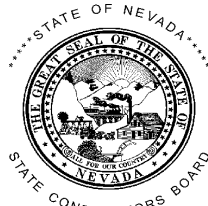


KENNY C. GUINN
Governor

STATE OF NEVADA



REPLY TO:

LAS VEGAS

2310 Corporate Circle
Suite 200
Henderson, Nevada 89074
(702) 486-1100
Fax (702) 486-1190
Investigations (702) 486-1110

www.nscb.state.nv.us

RENO

9670 Gateway Drive, Suite 100
Reno, Nevada 89521
(775) 688-1141
Fax (775) 688-1271
Investigations (775) 688-1150

MEMBERS

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

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING OCTOBER 28, 2003

1. CALL TO ORDER

Chairman Michael Zech called the meeting of the State Contractors Board to order at 8:33 a.m., Tuesday, October 28, 2003, 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. Michael Zech - Chairman
Mr. Douglas W. Carson
Ms. Margaret Cavin
Mr. David Clark
Mr. Spiridon G. Filios
Mr. Jerry Higgins
Mr. Randy Schaefer

BOARD MEMBERS ABSENT:

None

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
Mr. Gary Hoid, Deputy Director of Investigations

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 – October 7, 2003

It was moved and seconded to approve the minutes of October 7, 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.

JEFF JORDAN (C-5 A CONCRETE POURING) NEW APPLICATION

Applicant was present. The application was tabled.

M & M RENOVATORS, LLC (B-2 RESIDENTIAL AND SMALL COMMERCIAL) NEW APPLICATION

Applicant was present. The application was approved.

R & J STEEL, LLC (C-14 A, B REINFORCING/STRUCTURAL STEEL) NEW APPLICATION

Applicant was present. The application was approved.

PHOENIX PROPERTIES & DEVELOPMENT, LLC (B-2 RESIDENTIAL AND SMALL COMMERCIAL) NEW APPLICATION

Applicant was present. The application was approved on a probationary status.

REDCO CONSTRUCTION, INC. (B-S RESIDENTIAL AND SMALL COMMERCIAL) CHANGE OF QUALIFIER, REQUESTING WAIVER OF EXAMS.

Applicant was present. The application was approved.

TRIDENT CONSTRUCTION CORP. (B GENERAL BUILDING) NAME SIMILARITY – BOARD DECISION

Applicant was present with counsel, Charles Clawson. The Board denied the applicants' request for reconsideration of name change.

VEGAS VALLEY GENERAL CONTRACTING, LLC (B-2 RESIDENTIAL AND SMALL COMMERCIAL; C-10 LANDSCAPE CONTRACTING; C-5 CONCRETE CONTRACTING) NEW APPLICATIONS – NAME SIMILARITY

Applicant was present. The applications were approved.

AUGUSTA DEVELOPMENT GROUP, INC. (B-2 RESIDENTIAL AND SMALL COMMERCIAL; C-3 CARPENTRY) NEW APPLICATIONS

Applicant was present. The applications were approved.

E B HOMES & CONSTRUCTION (B-2 RESIDENTIAL AND SMALL COMMERCIAL) NEW APPLICATION, NAME SIMILARITY

Applicant was present. The application was approved.

CONTE DEVELOPMENT CORPORATION (B-2 RESIDENTIAL AND SMALL COMMERCIAL) RAISE IN LIMIT

Licensee was present. The application was approved.

NOR CAL COOLING TOWER SERVICES (C-21 F CHILLED WATER) NEW APPLICATION, RECONSIDERATION OF CLASSIFICATION

Applicant was present. The application was approved.

SILVER STATE IRON (C-14 C ORNAMENTAL METAL) NAME SIMILARITY, BOARD DECISION

Applicant was present. The application was approved.

ADVANCED PAINTING AND DRYWALL (C-3 CARPENTRY; C-4 PAINTING AND DECORATING) NEW APPLICATIONS

Applicant was present. The applications were approved.

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:

Ms. Grein advised the Board that the Construction Management Subcommittee meet with the Board and Architecture, and Board of Registered and Profession Engineers on October 27, 2003 to discuss proposed language to clarify construction management activities.

5. EXECUTIVE SESSION:

a. EXECUTIVE OFFICER'S PROGRESS REPORT:

Ms. Grein reported on upcoming regulation hearings.

b. APPROVAL OF EXECUTIVE OFFICER'S QUARTERLY REPORT FOR PERIOD ENDING 09/30/03:

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

c. APPROVAL OF CASH DISBURSEMENTS AND TRANSFER JOURNAL 07/01/03 TO 09/30/03:

It was moved and seconded to approve the cash disbursements and transfer journal from July 1, 2003, through September 30, 2003. MOTION CARRIED.

d. FINAL ADOPTION OF ADMINISTRATIVE REGULATIONS:

1. LCB FILE NO. R117-03 (FINGERPRINT FEE AND TIME PERIOD FOR REAPPLYING TO TAKE AN EXAMINATION):

It was moved and seconded to adopt the administrative regulation LCB File No. R117-03. MOTION CARRIED.

2. LCB FILE NO. R047-03 (OWNER BUILDER EXEMPTION):

It was moved and seconded to adopt the administrative regulation LCB File No. R047-03. MOTION CARRIED.

3. LCB FILE NO. R048-03 (PHOTOVOLTAIC SUB-CLASSIFICATION AND ENTITY CONVERSION FEE):

It was moved and seconded to adopt the administrative regulation LCB File No. R048-03. MOTION CARRIED.

4. LCB FILE NO. R054-03 (LICENSE CLASSIFICATIONS C-5, C-32, C-34 AND C-35 AS A FINAL REGULATION):

It was moved and seconded to adopt the administrative regulation LCB File No. R054-03. MOTION CARRIED.

e. DISCUSSION PROPOSED CHANGES TO NAC 624.280 CLASSIFICATION C-10, NOTICE FOR PUBLIC WORKSHOP AND HEARING:

It was moved and seconded to commence regulation hearings on the proposed changes to NAC 624.280, license classification C-10. MOTION CARRIED.

f. DISCUSSION OF PROPOSED AMENDMENTS TO NAC 624.750-NAC 624.770 (RESIDENTIAL RECOVERY FUND) AND NAC 624.6975-NAC 624.7296 (RULES OF PRACTICE FOR DISCIPLINARY HEARINGS); NOTICE FOR PUBLIC WORKSHOP AND HEARING:

It was moved and seconded to commence regulation hearings concerning the proposed changes to NAC 624.750-624.770, Residential Recovery Fund and NAC 624.6975-624.7296, Rules of Practice for Disciplinary Hearings. MOTION CARRIED.

g. PROPOSED HEARING OFFICER SCHEDULE FOR 2004:

The Board reviewed the 2004 Hearing Officer schedule.

h. CONTINUING EDUCATION PROGRAM FOR CONTRACTORS:

Ms. Grein provided an informational booklet to the Board and stated that this material would be included in the Board's strategic planning meeting. Ms. Grein informed the Board that another educational seminar was planned for December 2, 2003. Mr. Dennis Haney would be conducting the seminar.

i. DEPARTMENTAL REPORTS:

HUMAN RESOURCES:

Mr. Bart Thurgood, Human Resources Manager, introduced new employees and reviewed staff activities with the Board.

6. RECOVERY FUND:

DISCUSSION – JAMES AND CAROL BELMONT'S RESIDENTIAL RECOVERY FUND CLAIM NO. L-9112-033-RF:

This matter was continued to the November 25, 2003 Henderson Board Meeting.

7. LEGAL DISCUSSION: (CLOSED SESSION)

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

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

It was moved and seconded to not stipulate to any modifications in the revocation of the licenses of SierraSage, LLC and Solano Development Company, LTD. MOTION CARRIED.

8. APPLICATION INTERVIEW:

SIERRA STUCCO, INC.

The applicant was present. The application was approved with a monetary limit of \$75,000 and a bond of \$10,000.

9. APPLICATION HEARING:

SOUTHWEST AWNINGS, LLC

The applicant was present. The application was approved with a monetary limit of \$20,000 and a bond of \$10,000.

10. FINANCIAL REVIEW HEARING:

FLOOR SPECIALIST, INC. dba SPECIALIZED FLOORING, LICENSE NO. 44466A

The Respondent was present with counsel, Keith Gregory. This matter was continued for 120 days.

11. REHEARING:

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

The Respondent was present with counsel, Mike Pontoni.

It was moved and seconded to dismiss all causes of action against Westphall Construction Co., Inc., license numbers 30731B, 30731C, and 41429 and to reinstate license numbers 30731B and 30731C. A current financial statement is due by February 15, 2003. MOTION CARRIED.

12. 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 12:37 p.m.

Respectfully Submitted,

Melinda Mertz, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Michael Zech, Chairman

DISCIPLINARY HEARINGS: ADJUDICATING BOARD MEMBER MARGARET CAVIN

13. DISCIPLINARY HEARING: (CONTINUED FROM OCTOBER 7, 2003)

CARLO FIORI, LICENSE NO. 43455

This matter was continued.

Respectfully Submitted,

Melinda Mertz, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Margaret Cavin, Adjudicating Board Member

DISCIPLINARY HEARINGS: ADJUDICATING BOARD MEMBER RANDY SCHAEFER

14. DISCIPLINARY HEARING:

C A S LANDSCAPING, LICENSE NO. 47639

Licensee was present with counsel, Keith Gregory.

Hearing Officer Schaefer found the respondent C A S Landscaping, Craig Fuller, Partner, license number 47639, guilty of all causes of action. Mr. Fuller was assessed a fine of \$500 per cause of action for a total of \$1,000. Investigative costs were assessed in the amount of \$1,718. The fine and costs are to be paid within 60 days from October 28, 2003 or license number 47639, C A S Landscaping will automatically be suspended. A current financial statement is to be furnished within 30 days from October 28, 2003 or license number 47639, C A S Landscaping will automatically be suspended.

15. DISCIPLINARY HEARING:

AMERICAN FIRE AND ELECTRIC, LICENSE NOS. 36762 AND 36942

Licensee was present with counsel, Keith Gregory.

Hearing Officer Schaefer dismissed all causes of action against the respondent American Fire and Electric, Glen Marx, President, license numbers 36762 and 36942.

16. DISCIPLINARY HEARING:

ICON CONSTRUCTION, INC., LICENSE NO. 43463 AND
R & G ASSOCIATES DEVELOPMENT, LLC, LICENSE NO. 53082

This matter was resolved prior to the October 28, 2003 Board meeting. The case was withdrawn by the Executive Officer.

17. DISCIPLINARY HEARING:

BACKYARDS OF AMERICA, LLC, LICENSE NO. 51395 AND
FLAMINGO POOLS AND LANDSCAPING, LLC, LICENSE NOS. 52743, 52744

Licensee was not present.

Hearing Officer Schaefer found the respondent Backyards of America, LLC, Marcus Alam Wellington, Manager, license number 51395 and Flamingo Pools and Landscaping, LLC, Marcus Alam Wellington, Member, license numbers 52743 and 52744 guilty of all causes of action. License number 51395, Backyards of America, LLC and license numbers 52743 and 52744, Flamingo Pools and Landscaping, LLC were Revoked. Mr. Wellington was assessed a fine of \$5,000. Investigative costs were assessed in the amount of \$3,528. Mr. Wellington is required to pay full restitution to the damaged parties plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

18. DISCIPLINARY HEARING:

PREMIER PLUMBING, LLC dba PLUMBERS.COM, LICENSE NO. 50031 AND
SACOR DEVELOPMENT, INC., LICENSE NO. 51932

Licensee was present.

Hearing Officer Schaefer continued this matter to the November 12, 2003 Reno Board meeting. Licensee is to complete the project by November 10, 2003.

19. DISCIPLINARY HEARING:**TRIANGLE CONSTRUCTION, INC., LICENSE NO. 32494**

Licensee was present with counsel, Brian Berman.

Hearing Officer Schaefer continued this matter to the November 25, 2003 Henderson Board meeting. Licensee is to hire a properly licensed contractor to complete the validated items listed in the Board's Complaint. Investigator Welch is to give a status update at the November 12, 2003 Reno Board meeting.

20. DISCIPLINARY HEARING – DEFAULT ORDERS:**a. S & G CONCRETE SPECIALISTS, INC., LICENSE NO. 53605**

Licensee was not present.

Hearing Officer Schaefer found respondent S & G Concrete Specialists, Inc., Steven Roy Graham, President, license number 53605, in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License number 53605, S & G Concrete Specialists, Inc., was Revoked. Mr. Graham is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$1,757, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

b. BIOSCAPE SYSTEMS, INC., LICENSE NO. 43542

Licensee was not present.

Hearing Officer Schaefer found respondent Bioscape Systems, Inc., Gregory Allan Klund, President, license number 43542, in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License number 43542, Bioscape Systems, Inc., was Revoked. Mr. Klund is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$1,473, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

c. VISIONSCAPES, LICENSE NO. 42780

Licensee was not present.

Hearing Officer Schaefer found respondent Daryl Bryan Hanna, dba Visionscapes, license number 42780, in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License number 42780, Daryl Bryan Hanna, dba Visionscapes, was Revoked. Mr. Hanna is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$2,109, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

d. STEFFEN POOLS, LLC, A NEVADA LIMITED LIABILITY CO., LICENSE NO. 49107

Licensee was not present.

Hearing Officer Schaefer found respondent Steffen Pools, LLC, A Nevada Limited Liability Co., Robert Steffen, Manager, license number 49107, in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License number 49107, Steffen Pools, LLC, A Nevada Limited Liability Co., was Revoked. Mr. Steffen is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$1,302, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

e. ROBERT DILLON FRAMING, INC., LICENSE NO. 45613

Licensee was not present.

Hearing Officer Schaefer found respondent Robert Dillon Framing, Inc., Robert James Dillon, Sr., President, license number 45613, in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License number 45613, Robert Dillon Framing, Inc., was Revoked. Mr. Dillon is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$1,046, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

f. VALLEY CLASSICS, INC., LICENSE NO. 49032

Licensee was not present.

Hearing Officer Schaefer found respondent Valley Classics, Inc., Gene Paul Wolcott, President, license number 49032, in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License number 49032, Valley Classics, Inc., was Revoked. Mr. Wolcott is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$1,013, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

21. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Adjudicating Board Member Schaefer at 3:50 p.m.

Respectfully Submitted,

Melinda Mertz, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Randy Schaefer, Adjudicating Board Member