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

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING APRIL 6, 2004

1. CALL TO ORDER:

Chairman Randall Schaefer called the meeting of the State Contractors Board to order at 8:22 a.m., Tuesday, April 6, 2004, 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. Gary Hoid, Deputy Director of Investigations, Reno
Mr. Daniel Hammack, Acting Deputy Director of Investigations, Henderson

LEGAL COUNSEL PRESENT:

Ms. Carolyn Broussard, Staff Attorney
Mr. Bruce Robb, Legal Counsel

It was moved and seconded to amend the agenda, adding applications 1 - 20 and continuing the D. W. Arnold hearing. **MOTION CARRIED.**

2. APPROVAL OF MINUTES: March 23, 2004

It was moved and seconded to approve the minutes of March 23, 2004. **MOTION CARRIED.**

3. 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.**

T B L CONSTRUCTION INCORPORATED, (B-2 RESIDENTIAL AND SMALL COMMERCIAL) NEW APPLICATION – REQUESTING WAIVER OF 30 DAY PROCESSING TIME

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.

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.

4. SUBCOMMITTEE REPORTS:

CONSTRUCTION MANAGEMENT SUBCOMMITTEE:

Ms. Grein provided a status report.

FINANCE SUBCOMMITTEE:

Ms. Grein requested a meeting with the committee.

5. BOARD GOVERNANCE AND ADMINISTRATION:

a. EXECUTIVE OFFICER' PROGRESS REPORT:

This matter was continued.

b. DEPARTMENTAL REPORTS:

INVESTIGATIONS DEPARTMENT:

Ms. Grein provided a statistical update on Administrative Citations and Recovery Fund claims.

LICENSING DEPARTMENT:

Ms. Grein provided a summary report for the Henderson and Reno Licensing Department.

PUBLIC RELATIONS AND EDUCATION:

Ms. Grein stated that a contractor's education seminar is scheduled for Saturday, April 10, 2004 at the Silver Legacy Casino in Reno, Nevada. Ms. Grein further stated that more educational seminars would be scheduled.

c. SOLARI AND STURMER LLC REPORT ON CASH RECEIPTS PROCEDURES DECEMBER 31,2003:

Ms. Grein updated the Board on the analysis of the cash receipts procedure completed by Solari and Sturmer LLC.

Ms. Mathias reported on the progress of the new computer database system.

d. DISCUSSION OF INVESTIGATIVE PROCEDURES:

This matter was continued.

e. DISCUSSION AND CONSIDERATION OF ADOPTION OF REGULATIONS:

1. LCB FILE NO. R158-03 – SECTION 12 SB 241:

It was moved and seconded to submit LCB File No. R158-03 as amended. MOTION CARRIED.

6. DISCIPLINARY HEARING: ADJUDICATING BOARD MEMBER: Mike Zech

NEVADA PLASTERING, INC., LICENSE NO. 48203 (CONTINUED FROM JANUARY 22, 2004, FEBRUARY 24, 2004, MARCH 9, 2004)

Licensee was present.

Hearing Officer Zech continued this matter to the May 4, 2004 Reno Board Meeting.

7. REQUEST FOR WAIVER OF REQUIREMENT TO POST BOND, PURSUANT TO NRS 624.270(7)(8):

TIMBERLINE POOLS & SPAS, INC., LICENSE NO. 55556

Licensee was present with counsel, Michael Springer.

It was moved and seconded to deny the request for waiver of requirement to post a payment and performance bond in accordance with NRS 624.270(7)(8). MOTION CARRIED.

8. LICENSE APPLICATION DENIAL:

PRECISION FLOORING:

Applicant was not present.

It was moved and seconded to confirm the original decision to deny the application of Precision Flooring. MOTION CARRIED.

9. DISCIPLINARY HEARING:

HOLMES CONSTRUCTION, LICENSE NO. 28706 (CONTINUED FROM SEPTEMBER 9, 2003)

Licensee was present with counsel, Shawn Oliphant.

It was moved and seconded to continue this matter to the August 10, 2004 Reno Board Meeting. MOTION CARRIED.

PUBLIC COMMENT:

Mr. Robert Portnoff commented on pool regulations and requested information on Blue Haven Pools,

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned by Chairman Schaefer at 10:59 a.m.

Respectfully Submitted,

Melinda Mertz, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Randall Schaefer, Chairman

ADJUDICATING BOARD MEMBER: Jerry Higgins

10. DISCIPLINARY HEARING:

JACK WHITE CUSTOM HOMES, LICENSE NO. 51635 (CONTINUED FROM JANUARY 5, 2004)

Licensee was represented by counsel, J. D. Sullivan.

Hearing Officer Higgins found the respondent Jack White Custom Homes, Jack Raymond White, President, license number 51635 guilty of the second, third, fourth, sixth, ninth, tenth, eleventh, twelfth and thirteenth cause of action and dismissed the first, fifth, seventh and eighth causes of action. Mr. White was assessed a fine of \$100.00 per cause of action totaling \$900.00. Investigative costs were assessed in the amount of \$1,300.00. Fine and costs are to be paid within 90 days from April 6, 2004 or license number 51635, Jack White Custom Homes will automatically be suspended.

11. DISCIPLINARY HEARING:

D W ARNOLD, LICENSE NO. 43866 (CONTINUED FROM JANUARY 6, 2004)

This matter was continued to the May 4, 2004 Reno Board Meeting.

12. DISCIPLINARY HEARING – DEFAULT ORDERS:

a. MIKENNIS MECHANICAL CONTRACTORS, INC., LICENSE NOS. 17653, 18860, 13734

Licensee was not present.

Hearing Officer Higgins found respondent Mikennis Mechanical Contractors, Inc., Dennis Allen Keife, President, license numbers 17653, 18860 and 13734, in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License numbers 17653, 18860 and 13734, Mikennis Mechanical Contractors, Inc., were Revoked. Mr. Keife is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$1,459.00, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

13. CUSTOM SCREEN & GLASS, INC., LICENSE NO. 13703
BAKER-MEAGHER CONSTRUCTION, LICENSE NO. 54667

Licensee was not present.

Hearing Officer Higgins found respondents Custom Screen & Glass, Inc., Edward Francis Meagher, President, license number 13703, and Baker-Meagher Construction, Edward Francis Meagher, Manager, license number 54667, in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License number 13703, Custom Screen & Glass, Inc. and license number 54667, Baker-Meagher Construction, were Revoked. Mr. Meagher is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$1,264.00, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned by Adjudicating Board Member Higgins at 1:03 p.m.

Respectfully Submitted,

Melinda Mertz, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Jerry Higgins, Adjudicating Board Member