

Jim Gibbons
Governor

STATE OF NEVADA



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SPIRIDON FILIOS, VICE CHAIR
MICHAEL EFSTRATIS
JERRY HIGGINS
WILLIAM "BRUCE" KING
RANDY SCHAEFER
GUY M. WELLS

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
DECEMBER 5, 2007

CALL TO ORDER:

Hearing Officer Jerry Higgins called the meeting of the State Contractors Board to order at 9:04 a.m., Wednesday December 5, 2007, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Mr. Jerry Higgins

STAFF MEMBERS PRESENT:

Mr. George J. Lyford, Director of Investigations

LEGAL COUNSEL PRESENT:

Mr. David Brown, Esq., Legal Counsel
Mr. Bruce Robb, Esq., Legal Counsel

The agenda was posted in compliance with the open meeting law November 29, 2007 at Reno City Hall, Washoe County Court House and Washoe County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board Internet Website.

ADJUDICATING BOARD MEMBER: JERRY HIGGINS

**1. DISCIPLINARY HEARING-DEFAULT HEARING:
CLASSIC FENCE COMPANY, LICENSE NO. 58352**

Licensee was not present

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File
Exhibit 2 – Series of invoices

Hearing Officer Higgins found Respondent John Mark Fowler, Owner of Classic Fence Company, license number 58352 in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Licensee was found guilty of violating NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NRS 624.700(3)(a) failure to comply with the Board's Notice to Correct; NRS 624.3013(5), as set forth in NAC 624.640(5) each licensee shall include in all bids he submits or contracts he enters into for construction work within this State, the number of his license and any monetary limit placed upon his license; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; NRS 624.3013(3) failure to establish financial responsibility. License number 58352 was Revoked. Respondent was ordered to pay full restitution to the damaged party; pay a fine in the amount of \$2,850.00; reimburse the Board for investigative costs of \$1,961.00 and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

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

2. DISCIPLINARY HEARING:
DAYTON VALLEY FLORAL & NURSERY, LICENSE NO. 38395

Licensee was present with Julian C. Smith, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Higgins found Respondent Cheryl June Cummings Owner of Dayton Valley Floral & Nursery, license number 38395 guilty of violating NRS 624.3011(1)(a) disregard of plans and specifications; NRS 624.3013(5), as set forth in NRS 624.700(3)(a) failure to comply with the Board's Notice to Correct. Ms. Cummings was ordered to pay a fine of \$1,000.00 for the First Cause of Action and \$500.00 for the Second Cause of Action for a total fine of \$1,500.00; assessed investigative costs in the amount of \$2,121.00 to be paid within 60 days of December 5, 2007. Failure to pay required fines and costs within 60 days will result in automatic suspension of license number 38395. The Third Cause of Action was dismissed.

3. DISCIPLINARY HEARING:
CORBETT CONSTRUCTION CO., LLC., LICENSE NO. 59138
CORBETT DEVELOPMENT, LICENSE NO. 54479

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Higgins found Respondent Corbett Evan Lambdin, Manager of Corbett Construction Co., LLC., license number 59138 and Corbett Development, license 54479 guilty of violating NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; NRS 624.3016(6) failure to comply with NRS 624.600 which requires disclosures by general building contractors; NRS 624.3013(3) failure to establish financial responsibility. Mr. Corbett was ordered to pay a fine of \$1,000.00 each for the First, Third and Fourth Causes of Action and \$100.00 for the Second Cause of Action for a total fine of \$3,100.00; and assessed investigative costs in the amount of \$2,197.00 to be paid within 90 days of December 5, 2007. Mr. Corbett was ordered to furnish a current financial statement to the Board within 90 days of December 5, 2007. Failure to provide financial statement and pay required fines and costs within 90 days will result in automatic suspension of license numbers 59138 and 54479.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Higgins at 12:05 p.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Jerry Higgins, Hearing Officer