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Governor

STATE OF NEVADA

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MEMBERS

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

STATE CONTRACTORS' BOARD

MINUTES OF THE MEETING June 19, 2001

The meeting of the State Contractors' Board was called to order by Chairman Kim Gregory at 8:21 a.m., Tuesday, June 19, 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

BOARD MEMBERS ABSENT:

Mr. Mike Zech

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Dennis Haney, Legal Counsel (Haney, Woloson & Mullins)
Mr. David Reese, Legal Counsel (Cook, Roberts & Reese)
Ms. Nancy Mathias, Licensing Administrator
Mr. George Lyford, Director of Special Investigations Unit
Mr. Rick Bertuzzi, Director of Investigations
Mr. Roy Schoonmaker, Supervisor, Criminal Investigations
Ms. Pat Potter, Licensing Supervisor
Ms. Doris Talley, License Management Assistant
Ms. Teresa Tofill, License Analyst
Ms. Bonnie Muniz, License Aide
Ms. Annette Hodges, Receptionist
Mr. Linc Dante', Investigator
Mr. Bob Macke, Investigator Supervisor
Mr. Greg Mincheff, Investigator
Mr. Ron Ramsey, Investigator
Mr. Greg Welch, Investigator Supervisor
Mr. Tom Tucker, Investigator
Mr. Spencer Kinney, Investigator
Mr. Tom Lawrence, Investigator
Mr. Jim Ables, Investigator
Ms. Sonya Ruffin, Public Relations
Ms. Susie Kiger, Legal Assistant
Ms. Barbara Hennessy, Recording Secretary

OTHERS PRESENT:

Debbie Hines, Court Reporter, CSR Associates of Nevada; Mr. Nicholas Alexander, Homeowner; Ms. Danielle Alexander, Homeowner; Mr. James Hadfield, President, Hadfield Development; Mr. James Walton, Counsel; Mr. Owen Nitz, Counsel; Mr. Floyd Trumble, President, Floyd Trumble Concrete, Inc.; Mr. Lawrence Stoeckinger, Jr., Owner, Stoeckinger Construction; Mr. William Bishop, Owner, Bishop Paving; Mr. Harold DeLong, Homeowner; Mr. Scott Rassmussen, Counsel; Mr. Harley Chapman, President, Chapman & Associates; Mr. Pat Reynolds, Homeowner; Mr. Augustine Jacinto, Homeowner; Mr. Anthony Torsarkissian, Owner, Doctor Refrigeration; Mr. Ed Sittner, Jr; Mr. Joseph Gilbilterra, Owner, Con-Struct LLC; Mr. Barry Levinson, Counsel; Mr. Dan Shannon, Horizon Homes; Mr. Larry Powers, President, Horizon Homes; Ms. Gayle Donnelly, Homeowner; Mr. Odell Milstead, Homeowner; Mr. Brian Grill, President, Brian Jeff Grill Construction Consultant, Inc.; Mr. Enrique Rocha, Jr., Owner, Image Electric; Mr. Frank Hawkins, Partner, National Construction Providers, Inc and Ms. Colleen Grande, President, Associated Pools.

Ms. Grein stated that James Ables and Ron Ramsey had posted the agenda in compliance with the open meeting law on June 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.

It was learned there were 20 items on the amended agenda, each item of an emergency nature.

MS. CAVIN MOVED TO HEAR THE AMENDED AGENDA.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

Mr. Gregory called for a motion to approve the minutes of May 22, 2001 and June 5, 2001.

MR. HIGGINS MOVED TO APPROVE THE MINUTES OF MAY 22, 2001 AND JUNE 5, 2001.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

EXECUTIVE SESSION

Margi Grein summarized the Legislative bills pertaining to the Nevada State Contractor's Board.

AB 133 was the only bill concerning construction defects that was considered in the June 14th special session. Lobbying efforts had been successful to exclude the Board from legislation pertaining to construction defects.

AB370 – Requires employers to obtain orders for protection against harassment in the workplace.

AB461 – Revises qualifications on bidder's preference.

AB569 - Exempts Board from State Budget Act.
Effective July 1, 2001

AB620 – Creates a commission on construction education and made various changes to NRS 624 in relation to licensing. ***Margaret Cavin volunteered to serve as the Board's representative on the Commission.***

SB 63 - Amends bidder's preference law to include specialty contractors when acting as a prime contractor.

SB 216 – Revises provisions regarding residential pools and spas.
Effective July 1, 2001

SB 274 – Prompt pay revises provisions governing rights and duties of contractors and subcontractors under contracts or subcontracts.

SB 337 - Provides regulations of boilers, elevators, pressure vessels, boiler inspectors and elevator mechanics. ***Mr. Gregory recommended that someone from the NSCB attend the public hearings and alert the Board if separate or additional licensing pertaining to this bill is mentioned.***

SB 380 - Eliminates the duty of a contractor to require proof of payment of the business tax from a subcontractor with whom he has a contract.

SB 420 - Requires the Board to submit quarterly summary of disciplinary actions and biennial reports to Legislature.

Ms. Grein also reported that a workshop and public hearing has been scheduled for July 11, 2001, to promulgate regulations for the administration of the residential recovery fund and administrative citations. In addition, Ms. Grein advised the Board that she had received a response to her inquiry to the Attorney General concerning the effective date of the right to file a claim against the recovery fund.

Ms. Grein further reported several of the bills required the Board to adopt regulations.

Ms. Grein informed the Board that the NSCB has received 65 applications for the Human Resources position. Mr. Lyford has been screening the applications and interviews will be scheduled for the week of July 16, 2001. The top ten applicants will interview with the Board on August 15, 2001. Ms. Grein would like to have the position filled by September 1, 2001.

Ms. Grein introduced new Compliance Investigators, Spencer Kinney and Tom Lawrence, to the Board.

Ms. Pat Potter introduced Licensing Aide Bonnie Munoz, Licensing Analyst Teresa Toffil and Receptionist Annette Hodges to the Board.

AGING REPORTS

Ms. Pat Potter, Licensing Supervisor and Mr. Rick Bertuzzi, Director of Investigations presented aging reports for their departments.

A statistical analysis of complaint cases was presented to the Board. Director of Investigations Rick Bertuzzi gave a brief recap of open, pending and closed complaints.

A brief discussion on the Construction Guideline manual was held by the Board. It was suggested that a revised draft be issued to the Board and put on the Agenda for approval at the July 24, 2001 Board Meeting.

SUMMARY SUSPENSION

EXTERIORS, INC., #29760 and #28920 – SUMMARY SUSPENSION

Mr. Haney informed the Board that an additional license for Exteriors, Inc., #28920, has been added to the summary suspension.

Mr. George Lyford informed the Board that the NSCB has received 12 complaints against Exteriors, Inc. in the last 30 days. There have been reports of liens being filed against homeowner's property and pending foreclosures. Additionally, requested financial statements have not been provided to the NSCB. It was validated that Exteriors, Inc. has been evicted from their place of business for non-payment of rent. NSCB staff is of the opinion that Exteriors, Inc. poses a danger to the public and requested summary suspension of license numbers 28920 and 29760.

Mr. Schaefer disclosed that he has had business dealings with Exteriors, Inc. but stated that it would not affect his judgement in this case.

Ms. Colleen Grande of Casa Grande pools informed that Board that she is President of Associated Pools, Inc. an organization of pool contractors, sub-contractors and suppliers who would like to offer assistance to homeowners whose projects have been abandoned by Exteriors, Inc.

MR. CARSON MOVED TO SUMMARILY SUSPEND EXTERIORS, INC., LICENSE #28920 AND #29760, IN THE MATTER OF HEALTH, WELFARE AND PUBLIC SAFETY.

MR. JOHNSON SECONDED.

THE MOTION CARRIED.

DISCIPLINARY HEARINGS

HADFIELD DEVELOPMENT, INC., #29493 – DISCIPLINARY HEARING

The Notice of Hearing and Complaint, dated March 19, 2001, consisting of pages 1-108, was sent certified mail to the Respondents address of record on file with the Board. The return receipt was received dated March 21, 2001. The Notice of Hearing, dated May 4, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was received dated May 5, 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 or which is below the standards in the building or construction codes adopted by the city or county in which the work is performed; NRS 624.3013(5), as set forth in NAC 624.700(3)(a), if it appears from the investigation that a licensee may have violated the provisions of chapter 624 of NRS or these

regulations, the executive officer may request the licensee to take appropriate action; NRS 624.3015(1), acting in the capacity of a contractor beyond the scope of the license; NRS 624.3015(2), bidding to contract or contracting for a sum for one construction contract or project in excess of the limit placed on the license by the Board and 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 monetary limit placed upon his license.

Mr. Nicholas Alexander, Homeowner, Ms. Danielle Alexander, Homeowner, Mr. James Hadfield, Hadfield Development and NSCB Investigator Mr. Greg Mincheff were sworn in. Also in attendance was Mr. James Walton and Mr. Owen Nitz, Attorneys for Hadfield Development.

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

Mr. Carson informed the Board that Mr. Alexander is a personal friend and that it would not affect his judgement in this matter. Mr. Hadfield and Mr. Alexander had no objection with Mr. Carson hearing this matter.

Mr. Nitz requested additional time be granted by the Board so that the repairs to the Alexander residences' could be completed.

Mr. Nitz stated that his office inspected both residences with NSCB Investigator Mr. Greg Mincheff. All parties are in agreement that several items still need to be addressed. Mr. Nitz informed the Board that his client, Hadfield Development and Mr. Alexander have come to an agreement for a 60 day continuance to finalize the repairs to both residences.

Nicholas Alexander testified that he has no objection in continuing this matter for 60 days.

Mr. Gregory advised the Respondent that the continuance was being granted to provide an opportunity for the Respondent to comply with the Board's Notice to Correct. The Respondent is expected to complete all repairs by the next Board Meeting.

MR. JOHNSON MOVED TO CONTINUE THIS MATTER FOR 60 DAYS WITH A PROGRESS REPORT IN 30 DAYS.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

DISCIPLINARY HEARING

STOECKINGER CONSTRUCTION, #48951 and **FLOYD TRUMBLE CONCRETE, INC.**, #41887 – DISCIPLINARY HEARING

The Notice of Hearing and Complaint, dated March 22, 2001, consisting of page 1-30, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated March 23, 2001. The Notice of Hearing, dated May 1, 2001, was sent

certified mail to the Respondent's address of record on file with the Board. The return receipt was dated May 3, 2001. The Amended Notice of Hearing (re: time change) was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated May 5, 2001.

The hearing was for possible violations of NRS 624.301(1), abandonment without legal excuse of any construction project or operation engaged in or undertaken by the licensee as a contractor; NRS 624.3013(5), as set forth in NRS 624.740, it is unlawful for any two or more licensees, whose licenses have been limited by the Board to contracts not exceeding certain monetary sums and each of whom has been issued a license to engage separately in the business or to act separately in the capacity of a contractor within this state, jointly to submit a bid or otherwise act in the capacity of a contractor within this state without first having secured an additional license for acting in the capacity of such a joint venture or combination in accordance with the provisions of this chapter as provided for an individual, co-partnership or corporation; NRS 624.3013(1), acting in the capacity of a contractor beyond the scope of the license; 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 monetary limit placed upon his license.

Mr. Floyd Trumble, President, Floyd Trumble Concrete, Inc., Mr. Lawrence Stoeckinger, Jr., Owner, Stoeckinger Construction and NSCB Investigator Mr. Greg Mincheff 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. Haney stated that an Answer had been filed by both Respondents'.

Mr. Trumble testified that entered into a contract with the Hepsoes' to build a garage/living quarters for approximately \$47,500 of which \$40,000 has been paid.

Mr. Stoeckinger testified that he informed Greg Mincheff that he was Mr. Trumble's employee. He testified that he was a part-time employee and that Mr. Trumble would call him when there was a job and Mr. Trumble would pay him at the end of the job.

Mr. Stoeckinger testified that he helped Mr. Trumble pour concrete at the Hepsoe residence and later assisted him in framing and installing drywall in the garage/living quarters.

Mr. Trumble testified that the original contract was to build a 10' x 10' combination storage and pump house. It became a 30' x 45' RV garage that included a loft with living quarters. The completion of the garage/living quarters consisted of plumbing, carpentry, electrical, and other trades. Mr. Trumble testified that his contractor's license is a C-5 (Concrete Contracting) license only.

Mr. Trumble stated that his relationship with Mr. Stoeckinger is defined as a friend. He did not hire Mr. Stoeckinger as either an employee or a subcontractor. He asked Mr. Stoeckinger for his assistance, as a friend, and agreed to divide the money equally at the completion of the project.

Mr. Greg Mincheff testified that he became aware of the situation after receiving a workmanship complaint from Mrs. Hepsoe. Mr. Mincheff testified that the testimony today by Mr. Trumble and Mr. Stoeckinger summarized what they told him in August, 2000. Mr. Mincheff stated that he confirmed with the State of Nevada that no employee records existed for Mr. Stoeckinger. Additionally, Mr. Mincheff stated that there was no license number or monetary limit on the contract.

Mr. Mincheff testified that after inspecting the garage/living quarters on June 9, 2000, there were a few minor issues that needed to be corrected.

Mr. Trumble testified that he has been on the job site since that date and has replaced the stair riser, shot ceiling walls with texture, painted the living quarters and placed baseboards around building completing the remaining items on the Notice to Correct.

Mr. Mincheff informed the Board that Ms. Hepsoe now resides back east and does not wish to pursue the workmanship complaint.

The evidentiary portion of the hearing was closed.

MR. CARSON MOVED TO FIND STOECKINGER CONSTRUCTION, LICENSE #48951, IN VIOLATION OF THE 2ND AND 3RD CAUSES OF ACTION AND TO DISMISS THE 1ST CAUSE OF ACTION.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

MR. CARSON MOVED TO FIND TRUMBLE CONCRETE, INC., LICENSE #41887, IN VIOLATION OF THE 2ND, 3RD, 4TH, AND 5TH CAUSES OF ACTION AND TO DISMISS THE 1ST CAUSE OF ACTION.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

MR. CARSON MOVED THAT STOECKINGER CONSTRUCTION, LICENSE # 48951 BE FINED \$200.00 PER VIOLATION; A LETTER OF REPRIMAND BE PLACED IN THEIR FILE FOR TWO YEARS; TO RECOVER INVESTIGATIVE COSTS OF \$967.50; ALL FINES AND COSTS TO BE PAID WITHIN 60 DAYS OR THE LICENSES WILL BE SUSPENDED.

MR. SCHAEFER SECONDED THE MOTION. (MS. CAVIN OPPOSED)

THE MOTION CARRIED.

MR. CARSON MOVED THAT AND TRUMBLE CONCRETE, INC., LICENSE #41887, BE FINED \$200.00 PER VIOLATION; A LETTER OF REPRIMAND BE PLACED IN THEIR FILE FOR TWO YEARS; TO RECOVER INVESTIGATIVE COSTS OF \$967.50; ALL FINES AND COSTS TO BE PAID WITHIN 60 DAYS OR THE LICENSES WILL BE SUSPENDED.

MR. SCHAEFER SECONDED THE MOTION. (MS. CAVIN OPPOSED)

THE MOTION CARRIED.

BISHOP PAVING, #42843 – DISCIPLINARY HEARING

The Notice of Hearing and Complaint, dated February 15, 2001, consisting of pages 1-28, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated February 16, 2001. The Notice of Re-Hearing, dated May 21, 2001, was sent 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 which is not commensurate with the standards of the trade in general or which is below the standards in the building or construction codes adopted by the city or county in which the work is performed; NRS 624.3013(5), as set forth in NAC 624.700(3)(a), if it appears from the investigation that a licensee may have violated the provisions of chapter 624 of NRS or these regulations, the executive officer may request the licensee to take appropriate corrective action; 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 monetary limit placed upon his license and NRS 624.3014(1), acting in the capacity of a contractor under any license issued hereunder except: (a) in the name of the licensee as set forth upon the license.

Mr. William Bishop, Owner, Bishop Paving, Mr. Harold DeLong, Homeowner and NSCB Investigator Mr. Greg Mincheff were sworn in. Also in attendance was Mr. Scott Rassmussen, Counsel for Bishop Paving.

Mr. Haney stated that the Respondent had not attended the original hearing and the license had been revoked. A petition for rehearing had been submitted by Bishop Paving. Mr. Bishop advised the NSCB, by letter, that he did not attend the March 21, 2001 Board hearing after being advised by NSCB staff that he was not required to attend if the issue with Mr. DeLong was resolved.

MR. JOHNSON MOVED TO APPROVE A REHEARING FOR BISHOP PAVING, LICENSE #42843.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

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

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

Mr. Haney stated that the original dispute was over workmanship and that \$1720.00 has since been refunded to Mr. DeLong. Also, the file reflects that the monetary limit and license number is not on the contract. Additionally, the Respondent's license name is Bishop Paving and he's doing business as Bishop Construction and Paving.

Mr. Mincheff testified that he validated the workmanship issues.

Mr. DeLong testified that he received the refund from Bishop Paving but the asphalt has not been removed. The driveway still needs to be paved but he cannot pave it until the asphalt laid by Bishop Paving is removed.

Mr. Rasmussen informed the Board that at the time Mr. Bishop entered into the contract with Mr. DeLong, he did not have the equipment to properly install the asphalt on Mr. DeLong's driveway. He has since purchased new equipment. Mr. Bishop is willing to remove the asphalt or hire another contractor to remove the asphalt at Mr. Bishop's expense.

Mr. DeLong testified that Mr. Mincheff issued Bishop Paving a Notice to Correct and instead of repairing it they just refunded his money.

Mr. Bishop testified that he followed the direction of the Nevada State Contractor's Board to resolve this matter. Mr. DeLong refused to allow him on his property to repair the driveway, so he refunded Mr. DeLong's money.

Mr. Mincheff testified that there have been previous issues where the Respondent refunded money in lieu of repairing the workmanship complaints.

The letter sent to Mr. Bishop by the NSCB was entered into the record as Exhibit #3.

Mr. DeLong agreed to allow Mr. Bishop on his property.

Mr. Rasmussen stated that his client will pay to have the asphalt removed.

The evidentiary portion of the hearing was closed.

MR. JOHNSON MOVED TO CONTINUE THIS MATTER TO JULY 24, 2001 FOR CORRECTIVE ACTION, PER THE NOTICE TO CORRECT THAT WAS ISSUED. THE WORK IS TO BE COMPLETED TO THE SATISFACTION OF THE STATE CONTRACTORS BOARD INVESTIGATOR.

MR. CARSON SECONDED THE MOTION

THE MOTION CARRIED. (MS. CAVIN OPPOSED)

CHAPMAN & ASSOCIATES, INC., #44983 – DISCIPLINARY HEARING STAFF UPDATE
(continued from May 9, 2001)

Mr. Haney stated that this is the first of six staff updates in the continuing matter pertaining to the establishment of financial stability of the corporation.

Mr. Harley Chapman, President, Chapman & Associates and NSCB Investigator Ron Ramsey were present.

Mr. Ramsey testified that he contacted Ms. Roxanne Chapman the complainant on this case who informed him that she has not receive a payment to date.

Mr. Chapman testified that he has not made any payments. There has been no change in his financial situation since the May 9, 2001 meeting. The reorganization plan has been filed but it has not been approved, at this time, due to Domino's attempt to block the sale. The bankruptcy court is handling this matter.

Mr. Chapman will appear at the July 24, 2001 Board meeting for a second staff update.

JOM ENTERPRISES, INC. d/b/a **CLASS A CONTRACTING COMPANY**, #32021, #34101, #34102 and #34103 – DISCIPLINARY HEARING

The Notice of Hearing and Complaint, dated March 22, 2001, consisting of pages 1-53, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated March 23, 2001. The Notice of Hearing, dated May 9, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated May 14, 2001. The Amended Complaint, dated June 6, 2001, was sent certified mail to the Respondent's address of record on file with the Board.

The hearing was for possible violations of NRS 624.301(1), abandonment without legal excuse of any construction project or operation engaged in or undertaken by the licensee as a contractor; NRS 624.3013(5), as set forth in NAC 624.700(3)(a), if it appears from the investigation that a licensee may have violated the provisions of chapter 624 of NRS or these regulations, the executive officer may request the licensee to take appropriate corrective action; NRS 624.3017(1), workmanship which is not commensurate with the standards of the trade in general or which is below the standards in the building or construction codes adopted by the city or county in which the work is performed; NRS 624.3013(3), failure to establish financial responsibility pursuant to NRS 624.220 and 624.260 to 624.265, inclusive, at the time of renewal of the license or at any other time when required by the Board; NRS 624.3014(2)(c), with the intent to evade the provisions of this chapter: (c) allowing a license to be used by an unlicensed person; NRS 624.305(1), no license may be used for any purpose by any person other than the person to whom such license is issued, and no license may be assigned, transferred or otherwise disposed of to permit the unauthorized use thereof and 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 monetary limit placed upon his license.

No one from JOM Enterprises, Inc. was present for the hearing. Mr. Pat Reynolds, Homeowner, Mr. Augustine Jacinto, Homeowner, NSCB Investigator Jim Ables and NSCB Investigator Supervisor Bob Macke were sworn in.

Ms. Grein presented a fax to the Board that had been received the morning of June 19, 2001 at 9:24 a.m. from Mr. O'Meara, President, JOM Enterprises, requesting a continuance.

Mr. Lyford stated that he spoke with Mr. O'Meara that morning. Mr. O'Meara requested a continuance stating he just received the hearing notice and lives in California. Mr. Lyford informed Mr. O'Meara that he needed to attend today's meeting.

MS. CAVIN MOVED TO DENY THE REQUEST FOR A CONTINUANCE BASED ON THE UNTIMELY SUBMITTAL.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

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

Ms. Grein stated that a financial statement was requested and has not been provided by JOM Enterprises, Inc.

Mr. Jacinto testified that he entered into a contract with the Respondent to install a patio for a total of \$12,056.00. Mr. Jacinto paid JOM Enterprises, Inc. the required down payment and patio construction never started.

Mr. Reynolds testified that he entered into a contract with the Respondent to install a patio cover for \$4,049 and paid JOM Enterprises, Inc. the entire amount. The cover was installed but there are problems with it including improper flashing installation and drywall damaged due to a leak.

Mr. Macke testified that Notice to Correct letters were sent to JOM Enterprises, Inc. on both complaints and to date these items have not been corrected.

Mr. Macke testified that he validated Mr. Reynold's complaint and determined through the Clark County Building Department that no permits were pulled by JOM Enterprises, Inc. to build Mr. Reynold's patio. Additionally, the monetary limit and license number was not listed on the contract.

Mr. Macke testified that Mr. Tom Ferrari has been representing himself as an officer and partner of JOM Enterprises, Inc. and is signing contracts as owner when, in fact, only the Resident Agent in Nevada. The officers are John and Agnes O'Meara. Mr. Macke stated that during a meeting with Mr. O'Meara at the NSCB office, Mr. O'Meara stated that his company had no employees.

Mr. Macke testified that Mr. Ferrari had a license in his name, Accurate Patios, issued in December, 2000.

Mr. Ables testified that he also validated Mr. Reynolds complaint.

Mr. Jacinto testified that he dealt solely with Mr. Ferrari and that he demanded payment in full before he could begin work on the patio. When he questioned this payment, Mr. Ferrari stated that "it was a big job."

The evidentiary portion of this hearing was closed.

Mr. Carson recommended that the matter be referred to formal fact and finding of law since a response from Mr. O'Meara had been received even though it was not timely.

MR. CARSON MOVED TO REFER THE MATTER OF JOM ENTERPRISES D/B/A CLASS A CONTRACTING, INC., LICENSE NOS. 32021, 34101, 34102 and 34103 TO FORMAL FINDING OF FACTS AND CONCLUSION OF LAW AND TO SUMMARILY SUSPEND ALL LICENSES UNTIL FINAL ACTION.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

MARCELLOS CONSTRUCTION & DESIGN, #43835 and A A1 SIGN, INC., #47344 – DISCIPLINARY HEARING

The Notice of Hearing and Complaint, dated March 29, 2001, consisting of pages 1-17, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated March 31, 2001. The Notice of Hearing, dated May 8, 2001, was sent to the Respondent's address of record on file with the Board. The return receipt was dated May 11, 2001.

The hearing was for possible violations of NRS 624.3012(2), willful or deliberate failure by any licensee or agent or officer thereof to pay any money when due for any materials or services rendered in connection with his operations as a contractor, when he has the capacity to pay or when he has received sufficient money therefor; NRS 624.3013(3), failure to establish financial responsibility pursuant to NRS 624.220 and 624.260 to 624.265, inclusive, at the time of renewal of the license or at any other time when required by the Board; NRS 624.3018(2), the performance by any partnership, corporation, firm or association of any act or omission constituting 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 and NRS 624.3013(4), failure to keep in force the bond or cash deposit pursuant to NRS 624.270 for the full period required by the Board.

NSCB Investigator Mr. Tom Tucker was sworn in.

Ms. Grein informed the Board that there was one active license and one license has been suspended for not maintaining a bond.

Mr. Haney stated that Marcello Construction & Design failed to pay complainant Southwest Paving \$6,700.00. Southwest Paving has since withdrawn their complaint after receiving payment from the bonding company.

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

Mr. Haney stated that the Marcellos Construction & Design has failed to establish financial responsibility. Marcello Vignau also owns A A-I Signs and that license has been suspended for failure to keep a bond in place.

Mr. Tucker testified that Southwest Paving was entitled to receive \$6,700.00. To Mr. Tucker's knowledge the request for a financial statement by Ron Ramsey in March, 2001 and his request in May, 2001 have gone unanswered.

The evidentiary portion of the hearing was closed.

MR. CARSON MOVED TO ACCEPT TODAY'S TESTIMONY AND FILE AS FORMAL FINDINGS OF FACT AND CONCLUSIONS OF LAW.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

MR. CARSON MOVED TO FIND MARCELLOS CONSTRUCTION & DESIGN, LICENSE #43825 IN VIOLATION OF ALL CHARGES AND A A1 SIGNS, INC., LICENSE #47344, IN VIOLATION OF THE 4TH CAUSE OF ACTION; TO REVOKE LICENSE #43825, MARCELLOS CONSTRUCTION & DESIGN AND LICENSE #47344, A A1 SIGN, INC.; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES, AND TO RECOVER INVESTIGATIVE COSTS OF \$1,849.00 PRIOR TO CONSIDERATION OF ANY FUTURE LICENSURE.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

DOCTOR REFRIGERATION & AIR, #43300 – DISCIPLINARY HEARING

The Notice of Hearing and Complaint, dated April 20, 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 Answer was dated May 1, 2001. The Notice of Hearing, dated May 14, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated May 17, 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 or which is below the standards in the building or construction codes adopted by the city or county in which the work is performed; NRS 624.3013(5), as set forth in NAC 624.700(3)(a), if it appears from the

investigation that a licensee may have violated the provisions of chapter 624 of NRS or these regulations, the executive officer may request the licensee to take appropriate corrective action; NRS 624.3015(1), acting in the capacity of a contractor beyond the scope of the license and 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 monetary limit placed upon his license.

Mr. Anthony Torsarkissian, Owner, Doctor Refrigeration and NSCB Investigator Mr. Greg Mincheff 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. Mincheff testified that he investigated the complaint and the monetary limit and license number was not on the contract. The contract stated that the licensee would replace the heater. The Respondent is only licensed for heating and air conditioning repairs. A Notice to Correct was sent and the workmanship issue is now resolved.

Mr. Torsarkissian testified that he currently holds a C-21(d) license. He was not aware that he could not replace equipment with this license classification. He has replaced units when licensed in California and tested for it when he applied for his Nevada Contractor's license.

Ms. Mathias confirmed that Mr. Torsarkissian had passed the C21(d) examination administered in the State of Nevada.

The evidentiary portion of the hearing was closed.

MR. JOHNSON MOVED TO DISMISS ALL CHARGES AGAINST DOCTOR REFRIGERATION, LICENSE #43300.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

MR. JOHNSON MOVED TO WAIVE THE C-21(b) TEST PENDING MR. TORSARKISSIAN SUBMISSION OF A C-21(b) LICENSE APPLICATION AND PAYMENT OF THE APPROPRIATE FEES.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

APPLICATION HEARING**WILLIAM CUSHING CONSTRUCTION** – (B-2 – Residential and Small Commercial) – APPLICATION HEARING

The Notice of Hearing and Complaint, dated May 10, 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 denial of Respondent's application for a B-2 (Residential and Small Commercial) license pursuant to NRS 624.265(1), an applicant for a contractor's license or a licensed contractor and each officer, director, partner and associate thereof must possess good character and NRS 624.263, failure to establish financial responsibility.

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

License Analyst Ms. Maryann Enbody and License Administrator Ms. Nancy Mathias were sworn in. No one from William Cushing Construction was present for the hearing.

Ms. Mathias testified that there was concern with the Respondent's financial condition and good character. A financial statement was requested and not provided by the Respondent.

The evidentiary portion of the hearing was closed.

MS. CAVIN MOVED TO DENY WILLIAM CUSHING CONSTRUCTION, LICENSE CLASSIFICATION B-2 (RESIDENTIAL & SMALL BUSINESS) APPLICATION.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

APPLICATIONS

MR. CARSON MOVED TO CLOSE THE HEARING TO THE PUBLIC IN ACCORDANCE WITH NRS 241.033 TO DISCUSS FINANCIAL MATTERS.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

The following applications were reviewed and discussed: Nos. 2-5, 7-8, 22, 29-30, 36, 40, 44-46, 59, 64, 65, 69-71, 74, 75, 78, 81, 83-92, 97, 99, 106, 110-113, 115, 119, 122, 123, 130 and 138.

The following applications on the amended agenda were reviewed and discussed: Nos. 1-10, 13, 14, 16, 17, 20.

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

MR. SCAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

DISCIPLINARY HEARING – (continued)

CON-STRUCT LLC, #48717 – DISCIPLINARY HEARING

The Notice of Hearing and Complaint, dated March 12, 2001, consisting of pages 1-33, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated April 19, 2001. The Answer was received May 11, 2001. The Notice of Hearing, dated May 21, 2001, was sent certified mail to the Respondent's address of record on file with the Board.

The hearing was for possible violations of NRS 624.3016(7), misrepresentation or the omission of a material fact, or the commission of any other fraudulent or deceitful act, to obtain a license and NRS 624.3013(3), failure to establish financial responsibility pursuant to NRS 624.220 and 624.260 to 624.265, inclusive, at the time of renewal of the license or at any other time when required by the Board.

Mr. Ed Sittner, Jr., Mr. Joseph Gilbilterra, Owner, Con-Struct LLC and NSCB Supervisor of Special Investigations Mr. Roy Schoonmaker were sworn in. Also in attendance was Barry Levinson, Counsel for Con-Struct.

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. Haney informed the Board that the 3rd cause of action had been corrected to indicate a second misdemeanor instead of a felony charge.

Mr. Schoonmaker testified he reviewed the Respondent's license application for the State of Nevada wherein the Respondent answered that he held no previous licenses and had never been convicted of a felony or misdemeanor. Mr. Schoonmaker testified that a license was issued to the Respondent by the State of California in July, 1990 and revoked in 1994. Additionally, on July 18, 1991, the Respondent pled guilty to driving under the influence.

Mr. Schoonmaker testified that a financial statement was received on December 31, 2000 and it was determined that the licensee was unable to support the current license limit.

A letter from the Respondent's attorney in California was entered into the record as Exhibit A.

Mr. Gilbilterra testified that Mr. Sittner completed the license application and that he had no knowledge of the questions that were answered.

Mr. Sittner testified that he completed the license application in its entirety and brought it to

Mr. Gilbilterra for his signature. At that time, he reviewed a single answer with Mr. Gilbilterra. The agreement between Mr. Sittner and Mr. Gilbilterra was that Mr. Sittner would handle the paperwork and Mr. Gilbilterra would do the hands on work. Mr. Sittner testified that he submitted his financial statement with the application and was the indemnitor on the license at the time of the application. Mr. Sittner resigned from the company around the first of the year and Mr. Gilbilterra is now the sole owner of the company.

Mr. Gilbilterra testified that had he known he would have told the truth.

Mr. Schoonmaker testified that this case was opened through an anonymous complaint.

Mr. Gilbilterra testified that it was his signature and initials on the license application.

MR. CARSON MOVED TO CLOSE THE HEARING TO THE PUBLIC IN ACCORDANCE WITH NRS 241.033 TO DISCUSS FINANCIAL MATTERS.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

Mr. Schoonmaker testified that a new financial statement for Mr. Gilbilterra, the Managing Member of the LLC, was just received.

Ms. Mathias stated the Mr. Sittner was and still is the only indemnitor for the LLC. It was also noted that Mr. Sittner had not notified the Board of his resignation and his name remained on the license.

Mr. Sittner testified that he had no knowledge that he was still the indemnifier and responsible for the LLC. He thought that once he resigned his indemnification was cancelled.

Mr. Gilbilterra testified that there is money in the company to support the license and that he will submit a new financial statement.

Ms. Grein informed the Board that as of June 10, 2001 the license was suspended for no bond.

Mr. Gilbilterra testified that he was waiting for the determination of this hearing before he renewed the bond.

MS. CAVIN 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. JOHNSON MOVED TO CONTINUE THE HEARING UNTIL JULY 24, 2001 TO REVIEW THE NEW FINANCIAL STATEMENT.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

**HORIZON HOMES d/b/a NEW HORIZON CONSTRUCTION COMPANY, #31369 –
DISCIPLINARY HEARING**

The Notice of Hearing and Complaint, dated April 9, 2001, consisting of pages 1-55, was sent certified mail to Respondent's address of record on file with the Board. The return receipt was dated April 10, 2001. The Answer was received May 1, 2001. The Notice of Hearing, dated May 21, 2001, was sent certified mail to the Respondent's address of record on file with the Board.

The hearing was for possible violations of NRS 624.3017(1), workmanship which is not commensurate with the standards of the trade in general or which is below the standards in the building or construction codes adopted by the city or county in which the work is performed; 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 624.3013(5), as set forth in NAC 624.700(3)(a), if it appears from the investigation that a licensee may have violated the provisions of chapter 624 of NRS or these regulations, the executive officer may request the licensee to take appropriate corrective action; NRS 624.3013(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 monetary limit placed upon his license and NRS 624.3013(5), as set forth in NRS 624.600: a general building contractor shall provide in writing to the owner of a single family residence with whom he has contracted: 1. The name, license number, business address and telephone number of: (a) all subcontractors with whom he has contracted on the project; and (b) all persons who furnish material of the value of \$500 or more to be used in the project. 2. A notice that a person described in subsection 1 may record a notice of lien upon the residence of the owner and any building, structure and improvement thereon pursuant to the provisions of NRS 108.226. 3. An informational form, whose contents must be prescribed by the Board, regarding: (a) contractors pursuant to chapter 624 of NRS; and (b) mechanics' and materialmen's liens pursuant to chapter 108 or NRS.

Mr. Dan Shannon, Horizon Homes, Mr. Larry Powers, President, Horizon Homes, Inc., Ms. Gayle Donnelly, Homeowner, Mr. Odell Milstead, Homeowner and NSCB Investigator Tom Tucker 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. Shannon requested that the hearing be continued for 30 days to allow him to make the necessary corrections.

Mr. Milstead testified that he had no problem with the continuance as long as he can come back to the Board if the problems are not corrected within the 30 days.

Mr. Shannon testified that all items but one have been addressed and completed and that they are currently working on the HVAC vent.

MR. CARSON MOVED TO CONTINUE THE HEARING UNTIL JULY 24, 2001, FOR CORRECTIONS TO BE COMPLETED.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

Mr. Gregory advised the Respondent that the continuance was being granted to provide an opportunity for the Respondent to comply with the Board's Notice to Correct. The Respondent is expected to complete all repairs by the next Board Meeting.

DEFAULT ORDERS

ANCHOR STAINLESS, INC., #37044 – DISCIPLINARY HEARING - DEFAULT ORDER

The Notice and Request to Answer Complaint, dated April 12, 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 April 19, 2001.

The Default Notice, dated May 21, 2001, was sent certified mail to Respondent's address of record on file with the Board. The return receipt was dated May 25, 2001.

Mr. Griffy stated that the default hearing was for possible violations of NRS 624.3012(2), willful or deliberate failure by any licensee or agent or officer thereof to pay any money when due for any materials or services rendered in connection with his operations as a contractor, when he has the capacity to pay or when he has received sufficient money therefor; NRS 624.302(5), failure to establish financial responsibility pursuant to NRS 624.220 and 624.260 to 624.265, inclusive, at the time of renewal of the license or at any other time when required by the Board and NRS 624.3013(4), failure to keep in force the bond or cash deposit pursuant to NRS 624.270 for the full period required by the Board.

No one from Anchor Stainless, Inc. was present.

Mr. Haney stated that the licensee failed to pay Air System Inc.; failed to show at the investigative staff meeting; has not submitted the requested financial statement and failed to maintain their bond.

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

The evidentiary portion of the hearing was closed.

MR. CARSON MOVED TO ACCEPT THE FILE AS FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND ANCHOR STAINLESS, INC., LICENSE #37044 IN VIOLATION OF ALL CHARGES AS INDICATED IN THE NOTICE OF HEARING AND COMPLAINT; TO REVOKE LICENSE #37044, ANCHOR STAINLESS, INC.; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES, AND TO RECOVER INVESTIGATIVE COSTS OF \$1,193.00 PRIOR TO CONSIDERATION OF ANY FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

FOLLMER CONTRACTING, #40758 and FOLLMER FLOOR AND DECK COMPANY, #30226 – DISCIPLINARY HEARING – DEFAULT ORDER

The Notice and Request to Answer Complaint, dated April 12, 2001, consisting of pages 1-48, was sent certified mail to Respondent's address of record on file with the Board. The return receipt was dated April 16, 2001.

Follmer's letter requesting surrender of his state contractor's license #40758 effective April 16, 2001 was received April 16, 2001.

The Default Notice, dated May 21, 2001, was sent certified mail to Respondent's address of record on file with the Board. The return receipt was dated May 22, 2001. The Amended Complaint, dated June 6, 2001, was sent certified mail to Respondent's address of record on file with the Board.

Ms. Grein stated that the default hearing was for possible violations of NRS 624.3017(1), workmanship which is not commensurate with the standards of the trade in general or which is below the standards in the building or construction codes adopted by the city or county in which the work is performed; NRS 624.3013(5), as set forth in NAC 624.700(3)(a), if it appears from the investigation that a licensee may have violated the provisions of chapter 624 of NRS or these regulations, the executive officer may request the licensee to take appropriate corrective action; 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 the state, the number of his license and monetary limit placed upon his license; NRS 624.3015(1), acting in the capacity of a contractor beyond the scope of the license; NRS 624.3013(4), failure to keep in force the bond or cash deposit pursuant to NRS 624.270 for the full period required by the Board and NRS 624.3018(2), the performance by 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.

NSCB Investigator Supervisor Greg Welch was sworn in. No one from Follmer Contracting, Inc. was present for the hearing.

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

Mr. Welch testified that he was the investigator assigned to Follmer Contracting, Inc. and validated the 3rd, 4th, 5th, 6th, and 7th causes of action. A Notice to Correct was sent to Follmer in regards to Mr. Stauff's complaint and the work has not been corrected.

Mr. Welch testified that there was no monetary limit or license number on the proposal and that the bond has not been maintained.

Mr. Mincheff testified that he was the investigator for the Sander's complaint. He informed the Board that Mr. Sander's entered into a contract with Follmer Contracting and paid them the full price of the contract - \$18,964. A Notice to Correct was sent to Follmer and the work has not been corrected.

The evidentiary portion of the hearing was closed.

MR. HIGGINS MOVED TO ACCEPT THE FILE AND TESTIMONY AS FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND FOLLMER CONTRACTING, INC., LICENSE #40758 AND FOLLMER FLOOR AND DECK COMPANY, LICENSE #30226, IN VIOLATION OF ALL CHARGES AS INDICATED IN THE NOTICE OF HEARING AND COMPLAINT; TO REVOKE LICENSE NO. 40758, FOLLMER CONTRACTING, INC. AND #30226, FOLLMER FLOOR AND DECK COMPANY; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES, AND TO RECOVER INVESTIGATIVE COSTS OF \$2,242.00 PRIOR TO CONSIDERATION OF ANY FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

E.A. COLLINS DEVELOPMENT CORPORATION, #35977 – COLLINS HOME MANUFACTURING CORPORATION, #20367 AND E.A. COLLINS DEVELOPMENT CORPORATION d/b/a LIBERTY CABINETRY & WOODWORKING, #39514 – DISCIPLINARY HEARING – DEFAULT ORDER

The Notice and Request to Answer Complaint, dated April 6, 2001, consisting of pages 1-108, was sent certified mail to Respondent's address of record on file with the Board. The return receipt was dated April 9, 2001.

The Default Notice, dated May 21, 2001, was sent certified mail to the Respondent's address of record on file with the Board. The return receipt was dated May 23, 2001.

Ms. Grein stated that the default hearing was for possible violations of NRS 624.3012(2), willful or deliberate failure by any licensee or agent or officer thereof to pay any money when due for any materials or services rendered in connection with his operations as a contractor, when he has the capacity to pay or when he has received sufficient money therefor; NRS 624.3013(3), failure to establish financial responsibility pursuant to NRS 624.220 and 624.260

to 624.265, inclusive, at the time of renewal of the license or at any other time when required by the Board and 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 monetary limit placed upon his license.

NSCB Investigator Ron Ramsey was sworn in. No one from E.A. Collins Development Corporation was present for the hearing.

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

Mr. Ramsey testified that he has validated the complaints, and that the financial statement received on December 5, 2000 does not support the license. Additionally, on January 16, 2001, the NSCB received notification that E.A. Collins was deceased.

Mr. Haney stated that the financial statement confirms that E.A. Collins is insolvent as of this report.

The evidentiary portion of the hearing was closed.

MS. CAVIN MOVED TO ACCEPT THE FILE AND TESTIMONY AS FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND E.A. COLLINS DEVELOPMENT CORPORATION, LICENSE #35977, COLLINS HOME MANUFACTURING CORPORATION, LICENSE #20367, AND E.A. COLLINS DEVELOPMENT CORPORATION D/B/A LIBERTY CABINETRY & WOODWORKING, LICENSE #39514, IN VIOLATION OF ALL CHARGES AS INDICATED IN THE NOTICE OF HEARING AND COMPLAINT; TO REVOKE E.A. COLLINS DEVELOPMENT CORPORATION, LICENSE #35977, COLLINS HOME MANUFACTURING CORPORATION, LICENSE #20367, AND E.A. COLLINS DEVELOPMENT CORPORATION D/B/A LIBERTY CABINETRY & WOODWORKING, LICENSE #39514; TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES, AND TO RECOVER INVESTIGATIVE COSTS OF \$2,594.00 PRIOR TO CONSIDERATION OF ANY FUTURE LICENSURE.

MR. CARSON SECONDED THE MOTION.

THE MOTION CARRIED.

ADVISORY OPINIONS

A. E. SCHMIDT ENVIRONMENTAL (AESE) – A.E. Schmidt Environmental (AESE) requested an Advisory Opinion concerning licensing requirements for designing and building a compressed natural gas fueling facility for Washoe County School District.

No one from A.E. Schmidt Environmental (AESE) was present.

Based upon the information provided, the Board opined that a C38 (Installing equipment used with liquefied petroleum and natural gas) could act as the prime contractor provided a properly licensed subcontractor was hired to perform any electrical work, site work, concrete or

masonry work. The Board further opined that an A, (General Building), AB (General Engineering and Building), B (General Building) or a B-2 (Residential and Small Commercial) licensed contractor could act as the prime contractor provided that properly licensed subcontractors were hired to perform any plumbing, electrical, gas piping or mechanical work.

APPLICATIONS

MR. CARSON MOVED TO CLOSE THE HEARING TO THE PUBLIC IN ACCORDANCE WITH NRS 241.033 TO DISCUSS FINANCIAL MATTERS.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

BRIAN JEFF GRILL CONSTRUCTION CONSULTANT, INC. (B-2 – Residential and Small Commercial) NEW APPLICATION

Mr. Brian Grill, President, Brian Jeff Grill Construction Consultant, Inc., was present. He was notified that the license application (B-2 – Residential and Small Commercial) had been approved with a \$25,000.00 monetary limit, \$5,000.00 bond and a bid letter.

IMAGE ELECTRIC – (C-21 – Refrigeration and Air Conditioning) NEW APPLICATION

Mr. Enrique Rocha, Jr., Owner, Image Electric, was present. He was notified that the license application (C-21 – Refrigeration and Air Conditioning) had been approved with a \$15,000.00 monetary limit and a \$5,000.00 bond.

NATIONAL CONSTRUCTION PROVIDERS, INC. – (B-2 – Residential and Small Commercial) ONE TIME RAISE IN LIMIT

Mr. Frank Hawkins, Partner, National Construction Providers, Inc. was present. Mr. Hawkins stated that they just completed a major project and received payment. They have begun another project and will be receiving checks on a monthly basis within the next 30 days. Mr. Hawkins stated that he would be willing to indemnify the company.

MR. CARSON MOVED TO APPROVE THE ONE TIME RAISE IN LIMIT OF \$5.5 MILLION DOLLARS PENDING INDEMNIFICATION BY FRANK HAWKINS.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

QUAD ELECTRICAL TECHNOLOGIES – (C-2 – Electrical Contracting) – NEW APPLICATION

MR. JOHNSON MOVED TO APPROVE QUAD ELECTRICAL TECHNOLOGIES LICENSE APPLICATION (C-2 – ELECTRICAL CONTRACTING) FOR \$250,000 MONETARY LIMIT AND A \$15,000 BOND.

MR. CARSON SECONDED THE MOTION.

THE MOTION CARRIED.

MS. CAVIN MOVED TO REOPEN THE MEETING TO THE PUBLIC.

MR. JOHNSON SECONDED THE MOTION.

THE MOTION CARRIED.

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

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

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 3:21 p.m.

Respectfully Submitted,

Barbara Hennessy, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Kim Gregory, Chairman