

KENNY C. GUINN
Governor

STATE OF NEVADA

REPLY TO:

MEMBERS

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



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STATE CONTRACTORS' BOARD

MINUTES OF THE MEETING
SEPTEMBER 5, 2001

The meeting of the State Contractors' Board was called to order by Acting Chairman Dennis Johnson at 8:45 a.m., Wednesday, September 5, 2001, State Contractors' Board, Reno, Nevada. EXHIBIT A is the Meeting Agenda and EXHIBIT B is the Sign In Log.

BOARD MEMBERS PRESENT:

Mr. Dennis Johnson – Acting Chairman
Mr. Douglas W. Carson
Ms. Margaret Cavin
Mr. Jerry Higgins
Mr. Randy Schaefer

BOARD MEMBERS ABSENT:

Mr. Kim Gregory
Mr. Mike Zech

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Dennis Haney, Legal Counsel (Haney, Woloson & Mullins)
Mr. David Reese, Legal Counsel (Cooke, Roberts & Reese)
Mr. George Lyford, Director of Special Investigations
Mr. Frank Torres, Deputy Director of Investigations
Ms. Kathy Stewart, Licensing Supervisor
Ms. Diana Sippola, Licensing Analyst
Mr. Gary Hoid, Investigator
Mr. Gary Leonard, Investigator
Ms. Sandy Diederich, Legal Assistant
Ms. Betty Wills, Recording Secretary

OTHERS PRESENT:

Kate Murray, Court Reporter, Sierra Nevada Reporters; John Brownlee, Jr., Owner, John Brownlee Construction, John Holiday, Complainant; Richard Coppola, Construction Manager, Lakemont Homes Nevada, Inc.; Barry Hunter, Customer Service, Lakemont Homes Nevada, Inc.; Complainants: Jerald and Paulette Ganshorn; James Keeble, Painting Contractor; Kenneth Graham Walters, President, K G Walters Construction, Attorney Michael Springer for K G Walters; William Robert Keuper, President, B K Construction; Nanette and Chuck Silva, Complainants; John Qualtieri, Owner, J Q Construction; Lance Wagar, Carpenter, B K Construction; Jim Miller; Plumbing Contractor; John Keele, Owner, Topcoat Refinishing; and Donn Shaw, Electrician, Lahontan Valley Electric; Robert Lyle, Legal Counsel for B K Construction; Scott W. Reutner, President, Spur Development; Allan Stefka, Complainant; Complainants: Tammy Christopherson and Keith Kellison; Darryl McClelland, Personal Indemnitor, McClelland Builders and Excavating, David B. McClelland, Owner, McClelland Builders & Excavating; Teresa McClelland, McClelland Builders & Excavating; John and Cheryl

Moore; Anthony J. Silva, Owner, A J S Construction; Michael Efstratis, QE, Double Diamond Ranch LLC; Anne Marie Channell, President, Dynamic Demolition Inc.; Jeff Hasting and H. Lance Friday, Partners, and Edward W. Maier, Qualified Employee, Vega Specialties LTD; Todd Eggleston, Member, Martin Associates Construction; Mike Richardson, President, Facilities Management Inc.; and Attorney Keith Gregory, C R I Electric Inc.

* * * * *

Ms. Grein stated that Ron Carney had posted the agenda in compliance with the open meeting law on August 29, 2001 at the Washoe County Court House, Washoe County Library, and Reno City Hall. In addition, it had been posted in both offices of the Board, Las Vegas and Reno, and on the Board's Internet web page.

It was learned there were 21 items on the amended agenda, each item of an emergency nature. In addition, the regular agenda was amended to reflect the approval of the minutes of August 21, 2001 rather than August 7, 2001.

MR. CARSON MOVED TO HEAR THE AMENDED AGENDA.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

Mr. Johnson called for a motion to approve the minutes of August 21, 2001.

MR. CARSON MOVED TO APPROVE THE MINUTES OF AUGUST 21, 2001.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

EXECUTIVE SESSION

FINANCIAL STATEMENTS AND AUDIT REPORT 6/30/01

Ms. Grein distributed the financial statements and the Solari & Strummer audit report for June 30, 2001.

MR. CARSON MOVED TO ACCEPT THE FINANCIAL STATEMENTS AND AUDIT REPORT.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

CONSIDERATION OF ADOPTION OF PROPOSED REGULATIONS: CITATIONS, RECOVERY FUND, DEFAULT HEARINGS, POOL ADVERTISING

The Board was informed there would be a second hearing on the adoption of proposed regulations for the recovery fund, to be held in the Reno office on September 24, 2001.

Several other proposed regulations are being drafted, including the Administrative Citation Process; Default Hearing Process; and Pool Advertising. Additionally, the regulations regarding Investigator Qualifications would require adoption as a permanent regulation.

Ms. Grein also informed the Board that Mr. Haney was preparing Rules of Practice as required by law.

HUMAN RESOURCE POSITION

Mr. Higgins requested an update regarding the search for the Human Resource Position. Mr. Lyford reported that the field had been narrowed to 12 candidates. Five final candidates would be selected and presented to Ms. Grein.

EXECUTIVE OFFICER'S REPORT 6/30/01

Ms. Grein provided statistical information to the Board. She said she had not received the final management letter from the Board's CPA firm and requested the matter be continued.

LAS VEGAS OFFICE SPACE-APPROVAL OF TENANT IMPROVEMENTS

Ms. Grein reported that the Board of Examiners had approved the lease agreement for the Las Vegas office space approximately 10 days ago. The monthly lease amounts had been amended to include janitorial service. The required additional tenant improvements would be approximately \$106,000. Ms. Grein had asked the property management company to obtain at least three bids for her review.

Mr. Carson and Mr. Schaefer asked to be provided with a copy of the final drawings for the project.

MR. HIGGINS MOVED TO APPROVE THE AMENDMENTS TO THE LEASE AND TENANT IMPROVEMENT PROJECT CONTINGENT UPON APPROVAL OF THE PLANS BY MR. CARSON AND MR. SCHAEFER.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

Bids had been solicited for installation of the data/telecom wiring. Mojave Electric submitted the lowest bid at \$15,300.

MR. HIGGINS MOVED TO APPROVE MOJAVE ELECTRIC'S BID FOR THE INSTALLATION OF THE DATA/TELECOM WIRING.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

SETTLEMENT AGREEMENTS (ENFORCEMENT ADVISORY COMMITTEE)

On August 6, 2001, the enforcement advisory committee, comprised of Margaret Cavin, Margi Grein, Frank Torres, and George Lyford, made the following recommendations:

1. **SALAS PLASTERING** #42040

It was the committee's recommendation that the Respondent receive a warning letter and be required to reimburse the board the investigative cost of \$616.00. The Licensee had accepted the proposal.

MR. HIGGINS MOVED TO ACCEPT THE STIPULATED AGREEMENT.

MR. CARSON SECONDED THE MOTION.

THE MOTION CARRIED. (MS. CAVIN ABSTAINED)

2. CDS REMODELING AND REPORTING #31410

It was the committee's recommendation to impose an administrative penalty of \$2,000 and to require reimbursement of the board's investigative cost of \$1,139.00, payable within 30 days from this date. Respondent agreed to provide requested documentation to Reno staff personnel.

MR. CARSON MOVED TO ACCEPT THE STIPULATED AGREEMENT.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED. (MS. CAVIN ABSTAINED)

The Executive Session was postponed to address the scheduled items on the agenda.

DISCIPLINARY HEARINGS

JOHN BROWNLEE CONSTRUCTION #36290 - DISCIPLINARY HEARING (Continued from 7/10/01)

On July 10, 2001, the Board moved to continue the matter for 60 days to allow corrective action to be taken.

John Brownlee, Jr., Owner, John Brownlee Construction, John Holiday, Complainant, and NSCB Investigator Gary Hoid were present.

Investigator Hoid testified he had viewed the project on August 31, 2001. Some of the items had been completed while others remained incomplete. The fireplace had been corrected per the engineer's specification. The skylights remained offset from what was shown on the plans. The HVAC installation was not according to plans and specifications. Mr. Holiday had provided Mr. Hoid with a photograph showing the pipe layout before the concrete was poured. The photograph was entered into the record as EXHIBIT 3. Mr. Hoid provided 7 photographs that he had taken August 31, 2001. They were entered into the record as EXHIBIT 4. The photographs reflected what Mr. Hoid found at time of his review of the corrective work.

Mr. Brownlee said he had completed all of the work as instructed. He said he had never seen EXHIBIT 3. Upon viewing the photograph, he said the photograph did not reflect the finished piping.

Mr. Holiday was unable to provide the date the photograph was taken.

It was Mr. Brownlee's contention that he was told to leave the skylights where they were.

Investigator Hoid said the only item not corrected on the notice to correct was the skylights. They were not centered as required in the plans.

Mr. Holiday confirmed he had decided to keep the skylights but they would not shine on the fireplace as they were designed to. All of the trusses were in the wrong place. The center part of the house was not built according to plans a specifications.

When asked why the skylights had never been cut out, Mr. Holiday said the sheet rocker had sheet rocked over the skylights. It was learned the sheet rocker had worked for Mr. Holiday.

The evidentiary portion of the hearing was closed.

MR. CARSON MOVED TO FIND LICENSE #36290, JOHN BROWNLEE CONSTRUCTION, IN VIOLATION OF NRS 624.3017 (1), NRS 624.3013 (5), NRS 624.3015 (1), AND NRS 624.3011 (1) (A); AND TO DISMISS NRS 624.3013 (5) AS SET FORTH IN NAC 624.700 (3) (A).

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

MR. CARSON MOVED TO PLACE A 3-YEAR LETTER OF REPRIMAND INTO THE FILE OF LICENSE #36290, JOHN BROWNLEE CONSTRUCTION; AND TO IMPOSE A FINE OF \$500 PER VIOLATION, FOR A TOTAL OF \$2,000 AND TO RECOVER THE INVESTIGATIVE COST OF \$1,979, PAYABLE WITHIN 90 DAYS, OR THE LICENSE WAS TO BE AUTOMATICALLY SUSPENDED.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

LAKEMONT HOMES NEVADA, INC #42420 - DISCIPLINARY HEARING

The Notice of Hearing for the September 5, 2001 hearing consisting of 2 pages was mailed certified to the address of record on July 30, 2001. Return receipt returned on August 1, 2001.

The Answer was received on July 25, 2001.

The Notice Of Complaint And Requirement To Answer, which consists of pages 1-27, was mailed certified to the address of record, Return Receipt Requested on July 5, 2001. Return receipt was received on July 10, 2001.

The hearing was for possible violation of NRS 624.3017 (1), workmanship which is not commensurate with the standards of the trade, and NRS 624.3013 (5), as set forth in 624.700 (3) (a), failure to comply with the provisions of this chapter or the regulations of the Board by failing to comply with the Board's notice to correct.

Richard Coppola, Construction Manager, Lakemont Homes Nevada, Inc.; Barry Hunter, Customer Service, Lakemont Homes Nevada, Inc.; Complainants: Jerald and Paulette Ganshorn; NSCB Investigators Gary Hoid and Larry Thompson; and James Keeble, Painting Contractor, were sworn in.

The notice of Hearing and Complaint was entered into the record as EXHIBIT 1.

The stipulation was not signed because there was no corporate officer of the license present for the hearing. Mr. Coppola said the president of the company was in Rocklin, California.

Mr. Ganshorn testified that on or about March 29, 1998, he had entered into a purchase contract with the Respondent for the purchase of a new single family dwelling for a total contract price of \$214,800. The full amount of the contract had been paid. Mr. Ganshorn said his complaint regarded stucco work: the repainting of the repaired stucco and trim did not match the existing residence. He wanted to hire his own painter and close the matter.

Investigator Hoid testified that he and Investigator Thompson had viewed the property. The painting did not match and was below the standard of the industry in general.

Investigator Thompson concurred with Investigator Hoid. He testified that he had issued a notice to correct on April 13, 2001. All items on the notice had been corrected except for the color match of the paint.

Mr. Coppola testified that the paint was not a 100% match. A computer match had been unsuccessful and the supplier had also been unable to match the paint originally used. However, he said they had been thrown off the property and were not now allowed to return to perform any corrections.

Mr. Ganshorn verified that he did not want the Respondent to return. He preferred a monetary settlement and to hire his own painter to perform the corrective work.

Mr. Coppola said he had received an estimate from his painter repaint the whole house. He had a prepared check with him to pay for that corrective work.

Investigator Hoid said that Mr. Ganshorn had 3 bids and suggested a short recess to work out a resolution.

Upon convening, Mr. Haney said the parties had agreed to a monetary settlement. The Respondent was requesting one week in order to provide additional funds to the homeowner.

MR. HIGGINS MOVED TO CONTINUE THE HEARING TO THE NEXT RENO MEETING ON OCTOBER 9, 2001. ADDITIONAL FUNDS TO REPAINT THE HOUSE WERE TO BE DELIVERED TO THE HOMEOWNER WITHIN ONE WEEK, WITH COPIES OF THE CHECKS TO BE PROVIDED TO INVESTIGATOR HOID.

MR. CARSON SECONDED THE MOTION.

THE MOTION CARRIED.

It was suggested to Mr. Coppola that an officer of the license be present at the next hearing.

K G WALTERS CONSTRUCTION #17382, #17383, #42498 - MOTION TO DISMISS COMPLAINT

Kenneth Graham Walters, President, K G Walters Construction, was present with his attorney, Michael Springer. Also present was NSCB Investigator Gary Leonard.

Mr. Springer stated the motion to dismiss was based on failure of the Board to have jurisdiction over a complaint brought forward by board staff against K G Walters Construction based upon a property owner's written complaint alleging defective construction of the retaining wall structure. He said the fundamental flaw in the process was the property owner did not have any standing to file the complaint because he had lost all property rights to the retaining wall by application of NRS 268 when the City of Carson, after months of nuisance proceedings against the property owner, undertook construction to abate a declared nuisance. NRS 268.4123 provided that counsel or its designee may direct the city to abate the condition on the property and may recover the amount expended by the city for labor and materials used to abate the condition. Mr. Springer stated that Mr. Genescritti allowed a dangerous condition to exist with a half-completed retaining wall sitting in the back of his property where the slope was unstable. Carson City gave him months of citations followed by an appellate process and the abatement of the condition. The City thereupon contracted with K G Walters. Carson City's Department of Building and Safety oversaw the work, approved the work, and had an ICBO inspector, Loomis and Associates, directing the work. He said the City had the

right to abate the property as it saw fit. The property owner lost all rights to the City when he refused to abide by the City's directives.

Frank Genescritti, Complainant, was not present. Mr. Reese said Mr. Genescritti had been advised this matter was not a hearing on the complaint but was a hearing on the motion to dismiss the complaint.

Discussion followed regarding the Board's jurisdiction to hear any matter brought before it by staff. In this discussion, it was pointed out that Carson City did not have jurisdiction over contracting licenses.

MR. CARSON MOVED TO DENY THE MOTION TO DISMISS THE COMPLAINT BASED UPON THE BOARD'S RESPONSIBILITY TO ENSURE A CERTAIN LEVEL OF COMPETENCY OF LICENSEES.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED. (MR. JOHNSON AND MS. CAVIN WERE OPPOSED)

The hearing was set for October 9, 2001.

B K CONSTRUCTION #43775 - DISCIPLINARY HEARING

The Notice of Hearing for the September 5, 2001 hearing consisting of 2 pages was sent certified mail to the address of record on August 9, 2001. Return receipt was received on August 14, 2001.

The Answer was received on July 27, 2001.

The Notice Of Complaint And Requirement To Answer, which consists of pages 1-26, was mailed certified to the address of record, Return Receipt Requested on July 5, 2001. Return receipt was received on July 10, 2001

The hearing was for possible violation of NRS 624.3017 (1), workmanship which is not commensurate with the standards of the trade; NRS 624.3013 (5), as set forth in NAC 624.700 (3) (a): failure to comply with the provisions of this chapter or the regulations of the Board by failing to comply with the Board's notice to correct; NRS 624.3011 (1) (a), disregard of plans or specifications; NRS 624.3013 (5), as set forth in NAC 624.640 (5), failure to comply with the regulations of the Board by Respondent's contract not containing the monetary license limit; and NRS 624. 3016 (6), as set forth in NRS 624.600, failure to provide in writing to the owner the names and license numbers of all subcontractors on the project.

William Robert Keuper, President, B K Construction; Nanette and Chuck Silva, Complainants; NSCB Investigator Larry Thompson; John Qualtieri, Owner, J Q Construction; Lance Wagar, Carpenter, B K Construction; Jim Miller; Plumbing Contractor; John Keele, Owner, Topcoat Refinishing; and Donn Shaw, Electrician, Lahontan Valley Electric, were sworn in. Robert Lyle, Legal Counsel for B K Construction was identified.

The Notice of Hearing and Complaint was entered into the record as EXHIBIT 1, and the signed stipulation was entered as EXHIBIT 2.

Ms. Silva testified her family trust had entered into a contract with the Respondent to construct a two-story home in Fernley, Nevada for a total contract price of \$136,000. A total of \$128,000 had been paid toward the contract price. She said her complaint was

that the RV garage door was not sealed properly at the bottom and the kitchen vinyl had numerous tears. She said the Respondent had departed from the plans by installing a 220 outlet in the RV garage on the east wall instead of the west wall; the opening from the small garage to the RV garage was 10' instead of 18'; an upstairs landing was never built; and an 87 gallon pressure tank had been installed instead of a 100 gallon tank.

Investigator Thompson testified that he had investigated the complaint and validated all items. A notice to correct had been issued May 3, 2001 but only a few items had been corrected. The RV garage door had been sealed with foam but the corrective work was not to the standard of the trade in general. No correction had been performed on the kitchen vinyl. He noted that all items listed as not per plans had not been corrected. Investigator Thompson said there was no monetary limit on the contract and the Respondent did not comply with the regulation to provide the homeowner with subcontractor information, although 2 subcontractors had been listed on the permit. One was the electrical contractor and the other was the roofer.

Mr. Silva identified himself as the trustee of the estate.

Under questioning by Mr. Lyle, Mr. Thompson said he last inspected the property on May 3, 2001. B K Construction had been present. When asked if he had received the records from Washington Mutual, which had been subpoenaed, Mr. Thompson said he had been unable to serve the subpoena because the company had moved to Seattle, Washington.

Mr. Lyle said Washington Mutual had records pertaining to subcontractors and other issues that were necessary for due process.

Mr. Reese confirmed that Mr. Lyle had indicated to him that the records had a bearing on workmanship issues, change orders, and other matters.

Mr. Lyle presented a newspaper clipping to Mr. Silva who identified the photograph in the article as being the house under discussion. The newspaper article was dated May 12, 2001 and was titled Custom Homes in Fernley. It was entered into the record as EXHIBIT 3.

Mr. Lyle questioned Ms. Silva regarding her complaint to the Board and the mechanics lien that had been filed.

Mr. Silva added that there were two liens on the house and both had similar items on them. He verified there was a balance owing to the contractor.

Mr. Reese pointed out that the contract called for arbitration.

Mr. Lyle said no arbitration had been filed by the Silvas.

Donn Shaw testified he had performed the electrical work on the Silva home. The electrical outlets had clearly been marked out in the floors and the walls during the walk through. It had taken three days to wire the house entirely. Everything had been installed as requested. He did not change a thing. The 220 outlet had been installed for the RV in the garage as directed by the owner but he was later informed that it should have been a 110 outlet. The plans called for 220.

Lance Wagar said he framed the house. When asked why the landing shown on the plans had not been built, Mr. Wagar said it was not possible, the roof pitch prohibited the landing from being built. Either the landing had to be moved or the roof had to be changed.

Mr. Reese asked who prepared the plans.

Mr. Keuper testified he and his wife drew the original sketches but a draftsman had prepared the final revisions. The bid only provided \$1,600 for the plans. No money had been budgeted for an architect or an engineer. The original sketches provided to the draftsman did not designate a landing so when Mr. Keuper saw it on the plans he tried to explain to the Silvas why it would be impossible to construct the landing at that location. He thought he had made himself understood that there would be no landing and, after the house had been framed, the Silvas still did not complain about the landing not being built. It was only after the lien had been filed that the item emerged as a problem. He said the plans put the landing at the upper part of the staircase.

Mr. Haney said there was a conflict in the drawings submitted to the builder's agent versus the plans.

Jim Miller testified he performed the plumbing work. The reason he had installed two 40-gallon water heaters instead of a 75-gallon water heater was because they were cheaper to replace and were more efficient. He said someone else had installed the pressure tank. When asked if space remained to install a 100 gallon pressure tank, Mr. Miller said they didn't make one, they only made an 82-gallon or a 119-gallon pressure tank with no difference in the amount of pressure created by either one.

Mr. Lyle questioned Mr. Keuper regarding the water heaters and the pressure tank. Mr. Keuper said he notified the Silvas about the changes and they agreed to them, although he admitted he did not have any change orders signed by them.

Mr. Lyle stipulated that the Respondent's contract indicated that changes could only be made in writing.

John Qualtieri testified that when he picked up leftover concrete scraps, the Silvas seemed to be happy with the house in general.

Mr. Lyle addressed the technical violations. He did not dispute them but he added that a list had been prepared and had been given to Washington Mutual and to the Silvas.

Ms. Silva admitted she did not have any written documentation regarding the issues.

Investigator Thompson stated he had approved plans showing the landing and the RV opening on it.

Mr. Reese showed Mr. Keuper a list of subcontractors and asked if the listing was a complete list. Mr. Keuper replied it was not.

A fax letter dated January 17, 2001 from Ms. Silva of punch list items was entered into the record as EXHIBIT 4.

MR. SCHAEFER MOVED TO CONTINUE THE HEARING TO THE NEXT RENO MEETING ON OCTOBER 9, 2001. THE SUBPOENA WAS TO BE SERVED ON WASHINGTON MUTUAL FOR THE DOCUMENTATION MR. LYLE WAS REQUESTING.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

Mr. Schaefer requested the approved stamped plans, which were entered into the record as EXHIBIT 5. Counsel was to provide the subpoena for the documents he wanted.

STAFF UPDATES

SPUR DEVELOPMENT #40930 & #47691 - STAFF UPDATE

Scott W. Reutner, President, Spur Development, was present, along with Allan Stefka, Complainant, and NSCB Investigator Gary Leonard.

On August 7, 2001, the Board suspended Spur Development licenses #40930 and #47691 and ordered the contractor to perform the repairs by the next Reno Board meeting or within the next 30 days, whichever came first, to the standard of the industry in general to be reviewed by the board investigator, or the licenses were to be automatically revoked. Upon completion of the repairs, the licenses were to remain suspended until the investigative cost of \$3,388 was recovered, to be paid within 120 days; and once the suspensions were lifted to place a 2-year letter of reprimand into the license files.

Investigator Leonard said he had reviewed the repairs on August 30, 2001. They were not to the standard of the industry. The computer-matched paint did not match the existing paint; therefore the house needed to be completely repainted. The grading had been corrected but there was an area approximately three to four feet where the grade drained to the house instead of away from the house. The texture in 4 or 5 spots did not match. The front door had been double stripped but was so tight the children could not open it. The mantle was scratched in some areas. Repair of the skylight had not been completed because the paint did not match. However, the Respondent had agreed to repaint the whole house. Mr. Leonard added the work had been subbed to a subcontractor who did not keep the appointments he made with the homeowner, whereas the Respondent believed the work was being accomplished in a timely manner.

Mr. Reutner concurred, stating he had no control over the matter because he was not allowed on to the property.

MR. CARSON MOVED TO UPHOLD THE MOTION OF AUGUST 7, 2001 TO REVOKE LICENSES #40930 & #47691, SPUR DEVELOPMENT, ON THE BASIS THAT THE WORK HAD NOT BEEN PERFORMED AS DIRECTED.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

BLADES CONSTRUCTION #23397 - STAFF UPDATE

Jerry Lee Blades, Owner, Blades Construction, was not present. Present were Complainants: Tammy Christopherson and Keith Kellison and NSCB Investigator Gary Hoid.

On August 7, 2001, the Board moved to uphold the motion of June 5, 2001 for automatic suspension of license #23397, Blades Construction; and to require a staff update of the status of the two projects in two weeks at the next Las Vegas Board meeting. If substantial progress had been made, the Board would consider reinstating the license. Both projects were to be completed in 45 days.

A proposal from Powell Cabinet Company was entered into the record as EXHIBIT 9.

Investigator Hoid stated that Mr. Kellison had contacted Powell Cabinet Company to review his project as well as Ms. Christopherson's. The proposal to correct Mr. Kellison's cabinetry amounted to \$97,602. Mr. Powell recommended that Ms. Christopherson apply directly to the manufacturer of her cabinets for a proposal, which she did. The proposal amounted to \$26,500 but it did not include granite tops or demolition work to remove the

existing cabinets. Investigator Hoid said he had talked to Mr. Blades who told him that Mark Zink was still willing to submit a proposal to perform the corrective work.

Mr. Haney pointed out that the Kellison proposal was not unreasonable because Mr. Kellison had originally paid \$87,000 for his cabinets. The Powell proposal included demolition and removal and installation of new cabinets. Ms. Christopherson's proposal was substantially the same.

Mr. Kellison said Mr. Powell had told him he did not expect Blades Construction to accept his bid because of the amount of money involved. It was not a matter of corrective work, but a complete reinstall.

Both complainants said the cabinets proposed in both proposals were not upgrades.

MS. CAVIN MOVED TO CONTINUE THE HEARING TO THE NEXT RENO MEETING ON OCTOBER 9, 2001.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

APPLICATION HEARINGS

**MCCLELLAND BUILDERS & EXCAVATING (B2 - Residential & Small Commercial)
APPLICATION RE-HEARING**

Notice of Re-Hearing, Dated August 17, 2001, sent certified mail to the address of record. Return receipt dated August 18, 2001.

Waiver of 30-Day Notice, signed August 15, 2001.

Notice of Hearing & Complaint, Dated May 3, 2001, consisting of pages 1- 28, sent certified mail to the address of record. Return receipt dated May 8, 2001.

The hearing was for possible violation of NRS 624.265 (1), (c), failure to demonstrate good character. Been found guilty of, or convicted of a crime, related to activities of such person in such a manner as to demonstrate his unfitness to act as a contractor; NRS 624.265 (1), (d), failure to demonstrate good character. Had a license revoked for reasons that would preclude the granting of a license for which the application has been made; NRS 624.263, failure to meet the financial responsibility requirement; and NRS 624.3013 (2), misrepresentation of a material fact in connection with the application.

Darryl McClelland, Personal Indemnitor, McClelland Builders and Excavating, David B. McClelland, Owner, McClelland Builders & Excavating; Teresa McClelland, McClelland Builders & Excavating; John and Cheryl Moore; Diana Sippola, Licensing Analyst; and Kathy Stewart, Licensing Supervisor, were sworn in.

The Notice of Hearing and Complaint was entered into the record as EXHIBIT 1, and the signed stipulation was entered as EXHIBIT 2.

Ms. Stewart said the application had been before the Board on November 7, 2000. At that time the application had been denied based on lack of financial responsibility and failure to demonstrate good character. The hearing had been held on June 5, 2001. Mr. Moore of J & R Painting was present because he alleged he had not been paid \$2,223.

New financial information had been provided and the indemnitor was present.

The meeting was then closed to the public pursuant to NRS 241.030 to discuss financial and other data, which is confidential under NRS 624.110 (2).

Upon completion of the financial review, the meeting was reopened to the public.

Mr. Moore testified that in an administrative meeting held 4 years ago, both parties had agreed McClelland Builders would pay J & R Painting \$4,500. The amount had never been paid. Mr. McClelland had called Mr. Moore once and asked if he would accept \$2,500 but Mr. Moore refused. When asked if a judgment had ever been sought, Mr. Moore replied no.

Mr. McClelland testified there were many issues regarding the debt commencing with Mr. Moore's son. There was a missing motorcycle with many supporting letters requesting the bike back. There had been many problems with the paint, one of which was there was no PVA curing or setting of the drywall. Then there were money and SIIS problems with J & R Painting. Mr. McClelland provided supporting letters from homeowners to support his testimony. The letters were entered into the record as EXHIBIT 3. Mr. McClelland said J & R Painting was the only sub that had not been paid. He then spoke to the bankruptcy and said they had come out of the bankruptcy by paying everyone off. He added the company had been clean in California for the last 2 years. Mr. McClelland admitted he did not attend the hearing regarding his previous Nevada license because he did not notify the Board of his new address when he moved and therefore did not receive the notice of hearing.

Mr. Moore said he had not sued McClelland Builders, nor did he intend to. He believed it all had been handled in the administrative hearing. J & R Painting had originally been owed \$10,000 but they had agreed to accept \$4,500.

Mr. Haney referenced a workmanship complaint that was not pursued because the previous license had been revoked.

The evidentiary portion of the hearing was closed.

MR. CARSON MOVED TO APPROVE THE LICENSE APPLICATION, BASED UPON THE NEW FINANCIAL STATEMENT AND PERSONAL INDEMNIFICATION, WITH A LIMIT OF \$200,000 AND A \$50,000 BOND ON A PROBATIONARY STATUS FOR ONE YEAR WITH A FINANCIAL REVIEW UPON RENEWAL. MONTHLY UPDATES OF ALL JOBS WERE TO BE PROVIDED TO INVESTIGATIVE STAFF.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED. (MS. CAVIN WAS OPPOSED)

The Board suggested that the J & R Painting issue be resolved.

A J S CONSTRUCTION (B2 – Residential & Small Commercial) - APPLICATION HEARING (Continued from 6/5/01)

Anthony J. Silva, Owner, A J S Construction, was present. Also present were Kathy Stewart, Licensing Supervisor, and Diana Sippola, License Analyst.

On or about December 5, 2000, the Board denied the Respondent's application for failure to demonstrate requisite experience. The matter then came before the Board on June 5, 2001, at which time the Board moved to allow the applicant to take the trade examination.

Ms. Stewart stated Mr. Silva had taken and passed both the trade and the law exam, receiving a score of 90 and 98 respectively. A current financial statement dated September 5, 2001 had been provided.

MR. HIGGINS MOVED TO APPROVE THE LICENSE APPLICATION WITH A LIMIT OF \$500,000 AND A \$30,000 BOND.

MR. CARSON SECONDED THE MOTION.

THE MOTION CARRIED.

ADVISORY OPINIONS

UTILX LINE SERVICE CORPORATION - License requirements for overhead and underground electrical construction and maintenance

Utilx Line Service Corporation requested an advisory opinion from the Nevada State Contractors' Board concerning the license requirements to install and maintain overhead and underground electrical distribution systems.

No representatives of Utilx Line Service Corporation were present for the discussion.

Based upon the information provided, the Board opined that a full A-General Engineering, an AB-General Engineering and Building, an A17-Lines to Transmit Electricity, a C2-Electrical, or a C2F-Lines to Transmit Electricity could perform the work described.

DISCIPLINARY HEARINGS - DEFAULT ORDER

PRECISION GLASS SERVICE INC #38928 - DISCIPLINARY HEARING DEFAULT ORDER

The Default consisting of 2 pages was mailed certified to the address of record, return receipt requested on July 16, 2001. Envelope was returned unopened on July 23, 2001.

The Notice Of Complaint And Requirement To Answer consisting of 1-17 pages was mailed certified to the address of record, return receipt requested on May 30, 2001. The envelope was returned on June 11, 2001 unopened.

The hearing was for possible violation 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 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 (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 624.3013 (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 Precision Glass Service Inc. was present for the hearing.

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

The evidentiary portion of the hearing was closed.

MS. CAVIN MOVED TO ACCEPT THE FILE AS FORMAL FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND PRECISION GLASS SERVICES INC, LICENSE #38928, IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE #38928; AND TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES AND THE RECOVERY OF THE INVESTIGATIVE COST OF \$1,021.00 PRIOR

TO FUTURE LICENSURE.

MR. CARSON SECONDED THE MOTION.

THE MOTION CARRIED.

ADOBE CONSTRUCTION #37064 - DISCIPLINARY HEARING DEFAULT ORDER
Jonathan Hoffman, Owner

The Default notice was sent certified mail to the address of record on August 9, 2001. Envelope was returned unopened on August 22, 2001.

The Notice Of Complaint And Requirement To Answer consisting of 21 pages was sent certified mail to the address of record on July 5, 2001. Envelope was returned on July 17, 2001 stating undeliverable address.

The hearing was for possible violation 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 624.302 (5), failure or refusal to respond to a written request from the board or its designee to cooperate in the investigation of a complaint; 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 Adobe Construction was present for the hearing.

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

The evidentiary portion of the hearing was closed.

MR. HIGGINS MOVED TO ACCEPT THE FILE AS FORMAL FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND ADOBE CONSTRUCTION, LICENSE #37064, IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE #37064; AND TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES AND THE RECOVERY OF THE INVESTIGATIVE COST OF \$1,514.00 PRIOR TO FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

NEVADA PACIFIC CONSTRUCTION #41998 - DISCIPLINARY HEARING DEFAULT ORDER

The Default notice was sent certified mail to the address of record on August 9, 2001. Envelope was returned unopened, August 14, 2001 unable to forward.

The Notice Of Complaint And Requirement To Answer consisting of 21 pages was sent certified mail to the address of record on July 5, 2001. Envelope was returned on July 12, 2001 stating undeliverable address.

The hearing was for possible violation 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 624.302 (5), failure or refusal to respond to a written request from the board or its designee to cooperate in the investigation of a complaint; 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 Nevada Pacific Construction was present for the hearing.

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

The evidentiary portion of the hearing was closed.

MR. SCHAEFER MOVED TO ACCEPT THE FILE AS FORMAL FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND NEVADA PACIFIC CONSTRUCTION, LICENSE #41998, IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE #41998; AND TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES AND THE RECOVERY OF THE INVESTIGATIVE COST OF \$1,260.00 PRIOR TO FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

Staff was directed to notify the injured party that there was a personal indemnifier on the license.

WHITECLIFF ROOFING #9706B & #41536 - DISCIPLINARY HEARING DEFAULT ORDER

Default dated June 26, 2001, was sent certified mail to the address of record. Envelopes were returned unopened with no forwarding address.

The Notice of Complaint and Requirement for Answer, which consists of pages 1-16, was mailed Certified to the address of record. Return Receipt Requested on May 21, 2001. Envelopes were returned on June 26, 2001 unopened.

The hearing was for possible violation of 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 624.302 (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 for in NRS 624.263 (3), The Respondent failed to notify the Board in writing of the filing of a bankruptcy petition; and NRS 624.3013 (3), as set forth in NAC 624.640 (3), Respondent failed to notify the Board of a change of address within 30 days.

No one from Precision Glass Service Inc. was present for the hearing.

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 FORMAL FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND WHITECLIFF ROOFING CO, LICENSE #9706B AND #41536 IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE #9706B AND #41536; AND TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES AND THE RECOVERY OF THE

INVESTIGATIVE COST OF \$2,763.00 PRIOR TO FUTURE LICENSURE.

MR. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

Staff was requested to notify the injured party that there was a personal indemnifier on the license.

FOSTER DRYWALL #20315 & #20641 - DISCIPLINARY HEARING DEFAULT ORDER

The Default for the July 10, 2001 hearing, which consisted of 2 pages was mailed certified mail to the address of record, return receipt requested on June 8, 2001.

The Notice Of Complaint And Requirement To Answer which consists of pages 1-15, was mailed Certified to the address of record. Return Receipt Requested on May 1, 2001. The Notice of Complaint and Requirement to Answer came back to the NSCB on May 7, 2001 unopened showing an address of PMB 353, 9732 Pyramid Lake Highway, Sparks, Nevada, 89436-7560.

Default dated July 6, 2001, sent certified mail to the address of record. Return receipt received on July 11, 2001.

The Notice of Complaint and Requirement for Answer, which consists of pages 1-15, was mailed Certified to the address. Return Receipt Requested on May 1, 2001. Return receipt was received on June 11, 2001.

The hearing was for possible violation 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): failure to comply with the provisions of this chapter or the regulations of the Board by failing to comply with the Board's notice to correct; NRS 624.3013 (5), failure to comply with the regulations of the Board by Respondent's contract not containing the monetary license limit; and NRS 624.3018 (2), certain persons prohibited from serving as officer, director, associate or partner of licensee.

No one from Foster Drywall was present for the hearing.

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

The evidentiary portion of the hearing was closed.

MS. CAVIN MOVED TO ACCEPT THE FILE AS FORMAL FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND FOSTER DRYWALL, LICENSE #20315, AND FOSTER CONSTRUCTION, LICENSE #20641, IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE #20315 AND #20641; AND TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES AND THE RECOVERY OF THE INVESTIGATIVE COST OF \$2,238.00 PRIOR TO FUTURE LICENSURE.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

ROPERS HEATING #17006 - DISCIPLINARY HEARING DEFAULT ORDER

Default dated June 26, 2001, sent certified mail to the address of record. Envelopes were

returned unopened with no forwarding address.

The Notice of Complaint and Requirement for Answer, which consists of pages 1-16, was mailed Certified to the address of record. Return Receipt Requested on May 21, 2001. Envelopes were returned on June 26, 2001 unopened.

The hearing was for possible violation 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): failure to comply with the provisions of this chapter or the regulations of the Board by failing to comply with the Board's notice to correct; NRS 624.3013 (5), failure to comply with the regulations of the Board by Respondent's contract not containing the monetary license limit; NRS 624.3014 (1) (a), acting in the capacity of a contractor under any license issued hereunder except in the name of the licensee as set forth upon the license; and NRS 624.3013 (5) as set forth in NAC 624.640 (3), failure to comply with the regulations of the Board by failing to report an address change within 30 days.

No one from Ropers Heating & Air Conditioning Inc. was present for the hearing.

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

The evidentiary portion of the hearing was closed.

MR. HIGGINS MOVED TO ACCEPT THE FILE AS FORMAL FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND ROPERS HEATING & AIR CONDITIONING INC, LICENSE #17006, IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE #17006; AND TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES AND THE RECOVERY OF THE INVESTIGATIVE COST OF \$1,759.00 PRIOR TO FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

COMMERCIAL INDUSTRIAL ELECTRIC #47020 - DISCIPLINARY HEARING DEFAULT ORDER

Default dated July 23, 2001, was sent certified mail to the address of record. Envelope was returned unopened on July 27, 2001.

The Notice of Complaint and Requirement for Answer, which consists of pages 1-16, was mailed Certified to the address of record. Return Receipt Requested on June 15, 2001. Envelope was returned unopened on June 27, 2001 (left no forwarding address)

The hearing was for possible violation of 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; 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 624.302 (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 for in NRS 624.263 (3), the Respondent failed to notify the board in writing of the filing of a bankruptcy petition.

No one from Commercial Industrial Electric was present for the hearing.

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

The evidentiary portion of the hearing was closed.

MR. SCHAEFER MOVED TO ACCEPT THE FILE AS FORMAL FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND COMMERCIAL INDUSTRIAL ELECTRIC, LICENSE #47020, IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE #47020; AND TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES AND THE RECOVERY OF THE INVESTIGATIVE COST OF \$1,618.00 PRIOR TO FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

Staff was requested to notify the injured party that there was a personal indemnifier on the license.

RON'S OASIS LANDSCAPE #42293 - DISCIPLINARY HEARING DEFAULT ORDER

Default dated July 17, 2001, sent certified mail to the address of record. Return receipt received as of August 7, 2001.

The Notice of Complaint and Requirement for Answer, which consists of pages 1-18, was mailed Certified to the address of record. Return Receipt Requested on June 20, 2001. Return receipt was received on July 6, 2001.

The hearing was for possible violation of 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 624.302 (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 for in NRS 624.263 (3), the Respondent failed to notify the board in writing of the filing of a bankruptcy petition; 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 Rons Oasis Landscape was present for the hearing.

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 FORMAL FINDINGS OF FACT, CONCLUSIONS OF LAW; TO FIND RONS OASIS LANDSCAPE MANAGEMENT, LICENSE #42993, IN VIOLATION OF ALL CHARGES; TO REVOKE LICENSE #42993; AND TO REQUIRE FULL RESTITUTION TO THE DAMAGED PARTIES AND THE RECOVERY OF THE INVESTIGATIVE COST OF \$1,815.00 PRIOR TO FUTURE LICENSURE.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

**MCDOWELL CONSTRUCTION #42055 - DISCIPLINARY HEARING DEFAULT ORDER
John McDowell, Owner**

Default dated July 12, 2001, sent certified mail to the address of record. Return receipt received July 16, 2001.

Notice of Complaint & Requirement to Answer, Dated June 15, 2001, consisting of pages 1- 8, sent certified mail to the address of record. Return receipt received June 18, 2001.

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

No one from McDowell Construction was present for the hearing.

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

The evidentiary portion of the hearing was closed.

MS. CAVIN MOVED TO DENY THE RENEWAL OF LICENSE #42055, MCDOWELL CONSTRUCTION.

MR. CARSON SECONDED THE MOTION.

THE MOTION CARRIED.

APPLICATIONS

The following motion closed the meeting to the public.

MR. CARSON MOVED TO CLOSE THE MEETING TO THE PUBLIC.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

The meeting was then closed to the public pursuant to NRS 241.030 to discuss financial and other data, which is confidential under NRS 624.110 (2).

DOUBLE DIAMOND RANCH LLC #42185 (B2 – Residential & Small Commercial) RENEWAL OF EXPIRED LICENSE

The current status of the license was suspended, not renewed as of June 30, 2001. The application for renewal had been received July 31, 2001. Two workmanship and one money owing complaint remained unresolved. Due to the money owing complaint, a financial statement had been requested to be provided prior to September 7, 2001.

Michael Efstratis, QE, was present. When asked if he had brought a current financial statement with him, he replied no, it was still being prepared.

MS. CAVIN MOVED TO TABLE THE RENEWAL APPLICATION FOR RECEIPT OF THE FINANCIAL STATEMENT.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

If the financial statement was received by September 7, 2001 the license was to become temporarily active until the board was able to review it on October 9, 2001.

SIERRA NEVADA EXCAVATION LLC (A7, 15 – Excavating & Grading) NEW APPLICATION, NAMESTYLE, RECONSIDERATION

The license application had been approved on August 8, 2001 contingent upon changing the namestyle. The applicant was requesting reconsideration of the namestyle since

there were other companies licensed with Sierra Nevada in their namestyles.

Jeff Lommori, Member, was present. The Board informed him that it would not be necessary to change his namestyle as long as he and staff explicitly used the name Sierra Nevada Excavation.

AMERICAN PLUMBING SERVICES (C1D – Plumbing) NEW APPLICATION/NAME STYLE RECONSIDERATION

Richard Moore, Owner, had been present earlier but was no longer present for the review. He was to be notified of the requirement to change the license name.

DYNAMIC DEMOLITION INC (A13 – Wrecking Buildings) NEW APPLICATION

Anne Marie Channell, President, was present. She explained that she had acquired 6 acres in Sacramento to create a crushing yard. She said it was her desire to perform demolition work as well as recycle concrete.

MR. CARSON MOVED TO APPROVE THE LICENSE APPLICATION WITH A LIMIT OF \$250,000 AND A \$15,000 BOND.

MS. CAVIN SECONDED THE MOTION.

THE MOTION CARRIED.

FACILITIES MANAGEMENT INC (B2 – Residential & Small Commercial) NEW APPLICATION

Mike Richardson, President, was present. He was notified that the license application had been approved with a limit of \$50,000 and a \$5,000 bond. He then asked to meet with the Board.

Ms. Stewart stated that Mr. Richardson intended to perform work for a specified clientele, Credit Unions, primarily performing remodeling work. Although the application had been approved for \$50,000 and a \$5,000 bond, Mr. Richardson was requesting a \$100,000 license limit.

The general consensus was to approve the license application with a limit of \$100,000 and a \$15,000 bond.

RUDOLPH & SLETTEN INC (B – General Building) NEW APPLICATION, REQUESTING WAIVER OF EXAMS

Allen Rudolph, President, was present. He was notified that the waiver of exams had been approved.

VEGA SPECIALTIES LTD (C3 – Carpentry) NEW APPLICATION

Jeff Hasting and H. Lance Friday, Partners, were present with Edward W. Maier, Qualified Employee.

Mr. Jeffrey said they intended to perform millwork and trim.

Mr. Hubert said they were working in Texas where a license was not required.

Mr. Jeffrey said Mr. Maier had been his superintendent for many years.

MR. CARSON MOVED TO APPROVE THE LICENSE APPLICATION WITH A LIMIT OF \$100,000 AND A \$15,000 BOND.

MR. SCHAEFER SECONDED THE MOTION.

THE MOTION CARRIED.

GRAEGLE CONSTRUCTION & DEVELOPMENT LLC (B2 – Residential & Small Commercial) NEW APPLICATION

William Quinn, Manager/Member, was present. He was notified the license application had been approved with a limit of \$750,000 and a \$20,000 bond.

MARTIN ASSOCIATES CONSTRUCTION (B2 – Residential & Small Commercial) NEW APPLICATION, NAME SIMILARITY

Todd Eggleston, Member, was present.

The general consensus was to approve the license application with a limit of \$175,000 and a \$10,000 bond, no name change required.

C R I ELECTRIC INC #48715 (C2 – Electrical Contracting) FINANCIAL STATEMENT UPON RENEWAL

Attorney Keith Gregory was present to represent the applicant.

Ms. Stewart stated that a current financial statement dated June 2001 had been received and that there was currently an open investigation against the license. A supplier was indicating that C R I Electric had filed a bankruptcy.

Attorney Gregory confirmed that the applicant had filed a bankruptcy on August 3, 2001 because the IRS had placed a lien on the Licensee. He said he was currently working with bankruptcy counsel to work out a payment plan to resolve the matter. Attorney Gregory added there were a couple of money owing complaints pending, which he was not disputing.

The current status of the license was temporarily active. The license was indemnified.

Attorney Gregory said the Licensee had on-going service contracts. There were no bids involved. The Licensee had sufficient funds to meet all of the obligations but the IRS had not allowed sufficient time to work out a payment plan.

The general consensus was to approve the renewal of the license application as active temporary for 60 days. Attorney Gregory was to provide an acknowledgment from IRS that the matter had been resolved.

The remainder of the applications on the agenda was reviewed and discussion occurred on the following: Nos. 1, 3-4, 6-7, 10, 12-13, 15, 19, 23, 33, 42, 47, 50, 54, 56, 58, 63-64, 66-70, 72, 77, 80, 82, 88, 90-91, 96, 109, 116-117, 138, 143, and 145; and on the amended agenda: Nos. 18 and 21.

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

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

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

MS. CAVIN 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 Acting Chairman Dennis Johnson at 2:44 p.m.

Respectfully Submitted,

Betty Wills, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Dennis Johnson, Acting Chairman