRUCTION, (B-2 RESIDENTIAL & SMALL COMMERCIAL) NEW APPLICATION**

Mr. Larry E. Rogers, Owner Desert Breeze Construction was present. The Board informed Mr. Rogers that the license application (B-2 Residential & Small Commercial) was approved with a monetary limit of \$200,000. and a bond of \$20,000.

The following applications on the agenda were reviewed and discussed: Nos. 2,3,4, 5, 6, 10, 12, 18, 19, 22, 23,24, 27, 28, 29, 30, 31, 42, 43, 46, 58, 62, 63, 64, 65, 66, 67, 69, 71, 72, 73, 74, 75, 90, 91, 95, 96, 97, 103, 111, 114, 117, 121, 123, 124, 125, 126, and 134.

The applications on the amended agenda were reviewed and discussed: Nos. 1, 2, 3, 6, 7, 10, 12, 14, and 15.

**MR. JOHNSON MOVED TO REOPEN THE MEETING TO THE PUBLIC.**

**MR. CARSON SECONDED THE MOTION.**

**THE MOTION CARRIED.**



**MS. CAVIN MOVED TO RATIFY ALL APPLICATIONS NOT SPECIFICALLY DISCUSSED IN CLOSED SESSION AS RECOMMENDED BY STAFF.**

**MR. JOHNSON SECONDED THE MOTION.**

**THE MOTION CARRIED.**

**11. PUBLIC COMMENT: (DISCUSSION ONLY)**

Mr. Hal Taylor, attorney was present and commented regarding cases in which access to the property of homeowners has become contentious.

**12. ADJOURNMENT:**

There being no further business to come before the Board, the meeting was adjourned by Chairman Zech at 11:30 a.m.

Respectfully Submitted,

Tammy Stewart, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Michael Zech, Chairman