

KENNY C. GUINN
Governor

STATE OF NEVADA

REPLY TO:

MEMBERS

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



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STATE CONTRACTORS' BOARD

MINUTES OF THE MEETING
NOVEMBER 20, 2001

The meeting of the State Contractors' Board was called to order by Chairman Kim Gregory at 8:20 a.m., Tuesday, November 20, 2001, State Contractors' Board, Las Vegas, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Mr. Kim Gregory - Chairman
Mr. Douglas W. Carson
Ms. Margaret Cavin
Mr. Jerry Higgins
Mr. Dennis Johnson
Mr. Randy Schaefer
Mr. Mike Zech

BOARD MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Robert Griffy, Legal Counsel (Haney, Woloson & Mullins)
Mr. David Reese, Legal Counsel (Cooke, Roberts & Reese)
Ms. Nancy Mathias, Licensing Administrator
Mr. George Lyford, Director of Special Investigations Unit
Mr. Chris Denning, Interim Deputy Director of Investigations
Mr. Roy Schoonmaker, Supervisor, Criminal Investigations
Ms. Pat Potter, Licensing Supervisor
Mr. Greg Mincheff, Supervisor - Investigations
Mr. Ron Ramsey, Supervisor - Investigations
Mr. Jim Ables, Investigator
Mr. Bob Macke, Investigator
Mr. Greg Welch, Investigator
Mr. Tom Lawrence, Investigator
Mr. Troy Beaver, Investigator
Mr. Jerry McGill, Investigator
Ms. Susie Kiger, Legal Assistant
Ms. Sonya Ruffin, Public Relations
Ms. Mary Ann Enbody, License Analyst
Ms. Lisa Bedsole, License Analyst
Mr. Bart Thurgood, Human Resources Manager
Ms. Melinda Mertz, Recording Secretary

OTHERS PRESENT:

Kristine Fluker, Court Reporter, Laurie Webb and Associates; Ms. Shabnam Tajik,

Homeowner; Mr. Jim Sanderson; Mr. Nik Skrinjaric, Attorney; Mr. Ed Webb, Ed Webb Development; Mr. John Webb, Ed Webb Development; Mr. Robert Lockwood, Owner, Arwoods Kitchens; Mr. Michael Loya, Owner, ADA Compliance; Mr. Troy Baker, Attorney, Troy A. Baker Esquire; Ms. Patricia Polling; Mr. Paul Weyer, Weyer Custom Homes; Mr. Michael Wells, Qualified Employee, ADA Compliance Corp.; Mr. Jeff Rozycki, Owner, NVS Construction; Mr. Shane Murphy, President, Vegas Valley Fire Design, Inc.; Ms. Sandra Schmidt, President, Enviro Tech Products and Services, Inc.; Mr. Brian Baker, QE/President, Extreme Electric; Mr. Gerald Tabor, Owner, J T Garage Door; Ms. Kelly Sagona, Owner, Blue Lagoon Pools Contractors; Ms. Nancy Sagona, Qualified Employee, Blue Haven Pools Contractors; Mr. Billy Colson, Owner, B R Colson Construction; Mr. Richard Shea, Owner, Morris Shea Bridge Co., Inc.; Mark Orshoski, Qualified Employee, TDC Construction; Mr. Scott Ludian, President, Desert Wind Investments, Inc.; Mr. Gary Radmall, Owner, Conrad Construction, Inc.; Mr. Frank Hall, President, Capital Builders and Development, Inc.; Mr. Lawrence Penner, Qualified Employee, LeBlanc Broadcast, Inc.; Mr. Scott Bekemeyer, President, Desert Fire Protection; Mr. Michael Reiff, President, BJ's Glass-N-Mirror; Ms. Paula Barrera; Mr. Kevin Robinson, President, Yukon Air Inc.; Ms. Lori Ashton, Representative, SW Regional Council of Carpenters; Mt. John Vinzant, President, Vinzants Plastering; Mr. Keith Maris, Keith Maris Paint & Drywall; Mr. William Palmer, Progressive Pools, Inc.; Ms. Robyn Brooks; Ms. Paula Barrera, Nevada Concrete; Mr. Tom Laskowski, Owner, Laskowski Construction; Ms Diana Brown, Secretary/Treasurer, Granite Options; Mr. Daniel Daffer, President Pahrump Concrete, Inc.; Mr. Ross Jett, Homeowner; Ms. Gail Maxwell, Chief Investigator, Labor Commission; Mr. Chris Jones, President, Paradise Carpets; Mr. Peter Cicchetti, President, Empire Roofing Inc.; Mr. Richard Wenzl, Qualified Employee, Cheyenne Steel Co., Inc.; Mr. Keith Gregory, Attorney.

Ms. Grein stated that Jerry McGill had posted the agenda in compliance with the open meeting law on November 14, 2001, at the Sawyer State Building, Clark County Library, and Las Vegas City Hall. Additionally, the agenda had been posted in each office of the Board, Las Vegas and Reno, and on the Board's Internet web site.

Ms. Grein stated that Collins Power Service has requested an Advisory Opinion from the Board.

It was learned there were 28 items on the amended agenda, each item of an emergency nature.

MS. CAVIN MOVED TO HEAR THE AMENDED AGENDA.

MR. ZECH SECONDED THE MOTION.

THE MOTION CARRIED.

Mr. Gregory called for a motion to approve the minutes of October 23 and 24, 2001 and November 2, 2001.

MR. HIGGINS MOVED TO APPROVE THE MINUTES OF OCTOBER 23 AND 24, 2001 AND NOVEMBER 2, 2001.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

SETTLEMENT AGREEMENTS

The Enforcement Advisory Committee, consisting of Mr. Doug Carson, Board Member; Ms. Margi Grein, Executive Officer; Mr. George Lyford, Director of Special Investigations Unit; Mr. Chris Denning, Interim Deputy Director of Investigations; and Mr. Greg Mincheff,

Supervisor – Investigations met in Las Vegas on Tuesday, October 11, 2001, to review the following cases.

SMART POOLS, INC., #40768A

The Enforcement Advisory Committee recommended the Respondent pay an administrative fine of \$4,000.00 within 45 days from the date of the Board's approval of the agreement; shall submit all contracts from July 1, 2001 through February 28, 2002 to NCSB Investigator Greg Welch for compliance review; and a warning letter be placed in the Respondent's file. The Respondent accepted the terms.

MR. ZECH MOVED TO ACCEPT THE STIPULATED SETTLEMENT.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

KAMRAN AND COMPANY, INC., #42022

The Committee recommended the Respondent reimburse the Board for investigative costs of \$300.00 within 60 days from the date of the Board's approval of the agreement and that a warning letter be placed in the Respondent's file. The Respondent accepted the terms.

MR. ZECH MOVED TO ACCEPT THE STIPULATED SETTLEMENT.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

S T C NETCOM, INC., #43021

The Committee recommended the Respondent reimburse the Board for investigative costs of \$222.00 within 60 days from the date of the Board's approval of the agreement and that a warning letter be placed in the Respondent's file. The Respondent accepted the terms.

MR. ZECH MOVED TO ACCEPT THE STIPULATED SETTLEMENT.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

SUNSTATE LANDSCAPE & LAWN, INC., #28492

The Committee recommended the Respondent reimburse the Board for investigative costs of \$477.00 within 60 days from the date of the Board's approval of the agreement and that a warning letter be placed in the Respondent's file. The Respondent accepted the terms.

MR. ZECH MOVED TO ACCEPT THE STIPULATED SETTLEMENT.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

NEVADA SIGN, #45966

The Committee recommended the Respondent pay an administrative fine of \$1,000.00 to be paid within 30 days from the date of the Board's approval of the agreement; to reimburse the Board for investigative costs of \$495.00 within 30 days from the date of the Board's approval of the agreement; to insure that all future bids are within the monetary limit placed on the license by the Board; and to insure that all future bids and contracts display the monetary limit placed on the license by the Board. The Respondent accepted the terms.

MR. ZECH MOVED TO ACCEPT THE STIPULATED SETTLEMENT.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

DESIGN BUILDERS LTD, #27516A

The Committee recommended the Respondent pay an administrative fine of \$500.00 within 60 days from the date of the Board's approval of the agreement; reimburse the Board for investigative costs of \$425.64 within 60 days from the date of the Board's approval of the agreement; and that a warning letter be placed in the Respondent's file for one year. The Respondent accepted the terms.

MR. ZECH MOVED TO ACCEPT THE STIPULATED SETTLEMENT.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

ANGEL A. RAMIREZ, JR. d/b/a RAMIREZ LANDSCAPING, INC., #48853

The Committee recommended the Respondent pay an administrative fine of \$500.00 within 60 days from the date of the Board's approval of the agreement; reimburse the Board for investigative costs of \$182.10 within 60 days from the date of the Board's approval of the agreement; and that a two-year letter of reprimand be placed in the Respondent's file. The Respondent accepted the terms.

MR. ZECH MOVED TO ACCEPT THE STIPULATED SETTLEMENT.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

The Enforcement Advisory Committee, consisting of Ms. Margaret Cavin, Board Member; Ms. Margi Grein, Executive Officer; Mr. George Lyford, Director of Special Investigations Unit; and Mr. Frank Torres, Deputy Director of Investigations met in Reno on Monday, August 6, 2001, to review the following cases.

SALAS PLASTERING, #42040

The Committee recommended the Respondent reimburse the Board for investigative costs of \$616.00 within 30 days from the date of the Board's approval of the agreement; insure that all future bids are within the monetary limit placed upon the license by the Board; and that a warning letter be placed in the Respondent's file. The Respondent accepted the

terms.

MR. ZECH MOVED TO ACCEPT THE STIPULATED SETTLEMENT.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

C D S REMODELING & REPAIR, #31410

The Committee recommended the Respondent pay an administrative fine of \$2,000.00 within 30 days from the date of the Board's approval of the agreement; reimburse the Board for investigative costs of \$1,139.00 within 30 days of the Board's approval of the agreement; insure the appropriate industrial insurance is obtained for all employees; and provide proof of current industrial insurance coverage to the Board staff within ten (10) days. The Respondent accepted the terms. Ms. Grein informed the Board that the Respondent had made a written request to make payments on the agreed upon terms of the Stipulated Agreement. The Board denied the request.

MR. ZECH MOVED TO ACCEPT THE STIPULATED SETTLEMENT.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

EXECUTIVE SESSION

Ms. Grein requested approval of the 2001-02 budget of the Board. The Board tabled the request until the December 18, 2001 Board Meeting.

Ms. Grein requested approval of the September 30, 2001 Financial Statement of the Board.

MR. CARSON MOVED TO APPROVE THE SEPTEMBER 30, 2001 FINANCIAL STATEMENT.

MR. ZECH SECONDED THE MOTION.

THE MOTION CARRIED.

DISCIPLINARY HEARING

KEITH MARIS PAINT & DRYWALL, # 28526 – DISCIPLINARY HEARING (CONTINUED FROM 09/25/01 AND 10/23/01)

The Notice of Complaint and Requirement to Answer, dated July 6, 2001, consisting of pages 1-13, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated July 10, 2001.

The Answer, dated July 12, 2001, was received July 16, 2001.

The Notice of Hearing, dated August 14, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated August 27, 2001.

The Amended Complaint, dated September 24, 2001, was sent Via Facsimile to the Respondent.

The Notice of Continued Hearing, dated September 27, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated September 28, 2001.

The Notice of Continued Hearing, dated October 24, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated October 29, 2001.

The hearing was for possible violations of NRS 624.3012(2), failure to pay for materials or services rendered in connection with his operations as a contractor; NRS 624.3011(1)(b)(2), willful or deliberate disregard and violation of the labor laws of the state; NRS 624.302(5), failure or refusal to respond to a written request from the Board or its designee to cooperate in the investigation of a complaint; NRS 624.302(6), failure or refusal to comply with a written request by the Board or its designee for information or records; NRS 624.3013(3), failure to establish financial responsibility.

At the October 23, 2001 meeting, the Board moved to continue this matter for 30 days to receive a current financial statement from Mr. Maris, or the license will be suspended.

Mr. Keith Maris, Owner, Keith Maris Paint & Drywall, Ms. Gail Maxwell, Chief Investigator, Labor Commission, and NCSB Supervisor, Criminal Investigations, Mr. Roy Schoonmaker were sworn in.

Mr. Roy Schoonmaker testified that he had received Mr. Maris' current financial statement prepared by a CPA at 8:30 am that day.

The evidentiary portion of the hearing was closed.

MR. ZECH MOVED TO FIND KEITH MARIS PAINT & DRYWALL, LICENSE #28526, IN VIOLATION OF THE 1ST, 2ND AND 3RD CAUSES OF ACTION AND TO DISMISS THE 4TH CAUSE OF ACTION.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

MR. ZECH MOVED TO FINE KEITH MARIS PAINT & DRYWALL, LICENSE #28526, \$1,000 PER VIOLATION; A LETTER OF REPRIMAND BE PLACED IN THE FILE FOR ONE YEAR; AND TO RECOVER INVESTIGATIVE COSTS OF \$1,456.00 WITHIN 90 DAYS OR THE LICENSE WILL BE SUSPENDED.

MR. CARSON SECONDED THE MOTION.

THE MOTION CARRIED.

VINZANT'S PLASTERING, INC., #19548, J W TILE, #32918, AND JOHN'S DECKING, #32919 – DISCIPLINARY HEARING

The Notice of Complaint and Requirement to Answer, dated September 7, 2001, consisting of pages 1-49, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated September 11, 2001.

The Answer was received October 4, 2001.

The Notice of Hearing, dated October 19, 2001, was sent certified mail to the Respondent's

address of record on file with the Board. The return receipt was dated October 23, 2001.

The hearing was for possible violations of NRS 624.3017(1), workmanship which is not commensurate with the standards of the trade in general; NRS 624.3013(5), as set forth in NAC 624.700(3)(a), failure to comply a Notice to Correct; NRS 624.3013(5), as set forth in NAC 624.6958(2)(d), contractor shall ensure that each contract of a residential pool or spa contains estimated date of completion; NRS 624.3013(5), as set forth in NAC 624.6958(2)(h), contractor shall ensure that each contract of a residential pool or spa contains the dollar amount of any progress payment and the stage of construction at which the contractor will be entitled to collect progress payments during the course of the construction; NRS 624.3013(5), as set forth in NAC 624.6958(2)(l), contractor must provide notice and informational forms required pursuant to federal, state or local law; NRS 624.3013(5), as set forth in NAC 624.6958(2)(j), failure to comply with a statement that any additional work to be performed will require the owner to pay additional money and any other change in the terms in the original contract must be agreed to in writing; NRS 624.3013(5), as set forth in NAC 624.6958(2)(k), contractor shall ensure that he comply with plan and scale drawing showing the size, shape, dimensions and the specifications for the construction of a residential pool and spa and a description of the work to be done, materials to be used and equipment to be installed; NRS 624.3013(5), as set forth in NAC 624.6958(2)(l), failure to provide a notice stating that the owner has the right to request a bond for payment and performance; NRS 624.3013(5), as set forth in NAC 624.6958(2)(m), failure to provide a schedule of payments; NRS 624.3013(5), as set forth in NAC 624.6958(2)(n), failure to provide prompt and full payment to each subcontractor upon completion of each stage of construction for the contracted amount; NRS 624.3013(5), as set forth in NAC 624.6958(2)(o), failure to provide the owner a full and unconditional release from any claim of mechanic's lien; NRS 624.3013(5), as set forth in NAC 624.6964(1), failure to comply with providing a schedule in dollar and cents for each payment; NRS 624.3013(5), as set forth in NAC 624.6964(5), contractor shall ensure that each contract of a residential pool or spa contains the payment for each stage or phase of the work performed for the contracted amount; NRS 624.3013(5), as set forth in NAC 624.6966(2), failure to comply with the completion of the work contracted for; NRS 624.3013(5), as set forth in NAC 624.640(5), licensee shall include on bids number of license and monetary limit placed on license; NRS 624.600, failure to comply with providing required disclosures; NRS 624.3013(4), failure to keep in force the bond or cash deposit.

Mr. John Vinzant, President and Owner, Vinzants Plastering, Inc., J W Tile and John's Decking; Mrs. Robyn Townsend, Homeowner; NCSB Investigator Mr. Greg Welch and NCSB Investigator Mr. Robert Macke were sworn in. Senator Randolph Townsend was sworn in and gave testimony telephonically.

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

The Stipulation was signed and entered into the record as [Exhibit #2](#).

Board Member Mr. Doug Carson disclosed that Vinzants Plastering, Inc. had performed work for him at his residence.

Chairman Gregory asked if any one deferred to Mr. Carson's participation on the case.

There was no objection.

Mr. Griffy requested that causes of action #7, #8, and #18 were be withdrawn by the Board.

Mrs. Townsend testified that she had contracted with the Respondent to replaster the swimming pool and spa, to retile the pool and spa with upgraded stone, and to resurface the entire deck and walkway at the Townsend's residence. Mrs. Townsend stated that the Respondent had been paid the total contract price of \$2,472.00. Ms. Townsend further testified that the Respondent had finished the project in March of 1999. She started

noticing chipping and cracking on the deck approximately six months after the completion of the project. Her efforts over the next year to have the Respondent return and correct the problems were to no avail. Mrs. Townsend placed a complaint with the State Contractors Board against the Respondent. Mrs. Townsend testified that the decking has since been finished to her satisfaction.

Mr. Welch testified that he had validated the complaint of Mrs. Townsend. He stated that after sending the July 10, 2001 Notice to Correct, additional items requiring correction were outlined. Mr. Welch testified that an Addendum to the Notice to Correct was sent on July 18, 2001. He further testified that he contacted the Respondent on August 8, 2001 to inform him certain items on the Notice to Correct had not been repaired to the homeowner's satisfaction.

Mr. Welch testified the contract failed to include the monetary limit placed upon the license and did not comply with the contract requirements for residential pools and spas.

Senator Townsend stated the purpose of his testifying before the Board is to reinforce public policy issues for all consumers in the State of Nevada. Senator Townsend stated that his position as Chairman of the legislative committee that hears the majority of the legislation concerning the construction industry provides him an opportunity to formulate consistent policy for regulatory boards. Regulatory boards are to be composed of individuals who put protection of the public first. Senator Townsend testified that if the Respondent had completed the work satisfactorily the first time, the matter would not be before the Board. He further stated that he felt the Respondent had no respect for the consumer since numerous telephone calls had not been returned. Senator Townsend stated that he understands that problems can occur, however, the contractor should correct problems in a timely manner. Senator Townsend further stated that all licensing boards in the State of Nevada are mandated to protect the public trust as their first priority.

Mr. Vinzant acknowledged that he had not responded to the homeowner's complaint in a timely manner. He stated that after three unsuccessful attempts to match the decking color, the entire deck was repainted.

The evidentiary portion of the hearing was closed.

MR. ZECH MOVED TO PLACE A PERMANENT LETTER OF REPRIMAND IN THE FILES OF VINZANT'S PLASTERING, INC., LICENSE #19548, J W TILE, LICENSE #32918, AND JOHN'S DECKING, LICENSE #32919; TO ASSESS A FINE OF \$2,000.00; AND TO RECOVER INVESTIGATIVE COSTS OF \$1,754.00 WITHIN 90 DAYS OR THE LICENSES WILL BE SUSPENDED.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

LASKOWSKI CONSTRUCTION CO., #48872 – DISCIPLINARY HEARING (CONTINUED FROM 09/25/01)

The Notice of Complaint and Requirement to Answer, dated July 5, 2001, consisting of pages 1-43, were sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated July 6, 2001.

The Answer, dated July 20, 2001, was received July 26, 2001.

The Notice of Hearing and Amended Complaint, dated August 14, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated August 20, 2001.

The Notice of Continued Hearing and Second Amended Complaint, dated October 5, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated October 9, 2001.

The hearing was for possible violations of NRS 624.3017(1), workmanship which is not commensurate with the standards of the trade in general; NRS 624.3013(5) as set forth in NAC 640(5), each licensee shall include the number of his license and monetary limit placed upon his license on all bids and/or contracts.

At the September 25, 2001, Board Meeting, the Board continued the matter for 60 days to allow corrective action to be taken, or for the contractor and homeowner to reach a mutual agreement on the settlement of the complaint.

NCSB Supervisor – Investigations Mr. Greg Mincheff testified that the work had been completed to the satisfaction of the homeowner and the Board.

The evidentiary portion of the hearing was closed.

MR. CARSON MOVED TO FIND LASKOWSKI CONSTRUCTION CO., LICENSE #48872 IN VIOLATION OF THE 1ST AND 2ND CAUSES OF ACTION IN THE SECOND AMENDED COMPLAINT.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

MR. CARSON MOVED TO PLACE A ONE-YEAR LETTER OF REPRIMAND IN LASKOWSKI CONSTRUCTION CO., LICENSE #48872 FILE; AND TO RECOVER INVESTIGATIVE COSTS OF \$2,869.00 WITHIN 60 DAYS OR THE LICENSE WILL BE SUSPENDED.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

EXECUTIVE SESSION

Ms. Grein requested that the Board adopt the Final Regulation LCB File No. R061-01 for the Investigator Qualifications.

MR. CARSON MOVED TO ADOPT THE REGULATIONS.

MR. ZECH SECONDED THE MOTION.

THE MOTION CARRIED.

Ms. Grein provided an overview of the claims for recovery from the residential recovery fund that have been received to date and suggested the Recovery Fund Committee be established to review pending cases. After discussion it was determined that Mr. Schaefer would chair the committee with other board members serving on a rotational basis.

DISCIPLINARY HEARING

PAHRUMP CONCRETE, INC. Nos. 26957, 31120, 31121, 35008 and 36676 –
DISCIPLINARY HEARING

The Notice of Complaint and Requirement to Answer, dated September 6, 2001, consisting of pages 1-27, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated September 12, 2001.

The Notice of Hearing, dated October 11, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated October 15, 2001.

The hearing was for possible violations of NRS 624.3017(1), workmanship not commensurate with the standards of the trade in general; NRS 624.3013(5), as set forth in NAC 624.700(3)(a), failure to comply with a Notice to Correct; NRS 624.3013(5), as set forth in NAC 624.624(5), licensee shall include on bids number of license and monetary limit placed on license.

Mr. Daniel Daffer, President, Pahrump Concrete, Inc. and NCSB Supervisor – Investigations Mr. Greg Mincheff were sworn in.

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

The Stipulation was entered into the record as Exhibit #2.

Mr. Mincheff stated that Ms. Jennifer DiCamillo was unable to testify today due to health issues. Mr. Mincheff testified that Ms. DiCamillo entered into a contract with the Respondent for the construction work of a sidewalk, patio, steps, curbing and roof at her residence in Pahrump. The complaint was regarding the stucco that was deteriorating around the house. Mr. Mincheff further testified that the Respondent had responded to the Notice to Correct, but that the stucco now had stripes in it from the repairs of the cracks. Mr. Mincheff also testified that the contract between Ms. DiCamillo and the Respondent failed to include the Respondent's license number and monetary limit placed on the license by the Board.

Mr. Daffer testified that there had been another contractor who started the project. Mr. Daffer hired a friend of the homeowner to do the work per the homeowner's request. Mr. Daffer stated that he had brought in a new contractor to restucco the house but was told by the homeowner not to do anything.

A letter from Cheryl Gentleman, who is currently leasing the house, was entered into the hearing as Exhibit A.

Mr. Mincheff testified that as far as he knew the homeowner was not aware of the above-mentioned letter.

The evidentiary portion of the hearing was closed.

MR. JOHNSON MOVED TO DISMISS ALL CHARGES AGAINST PAHRUMP CONCRETE, INC., LICENSE NOS. 26957, 31120, 31121, 35008 AND 36676.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

GRANITE, INC. d/b/a GRANITE OPTIONS ETC., #41889 – DISCIPLINARY HEARING

The Notice of Complaint and Requirement to Answer, dated September 10, 2001, consisting of pages 1-29, was sent certified mail to the Respondent's address of record on

file with the Board. The return receipt was dated September 11, 2001.

The Answer was received October 2, 2001.

The Notice of Hearing, dated October 11, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated October 12, 2001.

The hearing was for possible violations of NRS 624.3017(1), workmanship not commensurate with the standards of the trade in general; NRS 624.3013(5) as set forth in NAC 624.700(3)(a), failure to comply with a Notice to Correct; NRS 624.3014(1), acting in the capacity of a contractor under a name not set forth upon the license; NRS 624.3013(5), as set forth in NAC 624.640(5), licensee shall include on bids number of license and monetary limit placed on license.

Mr. Roderick Jett, Homeowner, Ms. Diana Brown, Secretary/Treasurer, Granite Options Etc., NCSB Investigator Mr. Robert Macke, and NCSB Investigator Mr. Jim Ables were sworn in.

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

The Stipulation was entered into the record as Exhibit #2.

The Board was informed that license #41889, Granite Options Etc., was suspended due to no bond.

Mr. Jett testified that he had entered into a contract with the Respondent on December 5, 2000, to purchase and install tile and granite floor at his residence. Mr. Jett has paid a total of \$9,700.00 towards the contract price. Mr. Jett testified that after getting no response from the Respondent to repair and finish the contracted work, he placed his complaint with the Board. Mr. Jett further testified that he has had the work completed by another contractor for a total of \$1,686.00.

Mr. Macke testified that he had validated the complaint. Mr. Macke stated the first Notice to Correct was returned unclaimed.

Mr. Ables testified that he contacted Ms. Brown in regards to the returned notice. The Respondent furnished him with the correct address and the notice was re-sent.

Mr. Macke testified that he had reviewed the contract between Mr. Jett and the Respondent. The contract did not include the monetary limit placed upon the license.

Ms. Brown testified that she wasn't aware that the monetary limit placed on her license was required on the contract. Ms. Brown further testified that she had not returned to the Jett residence to finish the work due to a personality conflict with Mr. Jett. Ms. Brown stated that she held a C-20 license #40231 under her maiden name so she had not worked out of the scope of her license.

The Board was informed that license #40231, Lifetime Tile & Marble, was suspended not renewed as of July 31, 2001.

The evidentiary portion of the hearing was closed.

MR. CARSON MOVED TO DISMISS THE 3RD CAUSE OF ACTION AND FIND GRANITE INC D/B/A GRANITE OPTIONS ETC., LICENSE #41889, IN VIOLATION OF THE 1ST, 2ND, 4TH, AND 5TH CAUSES OF ACTION.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

MR CARSON MOVED TO RECOVER THE RESPECTIVE INVESTIGATIVE COSTS OF \$1,486.00 IF LICENSEE APPLIES FOR RENEWAL OR RE-LICENSURE.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

COOPCON, INC. d/b/a PARADISE CARPETS, #41549 – DISCIPLINARY HEARING

The Notice of Complaint and Requirement to Answer, dated September 7, 2001, consisting of pages 1-32, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated September 11, 2001.

The Answer was received October 15, 2001.

The Notice of Hearing, dated October 16, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated October 18, 2001.

The hearing was for possible violations of NRS 624.3011(1)(b)(2), willful or deliberate disregard and violation of the safety laws or labor laws of the state; NRS 624.302(5), failure to respond to a written request from the Board in the investigation of a compliant; NRS 624.3013(3), failure to establish financial responsibility.

Mr. Christopher Jones, President, Paradise Carpets, Ms. Gail Maxwell, Office of the Labor Commission, and the Director of Special Investigations Mr. George Lyford were sworn in.

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

The Stipulation was entered into the record as Exhibit #2.

Mr. Lyford testified that the Labor Commission and the Respondent had entered into an agreement regarding back wages owed to employees. Mr. Lyford further testified that the Respondent had been notified to attend an Administrative Meeting at the State Contractors Board and that the Respondent had failed to attend. Mr. Lyford also testified that the Respondent had been notified by certified mail, regular mail and telephonically to provide a current financial statement prepared by a CPA.

Mr. Jones gave Mr. Lyford his current financial statement and stated that he had informed Mr. Lyford that the financial statement would be available at the time of the hearing.

Ms. Maxwell testified that the settlement between the Labor Commission and Paradise Carpets has been satisfied. Ms. Maxwell stated that there had been another hearing and the Respondent had been fined \$2,000 which he is currently negotiating a repayment agreement with the Labor Commission. Ms. Maxwell further testified that all the employees had recovered their back wages.

MS. CAVIN MOVED TO CLOSE THE MEETING TO THE PUBLIC IN ACCORDANCE WITH NRS 241.033 TO DISCUSS FINANCIAL MATTERS.

MR. CARSON SECONDED THE MOTION.

THE MOTION CARRIED.

Mr. Jones testified that he had not had a chance to look at the financial statement in depth. Mr. Jones further testified that the general contractors on the project had not paid Paradise Carpets, which caused his financial difficulties. The financial statement was discussed.

MR. HIGGINS MOVED TO OPEN THE MEETING TO THE PUBLIC.

MR. CARSON SECONDED THE MOTION.

THE MOTION CARRIED.

The evidentiary portion of the hearing was closed.

MR. CARSON MOVED TO FIND COOPSON, INC. D/B/A PARADISE CARPETS, LICENSE #41549, IN VIOLATION OF ALL CHARGES.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

MR. CARSON MOVED TO SUSPEND LICENSE #41549, COOPSON, INC. D/B/A PARADISE CARPETS PENDING RESPONDENTS SETTLING FINE OF \$2,000 WITH LABOR COMMISSION; AND PROOF OF FINANCIAL RESPONSIBILITY; IF NOT RESOLVED WITHIN IN ONE YEAR THE LICENSE WOULD BE REVOKED.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

EMPIRE ROOFING, INC., #33573 – DISCIPLINARY HEARING

The Notice of Complaint and Requirement to Answer, dated September 7, 2001, consisting of pages 1-16, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated October 11, 2001.

The Answer was received October 17, 2001.

The Notice of Hearing, dated October 18, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated October 19, 2001.

The hearing was for possible violations of NRS 624.3012(2), failure to pay for materials or services rendered in connection with his operations as a contractor; NRS 624.302(5), failure to respond to a written request from the Board in the investigation of a complaint; NRS 624.3013(3), failure to establish financial responsibility.

Mr. Peter Cicchetti, President, Empire Roofing, Inc. and NSCB Investigative Supervisor Mr. Ron Ramsey were sworn in.

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

The Stipulation was entered into the record as Exhibit #2.

Mr. Ramsey testified that this was a money owing case of ABC Supply Company, Inc. against the Respondent. Mr. Ramsey further testified that he had received a letter from

ABC Supply Company, Inc. stating that the Respondent had paid them in full. Mr. Ramsey testified that a financial statement had been requested from the Respondent on May 18, 2001, and it was not received until October 24, 2001.

The financial statement was entered into the hearing as Exhibit #A.

Mr. Cicchetti waived his right to a closed hearing.

Mr. Cicchetti testified that he had entered into and complied with an agreement of a payment schedule with ABC Supply Company. Mr. Cicchetti further testified that he personally indemnified the company.

The evidentiary portion of the hearing was closed.

MR. ZECH MOVED TO CONTINUE THIS MATTER FOR 30 DAYS FOR MR. PETER CICHETTI TO PROVIDE A CURRENT PERSONAL FINANCIAL STATEMENT.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

E W DEVELOPMENT, #38784 – DISCIPLINARY HEARING

The Notice of Complaint and Requirement to Answer, dated September 20, 2001, consisting of pages 1-50, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated September 26, 2001.

The Answer was received September 24, 2001 and October 23, 2001.

The Notice of Hearing, dated October 19, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was not received.

The hearing was for possible violations of NRS 624.3017(1), workmanship not commensurate with the standards of the trade in general; NRS 624.3013(5) as set forth in NAC 624.700(3)(a), failure to comply a Notice to Correct.

Mr. Ed Webb, Owner, E W Development, Mr. Kim Sanderson, Mr. Nik Skrinjaric, Attorney, Ms. Shabnam Tajik, Homeowner, NSCB Investigator Mr. Bob Macke, NSCB Investigator Mr. Tom Lawrence, and NSCB Investigator Mr. Jim Ables were sworn in.

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

The Stipulation was not signed.

Mr. Ables testified that on June 29, 2001, he and Mr. Macke validated 66 workmanship items that needed to be corrected.

Mr. Skrinjaric testified that it was the Respondent's understanding that every item had been corrected however, if there were problems the Respondent would go back and correct them.

Mr. Ables testified that as of November 15th the remaining unresolved items had not been corrected.

Ms. Tajik testified that she had had a problem with the Respondent not showing up or if he did show not doing the work properly. Ms. Tajik stated that she would be willing to allow

the Respondent into her home to finish the repairs.

The evidentiary portion of the hearing was closed.

MR. CARSON MOVED TO CONTINUE THIS MATTER TO THE DECEMBER 18, 2001 BOARD MEETING TO ALLOW CORRECTIVE ACTION TO BE TAKEN BY THE RESPONDENT.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

ROBERT LEROY LOCKWOOD d/b/a ARWOODS KITCHEN REFACING, #31499 – DISCIPLINARY HEARING

The Notice of Complaint and Requirement to Answer, dated September 20, 2001, consisting of pages 1-41, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated September 24, 2001.

The Answer was received October 3, 2001.

The Notice of Hearing, dated October 17, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated September 22, 2001.

The hearing was for possible violations of NRS 624.3017(1), workmanship not commensurate with the standards of the trade in general; NRS 624.3013(5) as set forth in NAC 624.700(3)(a), failure to comply with a Notice to Correct; NRS 624.3011(1)(a), willful and prejudicial departure from plans without the consent of the owner; NRS 624.3013(5) as set forth in NAC 624.640(5), licensee shall include on bids number of license and monetary limit placed on license.

Mr. Charles Beach; Mr. Robert Lockwood, Owner, Arwoods Kitchen Refacing; Mr. John Perry; Ms. Patricia Polling, Homeowner; and NSCB Investigator Mr. Bob Macke were sworn in.

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

The Stipulation was entered into the record as Exhibit #2.

Ms. Polling testified that she had entered into a contract with the Respondent to remodel her kitchen. The Respondent began work on February 4, 2001. She filed a complaint with the Board based on workmanship. Ms. Polling further testified that she had reached an agreement with the Respondent, in which the work was to be done the following day. The project would be completed at no additional cost to her.

Mr. Macke testified regarding the case of Robert Burton against the Respondent. Mr. Burton had requested a continuance due to the fact he was unable to attend this hearing. Mr. Macke further testified that Mr. Burton had replaced the cabinets himself.

MR. CARSON MOVED TO CONTINUE THIS MATTER UNTIL THE JANUARY 23, 2002 BOARD MEETING WITH A STAFF UPDATE AT THE DECEMBER 18, 2001 BOARD MEETING.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

A D A COMPLIANCE CORPORATION, Nos. 48704, 48702, and 48703 –DISCIPLINARY HEARING

The Notice of Complaint and Requirement to Answer, dated August 7, 2001, consisting of pages 1-14, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated August 21, 2001.

The Answer was received September 21, 2001.

The Notice of Hearing, dated October 19, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated October 22, 2001.

The hearing was for possible violations of NRS 624.301(2), abandonment of a construction project; NRS 624.301(4), willful failure or refusal without legal excuse on the part of a licensee as a contractor to prosecute a construction project or operation with reasonable diligence; NRS 624.3014(1), acting in the capacity of a contractor under any license issued in the name of the licensee as set forth upon the license; NRS 624.3013(5), as set forth in NAC 624.640(5), licensee shall include on bids number of license and monetary limit placed on license.

Mr. Michael Loya, President, A D A Compliance Corporation; Mr. Troy Baker, Attorney; Mr. John Webb, Homeowner, Mr. Michael Wells, former Qualified Employee for A D A Compliance Corporation; NSCB Investigator Mr. Bob Macke, and NSCB Investigator Mr. Jim Ables were sworn in.

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

The Stipulation was entered into the record as Exhibit #2.

Mr. Webb testified that he had entered into a contract with the Respondent for the installation of a water pump system. Mr. Webb verified that the Respondent commenced work on April 11, 2001 stating that the Respondent delivered the material and dug the subpump but didn't set the pump. Mr. Webb further testified that the Respondent didn't come back to set the pump. Mr. Webb made numerous attempts to contact the Respondent but only reached one of the employees. The Respondent did not finish the job and did not return any of the money paid for the job.

Mr. Baker stated that Mr. Webb's well was an illegal well due to it being within 180 feet of another water source.

Mr. Wells, the former QE for the Respondent, he couldn't set the pump because of an obstruction. He stated he noticed that the well was within 180 feet of another water source and brought it to the Respondent's attention that a variance would have to be filed with the Las Vegas Water District in order to finish the work.

Mr. Baker testified that Mr. Loya had contacted the Department of Water Resources and was told that the well was undocumented.

Mr. Macke testified this well predated 1979 and was on the property when Mr. Webb purchased the property, therefore making it legal.

Mr. Webb stated the permits for the project are still valid.

Mr. Baker stated that he had a letter from the Division of Water Resources, dated June 28, 2001, stating this is an undocumented and unapproved well.

Mr. Macke testified that Mr. Wells had not been made aware of the Notice to Correct.

Mr. Loya testified that he had sold his drilling equipment and did not renew his licenses.

MR. CARSON MOVED TO CONTINUE THIS MATTER UNTIL THE JANUARY 23, 2002 BOARD MEETING FOR FUTURE INVESTIGATION AND TO OBTAIN DOCUMENTATION ON THE STATUS OF THE WELL FROM THE DEPARTMENT OF WATER RESOURCES.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

APPLICATIONS

WEYER CUSTOM HOMES – APPLICATION HEARING

The Notice of Complaint and Requirement to Answer, dated September 10, 2001, consisting of pages 1-18, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated September 11, 2001.

The Notice of Hearing and Complaint, dated October 1, 2001, consisting of pages 1-2, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated October 3, 2001.

The hearing was for failure to meet the financial responsibility requirement of an applicant for a contractor's license as set forth in NRS 624.263.

Ms. Eleanor Weyer, Partner, Weyer Custom Homes; Mr. Paul Weyer, Partner, Weyer Custom Homes; and Ms. Mary Ann Enbody, Licensing Analyst were sworn in.

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

The Stipulation was entered into the record as Exhibit #2.

Ms. Enbody testified that the application had been denied on May 9, for failure to meet financial responsibility. Ms. Enbody further testified that she had not received a new financial statement.

Mr. Weyer stated that the child support case had been closed. Additionally, Mr. Weyer stated he would like to amend the classification from a B-2 license to a C-3.

MR. CARSON MOVED TO CONTINUE THIS MATTER FOR 90 DAYS FOR MR. PAUL WEYER TO PROVIDE A NEW FINANCIAL STATEMENT OR A PERSONAL FINANCIAL STATEMENT WITH AN INDEMNIFICATION AGREEMENT.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

DEFAULT ORDERS

YUKON AIR, INC., #47964 – DISCIPLINARY HEARING – DEFAULT ORDER

The Notice of Complaint and Requirement to Answer, dated September 10, 2001, consisting of pages 1-9, was sent certified mail to the Respondent's address of record on

file with the Board. The return receipt was dated September 12, 2001.

The Notice of Default, dated October 25, 2001, consisting of pages 1-2, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated October 27, 2001.

The hearing was for possible violations of NRS 624.3013(3), failure to establish financial responsibility; NRS 624.302(6), failure to respond to a written request from the Board to provide a financial statement.

Mr. Kevin Robinson, President of Yukon Air, Inc., was present.

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

MR. CARSON MOVED TO CONTINUE THIS MATTER AT THE DECEMBER 18, 2001 BOARD MEETING.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

ADVISORY OPINION

COLLINS POWER SERVICE – Collins Power Service requested an Advisory Opinion regarding the requirement of all C-2 (Electrical Contracting) licenses to also be required to have an A-17 (Lines to Transmit Electricity) license for all voltages above 600 volts.

Based on the language contained in NAC 624.150 and NAC 624.200, the Board opined that the C-2 (Electrical Contracting) classification could perform electrical work, regardless of voltage, provided the work is performed on the secondary side of the transformer or substation.

DEFAULT ORDERS

CHLORINE FREE SWIMMING, INC., #44319 – DISCIPLINARY HEARING – DEFAULT ORDER

The Notice of Complaint and Requirement to Answer, dated September 18, 2001, consisting of pages 1-21, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated September 19, 2001.

The Notice of Default, dated October 29, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated October 30, 2001.

The hearing was for possible violations of NRS 624.3017(1), workmanship not commensurate with the standards of the trade in general; NRS 624.3013(5), as set forth in NAC 624.700(3)(a), failure to comply with a Notice to Correct; NRS 624.301(5), failure without legal excuse to comply with the terms of a construction contract; NRS 624.3013(5), as set forth in NAC 624.6958(2)(d), failure to include the estimated date of completion of all work to be performed under the contract; NRS 624.3013(5), as set forth in NAC 624.6958(2)(h), failure to include the dollar amount of any progress payment and the stage of construction at which the Respondent will be entitled to collect progress payments during the course of construction; NRS 624.3015(5), as set forth in NAC 624.6958(2)(l)(1) and (2), failure to contain a statement in the contract that the Respondent has provided any notices and informational forms required; NRS 624.3013(5), as set forth in NAC 624.6958(2)(1), failure to provide a notice stating the right to request a bond for payment and performance;

NRS 624.3013(5), as set forth in NAC 624.6958(2)(m), failure to contain a schedule of payments; NRS 624.3013(5), as set forth in NAC 624.6958(2)(n), failure to provide each subcontractor or supplier prompt and full payment upon completion of each stage or phase of construction; NRS 624.3013(5), as set forth in NAC 624.6958(2)(o), failure to provide a full and unconditional release from any claim of mechanic's lien; NRS 624.3013(5), as set forth in NAC 624.6964(1), failure to provide a schedule of payments; NRS 624.3013(5), as set forth in NAC 624.6964(5), failure to state that payment not due until the completion of that stage or phase of construction; NRS 624.3013(5), as set forth in NAC 624.6966(3), failure to furnish full and unconditional releases from any claim of mechanic's lien for portion of the work for which payment was made; NRS 624.3013(5), as set forth in NAC 624.640(5), failure to comply with the regulations of the Board by failing to include the monetary limit on Respondent's contract; NRS 624.600(1), a general building contractor shall provide in writing the name, license number, business address and telephone number of all subcontractors and all persons who furnish material of the value of \$500; NRS 624.720(2), all advertising by a licensed contractor must include the name of his company and the number of his license; NRS 624.3014(1), acting in the capacity of a contractor under a name not set forth upon the license.

No one from Chlorine Free Swimming, Inc. was present.

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

MR. CARSON MOVED TO ACCEPT THE FILES AS FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND CHLORINE FREE SWIMMING, INC., LICENSE #44319, IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE #44319; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND TO RECOVER THE INVESTIGATIVE COSTS OF \$1,179.00 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

ABLE IRON, #22035 – DISCIPLINARY HEARING – DEFAULT ORFER

The Notice of Complaint and Requirement to Answer, dated September 28, 2001, consisting of pages 1-16, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated October 1, 2001.

The Notice of Default, dated October 31, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was not received.

The hearing was for possible violations of NRS 624.3017(1), workmanship not commensurate with the standards of the trade in general; NRS 624.3013(5), as set forth in NAC 624.700(3)(a), failure to comply with a Notice to Correct; NRS 624.3013(3), failure to establish financial responsibility; NRS 624.3013(5), as set forth in NAC 624.640(3), licensee must notify Board of any address or personnel changes within 30 days; NRS 624.3013(4), failure to keep in force the bond or cash deposit.

No one from Able Iron was present.

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

MR. CARSON MOVED TO ACCEPT THE FILES AS FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND ABLE IRON, LICENSE #22035, IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE #22035; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND TO RECOVER THE

INVESTIGATIVE COSTS OF \$1,023.00 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

MASTER PLUMBING AND MECHANICAL, #13954 AND L G & G COMPANY, #13920 – DISCIPLINARY HEARING – DEFAULT ORDER

The Notice of Complaint and Requirement to Answer, dated September 20, 2001, consisting of pages 1-18, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated October 1, 2001.

The Notice of Default, dated October 31, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was not received.

The hearing was for possible violations of NRS 624.3012(2), failure to pay for materials or services rendered in connection with his operations as a contractor; NRS 624.3013(3), failure to establish financial responsibility; NRS 624.3013(5), as set forth in NAC 624.640(3), licensee must notify Board of any address or personnel changes within 30 days; NRS 624.3018(2), the performance of any partnership, corporation, firm or association of any act or omission constituting a cause for disciplinary action likewise constitutes a cause for disciplinary action against any licensee who is a member, officer, director or associate of such partnership, corporation, firm or association, and who participated in such prohibited act or omission.

No one from Master Plumbing and Mechanical and L G & G Company were present.

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

MR. CARSON MOVED TO ACCEPT THE FILES AS FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND MASTER PLUMBING AND MECHANICAL, LICENSE #13954, AND L G & G COMPANY, LICENSE #13920, IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE NOS. 13954 AND 13920; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND TO RECOVER THE INVESTIGATIVE COSTS OF \$1,258.00 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

GIALDOS CARPENTRY SHOP, INC. #45795 – DISCIPLINARY HEARING – DEFAULT ORDER

The Notice of Complaint and Requirement to Answer, dated October 1, 2001, consisting of pages 1-18, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was not received.

The Notice of Default, dated October 31, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was not received.

The hearing was for possible violations of NRS 624.301(1), abandonment without legal excuse; NRS 624.302(5), failure to respond to a written request from the Board to cooperate in the investigation of a complaint; NRS 624.3013(5), as set forth in NAC

624.640(5), licensee shall include on bids number of license and monetary limit placed on license; NRS 624.3014(1), acting in the capacity of a contractor under a name not set forth upon the license; NRS 624.3013(4), failure to keep in force the bond or cash deposit; NRS 624.3013(5), as set forth in NAC 624.640(3), licensee must notify Board of any address or personnel changes within 30 days.

No one from Gialdos Carpentry Shop, Inc. was present.

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

MR. CARSON MOVED TO ACCEPT THE FILES AS FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND GIALDOS CARPENTRY SHOP, INC., LICENSE #45795, IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE #45795; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND TO RECOVER THE INVESTIGATIVE COSTS OF \$1,133.00 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

G & M CONCRETE, INC.#45120 – DISCIPLINARY HEARING – DEFAULT ORDER

The Notice of Complaint and Requirement to Answer, dated September 20, 2001, consisting of pages 1-20, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was not received.

The Notice of Default, dated October 31, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was not received.

The hearing was for possible violations of NRS 624.3017(1), workmanship is not commensurate with the standards of the trade in general; NRS 624.3013(5), as set forth in NAC 624.700(3)(a), failure to comply with a Notice to Correct; NRS 624.302(5), failure to respond to a written request from the Board in the investigation of a complaint; NRS 624.3013(5), as set forth in NAC 624.640(5), licensee shall include on bids number of license and monetary limit placed on license.

No one from G & M Concrete, Inc. was present.

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

MR. CARSON MOVED TO ACCEPT THE FILES AS FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND G & M CONCRETE, INC., LICENSE #45120, IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE #45120; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND TO RECOVER THE INVESTIGATIVE COSTS OF \$1,236.00 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

GARY G. KELLERSHON ENTERPRISES, #49220 – DISCIPLINARY HEARING – DEFAULT ORDER

The Notice of Complaint and Requirement to Answer, dated September 28, 2001,

consisting of pages 1-27, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was not received.

The Notice of Default, dated October 31, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was not received.

The hearing was for possible violations of NRS 624.3017(1), workmanship not commensurate with the standards of the trade in general; NRS 624.302(5), failure to respond to a written request from the Board in the investigation of a complaint; NRS 624.3013(5), as set forth in NAC 624.700(3)(a), failure to respond to a Notice to Correct; NRS 624.3013(4), failure to keep in force the bond or cash deposit; NRS 624.3013(5), as set forth in NAC 624.640(3), licensee must notify Board of any address or personnel changes within 30 days.

No one from Gary G. Kellershon Enterprises was present.

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

MR. CARSON MOVED TO ACCEPT THE FILES AS FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND GARY G. KELLERSON ENTERPRISES, LICENSE #49220, IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE #49220; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND TO RECOVER THE INVESTIGATIVE COSTS OF \$2,566.00 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

CAMILLES WARREN LINDELL, JR. d/b/a TRI STATE RESTORATION, #43904 – DISCIPLINARY HEARING – DEFAULT ORDER

The Notice of Complaint and Requirement to Answer, dated September 20, 2001, consisting of pages 1-20, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was not received. The envelope was returned from the post office stamped "Unclaimed".

The Notice of Default, dated October 31, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated November 6, 2001.

The hearing was for possible violations of NRS 624.3015(1), acting beyond the scope of the license; NRS 624.3015(2), bidding to contract for a sum in excess of the limit placed on the license by the Board; NRS 624.302(5), failure to respond to a written request from the Board in the investigation of a complaint; NRS 624.3013(3), failure to establish financial responsibility; NRS 624.3013(5), as set forth in NAC 624.640(5), licensee shall include on bids number of license and monetary limit placed on license; NRS 624.3013(4), failure to keep in force the bond or cash deposit; NRS 624.3013(5), as set forth in NAC 624.640(3), licensee must notify Board of any address or personnel changes within 30 days.

No one from Tri State Restoration was present.

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

MR. CARSON MOVED TO ACCEPT THE FILES AS FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND TRI STATE RESTORATION, LICENSE #43904, IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE #43904; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND TO

RECOVER THE INVESTIGATIVE COSTS OF \$1,008.00 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

MATTSON BUILDERS, INC. d/b/a **NEVADA SPRAY FOAM**, Nos. 45132 and 40389, AND **MATTSON BUILDERS, INC.**, #33180A – DISCIPLINARY HEARING – DEFAULT ORDER

The Notice of Complaint and Requirement to Answer, dated September 28, 2001, consisting of pages 1-21, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated October 5, 2001.

The Notice of Default, dated October 31, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated November 5, 2001.

The hearing was for possible violations of NRS 624.3017(1), workmanship not commensurate with the standards of the trade in general; NRS 624.302(5), failure to respond to a written request from the Board to cooperate in the investigation of a complaint; NRS 624.3013(5), as set forth in NAC 624.700(3)(a), failure to comply with a Notice to Correct; NRS 624.301(5), failure to comply with the terms of a construction contract; NRS 624.3013(5), as set forth in NAC 624.640(5), licensee shall include on bids number of license and monetary limit placed on license; NRS 624.3013(4), failure to keep in force the bond or cash deposit; NRS 624.3013(5), as set forth in NAC 624.640(3), licensee must notify Board of any address or personnel changes within 30 days.

No one from Mattson Builder, Inc. d/b/a Nevada Spray Foam and Mattson Builders, Inc. was present.

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

MR. CARSON MOVED TO ACCEPT THE FILES AS FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND MATTSON BUILDERS, INC. D/B/A NEVADA SPRAY FOAM, LICENSE NOS. 45132 AND 40389, AND MATTSON BUILDERS, INC., LICENSE #33180A, IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE NOS. 45132, 40389 AND 33180A; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES; AND TO RECOVER THE INVESTIGATIVE COSTS OF \$1,016.00 PRIOR TO CONSIDERATION OF FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

APPLICATION HEARINGS

DESERT WIND INVESTMENTS, INC., #43299 – DISCIPLINARY HEARING

The Notice of Hearing and Complaint, dated October 7, 2001, consisting of pages 1-7, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated October 11, 2001.

The hearing was for possible violation of NRS 624.3013(3), failure to establish financial responsibility.

Mr. Scott Ludian, President, Desert Wind Investments, Inc. and Ms. Lisa Bedsole, Licensing Analyst were sworn in.

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

The stipulation was signed and entered into the record as Exhibit #2.

Mr. Ludian requested a continuance based on personal reasons.

MR. ZECH MOVED TO CONTINUE THIS MATTER FOR 60 DAYS.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

XTREME ELECTRIC, INC. – APPLICATION HEARING

The Notice of Hearing and Complaint, dated October 12, 2001, consisting of pages 1-22, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated October 29, 2001.

The hearing was for failure to meet the financial responsibility requirement of an applicant for a contractor's license as set forth in NRS 624.263.

Mr. Brian Baker, President, Xtreme Electric, Inc., and Ms. Traci Greenlee, Licensing Analyst were sworn in.

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

The stipulation was signed and entered into the record as Exhibit #2.

Ms. Greenlee testified that Mr. Baker had provided a new financial statement on November 9, 2001. The statement was provided to the Board for review.

MR. ZECH MOVED TO APPROVE XTREME ELECTRIC, INC. LICENSE CLASSIFICATION (C-2 ELECTRICAL CONTRACTING) WITH A MONETARY LIMIT OF \$20,000 AND A BOND OF \$10,000 AND A FINANCIAL REVIEW UPON RENEWAL.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

APPLICATIONS

MR. ZECH 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.

N V S CONSTRUCTION – (B-2 RESIDENTIAL AND SMALL COMMERCIAL) NEW APPLICATION

Mr. Jeffrey Rozycki, Owner, N V S Construction was present. He provided additional financial information pertaining to the sale of his home. The Board approved the application (B-2 Residential and Small Commercial) with a monetary limit of \$100,000 and a bond of \$10,000.

BLUE LAGOON POOLS CONTRACTORS, #46481 – (BROADENING OF CLASSIFICATION)

Ms. Kelly Sagona, Owner, Blue Lagoon Pools Contractors, and Ms. Nancy Sagona, Qualified Employee, Blue Lagoon Pools Contractors, were present. The Board discussed the qualifications of the Qualified Employee and his prior licensure. The Board approved the request to broaden the license to a full A-10 with a \$100,000 monetary limit conditioned upon providing a \$50,000 surety bond. In addition, the Board advised the applicant that compliance with all laws and regulations concerning residential pools and spas including posting of payment and performance bonds is required.

LEBLANC BROADCAST, INC. – (A-22 – DESIGNATED FOR COMMUNICATION TOWERS AND CONTROLS) NEW APPLICATION

Mr. Lawrence Penner, Qualified Employee, Leblanc Broadcast, Inc. was present. Mr. Lawrence informed the Board that Leblanc Limited owned Leblanc Broadcasting. The Board informed Mr. Penner that the license application (A-22 Designated for Communication Towers and Controls) was granted with a monetary limit of \$3,000,000 and a bond of \$30,000.

BLUE HAVEN POOLS, #37173 – RECONSIDERATION ON WAIVER OF CMS AND TRADE EXAMS

Mr. Keith Gregory, Attorney, was present for the owner. The Board informed Mr. Gregory that the trade exam would be waived but the CMS exam must be taken within 60 days.

The remainder of the applications on the agenda was reviewed and discussion occurred on the following: Nos. 2, 3, 4, 5, 7, 8, 9, 10, 11, 17, 19, 20, 22, 23, 24, 31, 38, 44, 47, 59, 60, 67, 70, 71, 73, 76, 77, 78, 91, 93, 103, 105, 107, 108, 114, 122, 127, 129, 134, 135, 154, 155, 156, 158, 159, 160, 164, 165, 168, 169, 174, 175, 177, 178, 179, 180, 181, 183, 190, 201, 203, 207, 210, 212, 215, 217, 222, 233

; and on the amended agenda: Nos. 10, 16, 20, 23.

MR. ZECH MOVED TO REOPEN THE MEETING TO THE PUBLIC.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

MR. ZECH MOVED TO APPROVE ALL APPLICATIONS NOT SPECIFICALLY DISCUSSED IN CLOSED SESSION PER STAFF RECOMMENDATION.

MR. CARSON SECONDED THE MOTION.

THE MOTION CARRIED.

EXECUTIVE SESSION

Ms. Grein requested of the Board an approval of the Executive Officer's Report dated September 30, 2001. The Board tabled the request until the December 18, 2001 Board Meeting.

Ms. Grein informed the Board of the proposed agenda for the Strategic Planning Session to be held the beginning of December and requested that each member provide topics for discussion.

PUBLIC COMMENT

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

There being no further business to come before the Board, the meeting was adjourned by Chairman Gregory at 3:30 p.m.

Respectfully Submitted,

Melinda Mertz, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Kim Gregory, Chairman