

KENNY C. GUINN  
Governor

STATE OF NEVADA

REPLY TO:

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**MEMBERS**

MICHAEL ZECH  
*Chairman*  
DOUGLAS W. CARSON  
MARGARET CAVIN  
DAVID W. CLARK  
SPIRIDON FILIOS  
JERRY HIGGINS  
RANDY SCHAEFER

**STATE CONTRACTORS BOARD**

**MINUTES OF THE MEETING  
AUGUST 19, 2003**

**1. CALL TO ORDER**

Chairman Michael Zech called the meeting of the State Contractors Board to order at 8:38 a.m., Tuesday, August 19, 2003, State Contractors Board, Henderson, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

**BOARD MEMBERS PRESENT:**

Mr. Michael Zech - Chairman  
Mr. Douglas W. Carson  
Ms. Margaret Cavin  
Mr. Spiridon G. Filios  
Mr. Jerry Higgins  
Mr. Randy Schaefer

**BOARD MEMBERS ABSENT:**

Mr. David Clark

**STAFF MEMBERS PRESENT:**

Ms. Margi Grein, Executive Officer  
Ms. Nancy Mathias, Licensing Administrator  
Mr. George Lyford, Director of Investigations  
Mr. Chris Denning, Deputy Director of Investigations

**LEGAL COUNSEL PRESENT:**

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

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

**2. APPROVAL OF MINUTES** – AUGUST 5, 2003

**It was moved and seconded to approve the minutes of August 5, 2003. 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.**

**BOB BANG**, (C-3 C CABINETS AND MILLWORK) NEW APPLICATION, RECONSIDERATION

The application was approved with a \$15,000 monetary limit and a bond of \$5,000 with a financial statement

on renewal.

**COLE DRYWALL**, (C-4 C, E TAPING AND FINISHING; DRYWALL) NEW APPLICATION

The application was tabled for 60 days for applicant to furnish requested information.

**SERVA POOL**, (A-10 COMMERCIAL AND RESIDENTIAL POOLS) RENEWAL OF EXPIRED LICENSE, RECONSIDERATION, BOARD DECISION

The renewal was approved with a required payment and performance bond on each project and a financial statement on renewal for 2004.

**SERENITY LANDSCAPE AND DESIGN, INC.**, (C-10 LANDSCAPE CONTRACTING) NEW APPLICATION

The application was tabled for 90 days to allow the applicant the opportunity to obtain a new Qualified Employee.

The remainder of the applications on the agenda were reviewed by the Board.

**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. ADVISORY OPINION:**

**PRECISION BLASTING, INC.:**

Precision Blasting, Inc. requested an advisory opinion to determine if a contractors license was required to perform boiler deslagging with explosives at the Sierra Pacific Power Company's Valmy plant.

Based upon the information provided, the Board opined that a contractors license would not be required to perform the work.

**5. SUBCOMMITTEE REPORTS:**

**RECOVERY FUND SUBCOMMITTEE:**

Mr. George Lyford informed the Board that the next Recovery Fund Meeting was scheduled for September 23, 2003.

**CONSTRUCTION DEFECT SUBCOMMITTEE:**

Ms. Grein advised the Board that regulations to implement SB 241 are currently being drafted.

**FINANCE SUBCOMMITTEE:**

Ms. Grein provided an overview of the deposited funds and financials for the Board.

Ms. Mathias reported on the status of the Board's database study.

**6. EXECUTIVE SESSION:**

**a. APPROVAL OF EXECUTIVE OFFICER'S QUARTERLY REPORT FOR THE PERIOD ENDING JUNE 30, 2003:**

It was moved and seconded to approve the Executive Officer's Quarterly Report for the period of June 30, 2003. MOTION CARRIED.

**b. DEPARTMENT REPORTS:**

**HUMAN RESOURCES DEPARTMENT:**

Mr. Bart Thurgood, Human Resources Manager reported on the ongoing training of staff.

**LICENSING DEPARTMENT:**

Ms. Pat Potter, Licensing Supervisor, presented the aging report for the Las Vegas Licensing Department.

**INVESTIGATIONS DEPARTMENTS:**

Mr. Chris Denning, Deputy Director of Investigations, presented the aging report for the Las Vegas Compliance Investigations Department.

Mr. Roy Schoonmaker, Supervisor of the Special Investigations Unit, presented the aging report for the Las Vegas SIU Department.

**PUBLIC RELATIONS DEPARTMENT:**

Ms. Sonya Ruffin, Public Relations updated the Board on staffs' customer service training and future seminars to be conducted.

**7. INFORMAL SETTLEMENTS: RANDY SCHAEFER, BOARD MEMBER**

**a. SHORELINE ELECTRIC, INC., LICENSE NO. 42871A**

It was moved and seconded to accept the Stipulated Settlement Agreement. The Respondent is to reimburse the Board for Investigative Costs of \$359 within 30 days. MOTION CARRIED. Mr. Schaefer abstained.

**b. PRO HANDYMAN CORP., LICENSE NO. 50937**

It was moved and seconded to accept the Stipulated Settlement Agreement. A Warning Letter shall be placed in Respondent's license file. MOTION CARRIED. Mr. Schaefer abstained.

**c. GEORGE M. RAYMOND CO., LICENSE NO. 37659**

It was moved and seconded to accept the Stipulated Settlement Agreement. The Respondent shall pay an Administrative fine of \$1,500 and reimburse the Board for Investigative Costs of \$486 within 30 days. MOTION CARRIED. Mr. Schaefer abstained.

**d. NESCO CONSTRUCTION, LICENSE NO. 49052**

It was moved and seconded to accept the Stipulated Settlement Agreement. The Respondent shall pay an Administrative fine of \$1,000 and reimburse the Board for Investigative Costs of \$372 within 30 days. MOTION CARRIED. Mr. Schaefer abstained.

**e. SIERRA LANDSCAPE CONSTRUCTION, INC., LICENSE NOS. 38432A, 52457**

It was moved and seconded to accept the Stipulated Settlement Agreement. The Respondent shall pay an Administrative fine of \$1,000, plus an Administrative fine to the Residential Recovery Fund of \$100 and reimburse the Board for Investigative Costs of \$515 within 30 days. MOTION CARRIED. Mr. Schaefer abstained.

f. COMMERCIAL GENERAL, INC., LICENSE NO. 45522

It was moved and seconded to accept the Stipulated Settlement Agreement. The Respondent shall pay an Administrative fine of \$1,000 and reimburse the Board for Investigative Costs of \$608 within 30 days. MOTION CARRIED. Mr. Schaefer abstained.

8. DISCIPLINARY HEARING:

SOLANO DEVELOPMENT COMPANY, LTD., LICENSE NO. 50086 – CONTINUED FROM JUNE 3, 2003 AND AUGUST 5, 2003

Licensee was present along with counsel, Jim Spoo. A status update on the case was provided to the Board.

It was moved and seconded to postpone the final disposition of this matter to the September 9, 2003 Reno Board Hearing. MOTION CARRIED.

9. DISCIPLINARY HEARING:

SIERRASAGE, LLC, LICENSE NO. 52571 – CONTINUED FROM OCTOBER 1, 2002, OCTOBER 22, 2002, NOVEMBER 6, 2002, DECEMBER 4, 2002, JANUARY 7, 2003, JANUARY 28, 2003, FEBRUARY 11, 2003, MARCH 11, 2003, APRIL 8, 2003, MAY 6, 2003, JUNE 3, 2003, JUNE 19, 2003, JULY 8, 2003, JULY 22, 2003, AND AUGUST 5, 2003

Licensee was present. A status update on the case was provided to the Board.

It was moved and seconded to postpone the final disposition of this matter to the September 9, 2003 Reno Board Hearing. MOTION CARRIED.

10. 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 Zech at 11:25 a.m.

Respectfully Submitted,

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Melinda Mertz, Recording Secretary

APPROVED:

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Margi Grein, Executive Officer

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Michael Zech, Chairman

ADJUDICATING BOARD MEMBER: MICHAEL ZECH

11. DISCIPLINARY HEARING:

SUN SHINE FLOOR WINDOW & DESIGN GALLERY, LICENSE NOS. 49900, 49902 AND BEST INSTALLATION TILE & MARBLE, INC., LICENSE NOS. 51435, 51436 – CONTINUED FROM JUNE 17, 2003 AND JULY 22, 2003

Licensee was present.

Respondent had been found guilty of all nine causes of action on June 17, 2003.

Hearing Officer Zech assessed a fine of \$1,000 per cause of action for a total of \$9,000, which will be stayed as long as the Respondent does not come before the Board for one year. If the Respondent is brought before the Board within the next year, the \$9,000 fine will be payable within 60 days. Investigative Costs of \$2,979 were assessed payable within 90 days. A one-year letter of Reprimand shall be placed in the Respondent's file.

Respectfully Submitted,

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Melinda Mertz, Recording Secretary

APPROVED:

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Margi Grein, Executive Officer

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Michael Zech, Adjudicating Board Member

ADJUDICATING BOARD MEMBER: DOUGLAS CARSON

12. DISCIPLINARY HEARING:

ENVIRONMENT FOR LIVING, INC., LICENSE NO. 36692 – CONTINUED FROM MARCH 25, 2003

Licensee was not present, but was represented by attorney Keith Gregory.

Hearing Officer Carson found Environment for Living, Inc., license number 36692 guilty of the second, third and fourth causes of action and dismissed the first cause of action. A \$500 fine was assessed for each cause of action for a total of \$1,500, plus Investigative Costs of \$3,000. Fine and costs must be paid within 90 days or the license will automatically be suspended.

13. DISCIPLINARY RECONSIDERATION:

IMAGE POOLS AND SPAS, LICENSE NO. 46292

Licensee was not present.

Hearing Officer Carson found Richard Traub, dba Image Pools and Spas, license number 46292 guilty of all causes of action. License number 46292, Image Pools and Spas, was Revoked. A fine of \$1,000 per cause of action was assessed for a total of \$8,000, plus Investigative Costs of \$3,119. Respondent is required to pay full restitution to the damaged parties plus fines and Investigative Costs and any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

14. DISCIPLINARY HEARING:

ERRETT CONSTRUCTION, LICENSE NO. 47819

Licensee was not present.

Hearing Officer Carson found Les Alan Errett, dba Errett Construction, license number 47819 guilty of all causes of action. License number 47819, Errett Construction was Revoked. A fine of \$500 per cause of action was assessed for a total of \$5,000, plus Investigative Costs of \$2,071. Respondent is required to pay full restitution to the damaged parties plus fines and costs and any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

15. DISCIPLINARY HEARING:

NEIGHBORHOOD ROOFING, LLC, LICENSE NO. 47871 AND  
NEIGHBORHOOD LANDSCAPE DESIGN, LLC, LICENSE NOS. 53852, 53853

Licensee was not present.

Hearing Officer Carson found Neighborhood Roofing, LLC, license number 47871 and Neighborhood Landscape Design, LLC, license numbers 53852 and 53853 guilty of the first, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth and fourteenth causes of action and dismissed the second and thirteenth causes of action. License number 47871, Neighborhood Roofing, LLC and license numbers 53852 and 53853, Neighborhood Landscape Design, LLC were Revoked. Neighborhood Landscape Design, LLC is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$2,361, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

16. DISCIPLINARY HEARING:

SCOTT D. PACKARD CONSTRUCTION, LICENSE NO. 42791

Licensee was present.

Hearing Officer Carson found Scott David Packard, dba Scott D. Packard Construction, license number 42791 guilty of all causes of action. A fine was assessed of \$500 per violation for a total of \$3,000, plus Investigative Costs of \$1,311. License number 42791, Scott D. Packard Construction will be suspended by Board Action for a period of six months for Respondent to pay fine and costs and to reactivate the license. If the Respondent does not reactivate the license within six months it will automatically be Revoked.

**17. DISCIPLINARY HEARING:**

**QUALITY IRON**, LICENSE NO. 44810

Licensee was present.

Hearing Officer Carson found Quality Iron, license number 44810 guilty of all causes of action. A fine of \$1,500 was assessed for the first and second causes of action, a fine of \$250 was assessed for the third cause of action and a \$100 fine was assessed for the fourth cause of action for a total of \$3,350, plus Investigative Costs of \$1,956. The fine and costs must be paid within 120 days or the license will automatically be suspended. A three-month suspension is stayed for license number 44810 provided there are no additional workmanship complaints brought before the Board in the next 12 months.

**18. DISCIPLINARY HEARING:**

**DEL MAR BUILDERS**, LICENSE NO. 45430

**LINDA LEE FREI, DBA SUN WEST AIR CONDITIONING**, LICENSE NO. 43403

**GEOFFREY B. SHAW, DBA SILVER CITY A C**, LICENSE NO. 25808

**GEOFFREY B. SHAW, DBA SILVER CITY CONSTRUCTION**, LICENSE NO. 13923

Licensee was present.

Hearing Officer Carson found Del Mar Builders, license number 45430 and Linda Lee Frei, dba Sun West Air Conditioning, license number 43403 guilty of all causes of action. License number 45430, Del Mar Builders and license number 43403, Sun West Air Conditioning was Revoked. Ms. Frei is required to pay full restitution to the damaged parties and reimburse the Board for any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure. Hearing Officer Carson found Geoffrey Shaw, dba Silver City A C, license number 25808 and dba Silver City Construction, license number 13923 guilty of the thirteenth cause of action. Geoffrey Shaw was assessed Investigative Costs of \$2,000 to be paid within 90 days or license numbers 25808 and 13923 will be suspended.

**18. DISCIPLINARY HEARING – DEFAULT ORDERS:**

**a. LINDA LEE FREI, DBA SUN WEST AIR CONDITIONING**, LICENSE NO. 43403

**DEL MAR BUILDERS**, LICENSE NO. 45430

**RONNIE LYNN PAULSON, DBA RONNIE PAULSON AIR CONDITIONING**, LICENSE NO. 46227

Licensee was not present.

Hearing Officer Carson found respondent Linda Lee Frei, dba Sun West Air Conditioning, license number 43403, Del Mar Builders, license number 45430, Linda Lee Frei, Partner and Ronnie Lynn Paulson, dba Ronnie Paulson Air Conditioning, license number 46227 in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License number 43403, Sun West Air Conditioning, license number 45430, Del Mar Builders, and license number 46227, Ronnie Paulson Air Conditioning, were Revoked. The Respondents are required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$2,406, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

**b. SURFACE ART SPECIALTIES, INC.**, LICENSE NO. 53303  
**UNION CONTRACTING**, LICENSE NO. 37086  
**UNION ROOFING AND CONTRACTING**, LICENSE NO. 37201  
**UNION CONSTRUCTION COMPANY**, LICENSE NO. 39720  
**TRIPLE CROWN CONSTRUCTION**, LICENSE NO. 53096

Licensee was not present.

Hearing Officer Carson found respondent John Ronald Niles, dba Surface Art Specialties, license number 53303, dba Union Contracting, license number 37086, dba Union Roofing and Contracting, license number 37201, dba Union Construction Company, license number 39720, and dba Triple Crown Construction, license number 53096, in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License number 53303, Surface Art Specialties, license number 37086, Union Contracting, license number 37201, Union Construction Company, license number 39720, Union Construction Company, and license number 53096, Triple Crown Construction were Revoked. Mr. Niles is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$1,338, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

**c. ROCK HARD MASONRY**, LICENSE NO. 46878  
**ROCK HARD CONCRETE**, LICENSE NO. 44625A

Licensee was not present.

Hearing Officer Carson found respondent Moller, Inc., dba Rock Hard Masonry, Dennis McDowell, President, license number 46878 and Moller, Inc., dba Rock Hard Concrete, Dennis McDowell, President, license number 44625A, in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License number 46878, Rock Hard Masonry and license number 44625A, Rock Hard Concrete, were Revoked. Mr. McDowell is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$1,613, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

**d. NOBLE PACIFIC CONSTRUCTION COMPANY, INC.**, LICENSE NO. 46538

Licensee was not present.

Hearing Officer Carson found respondent Noble Pacific Construction Company, Inc., Michael Stanhope, President, license number 46538, in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License number 46538, Noble Pacific Construction Company, Inc., was Revoked. Mr. Stanhope is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$1,101, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

**e. WESTPHALL CONSTRUCTION CO., INC.**, LICENSE NOS. 30731B, 30731C, 41429

Licensee was not present.

Hearing Officer Carson found respondent Westphall Construction Co., Inc., Bradley Dean Westphall, President, license number 30731B, 30731C and 41429, in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License numbers 30731B, 30731C and 41429, Westphall Construction Co., Inc., were Revoked. Mr. Westphall is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$1,171, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

f. MARTIN ASSOCIATES CONSTRUCTION, LICENSE NO. 52600  
T C E LIMITED LIABILITY COMPANY, dba MARTIN ASSOCIATES CONSTRUCTION, LICENSE NO. 53200

Licensee was not present.

Hearing Officer Carson found respondent Martin Associates Construction, Todd Chaffee Eggleston, Member, license number 52600 and T C E Limited Liability Company, dba Martin Associates Construction, Todd Chaffee Eggleston, Member, license number 53200, in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License numbers 52600 and 53200, Martin Associates Construction, were Revoked. Mr. Eggleston is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$4,082, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

g. COX MASONRY, LICENSE NO. 48622

Licensee was not present.

Hearing Officer Carson found respondent Cox Construction Corporation, dba Cox Masonry, Brian Lee Cox, President, license number 48622, in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License number 48622, Cox Masonry, was Revoked. Mr. Cox is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$1,374, 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 Carson at 5:03 p.m.

Respectfully Submitted,

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Melinda Mertz, Recording Secretary

APPROVED:

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Margi Grein, Executive Officer

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Douglas Carson, Adjudicating Board Member