

KENNY C. GUINN  
Governor

STATE OF NEVADA



REPLY TO:

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

**STATE CONTRACTORS BOARD**

**MINUTES OF THE MEETING  
NOVEMBER 12, 2003**

**1. CALL TO ORDER**

Chairman Michael Zech called the meeting of the State Contractors Board to order at 8:19 a.m., Wednesday, November 12, 2003, State Contractors Board, Reno and Henderson, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

**BOARD MEMBERS PRESENT:**

Mr. Michael Zech - Chairman  
Ms. Margaret Cavin  
Mr. David Clark  
Mr. Spiridon G. Filios  
Mr. Jerry Higgins  
Mr. Randy Schaefer  
Mr. J. Brian Scroggins

**BOARD MEMBERS ABSENT:**

None

**STAFF MEMBERS PRESENT:**

Ms. Margi Grein, Executive Officer  
Ms. Nancy Mathias, Licensing Administrator  
Mr. George Lyford, Director of Investigations  
Mr. Gary Hoid, Deputy Director of Investigations  
Mr. Chris Denning, Deputy Director of Investigations

**LEGAL COUNSEL PRESENT:**

Ms. Carolyn Broussard, Legal Counsel  
Mr. Bruce Robb, Legal Counsel (Walter Bruce Robb)

**It was moved and seconded to hear the amended agenda. MOTION CARRIED.**

**b. OATH OF OFFICE:**

Chairman Zech administered the oath of office to newly appointed member, Mr. J. Brian Scroggins.

**d. FUTURE AGENDAS:**

Ms. Grein provided the proposed changes to the hearing officer's schedule. Additionally, she advised the Board regarding plans for the Strategic Planning Session in December.

**2. ELECTION OF OFFICERS:**

**It was moved and seconded to appoint Randall Schaefer, Chairman; Margaret Cavin, Vice Chairman;**

and David Clark, Treasurer. **MOTION CARRIED.**

**3. APPOINTMENT OF SUBCOMMITTEES:**

The Board approved the following Subcommittee assignments:

**EXECUTIVE SUBCOMMITTEE** - Michael Zech, Randy Schaefer, Margaret Cavin

**RECOVERY FUND SUBCOMMITTEE** - Randy Schaefer, Jerry Higgins, Spiridon Filios

**CONSTRUCTION MANAGEMENT SUBCOMMITTEE** - Jerry Higgins, David Clark, Margaret Cavin

**CLASSIFICATION/REGULATION SUBCOMMITTEE** - Margaret Cavin, David Clark, Michael Zech

**CONSTRUCTION DEFECT SUBCOMMITTEE** - Spiridon Filios, Randy Schaefer, Jerry Higgins

**FINANCE COMMITTEE** - David Clark, Randy Schaefer, Brian Scroggins

**4. APPROVAL OF MINUTES: October 28, 2003**

**It was moved and seconded to approve the revised minutes of October 28, 2003. MOTION CARRIED.**

**5. SUBCOMMITTEE REPORTS:**

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

**6. EXECUTIVE SESSION:**

**a. EXECUTIVE OFFICER'S PROGRESS REPORT:**

Ms. Grein provided an update of activity during the month of October, including a list of functions and meetings attended by staff, pension plan meeting and audit, and Ms. Grein and Ms. Broussard's attendance at the Judicial Collage. Additionally, she informed the Board regarding an education seminar to be presented by Dennis Haney on December 2, 2003, and a staff-training seminar to be given by Gary Halverson on November 20, 2003.

Ms. Grein was asked to solicit bids for CPA services.

Ms. Grein provided a summary of the Board's Strategic Planning results for the past year.

Ms. Grein advised the Board that the Residential Recovery Fund assessments would be reduced beginning with licenses expiring in January of 2004.

Ms. Mathias reported on the progress of the new computer database system.

**b. APPROVAL OF FINANCIAL REPORT FOR THE PERIOD ENDING - 9/30/03:**

**It was moved and seconded to approve the financial report for the period ending September 30, 2003. MOTION CARRIED.**

**c. REVIEW OF LCB REVISIONS TO PROPOSED REGULATION LCB FILE NO. R-158-02 (CONSTRUCTION DEFECTS)**

Ms. Grein reported on the workshop that was held Friday November 7, 2003, regarding proposed regulations related to construction defect advisory opinions. Based on the public comments received, another workshop and hearing would be scheduled at a later date. Ms. Grein was directed to seek the Attorney General's opinion in order to clarify certain provisions of the law.

**d. DEPARTMENTAL REPORTS:**

**PUBLIC RELATIONS:**

Ms. Sonya Ruffin, Public Relations, updated the Board on the different trade shows that staff attended.

**LICENSING:**

Ms. Kathy Stewart, Licensing Supervisor, provided a summary report for the Reno Licensing Department.

**INVESTIGATIONS:**

Mr. George Lyford, Director of Investigations, provided a summary report for the Reno Investigations Department.

**e. DISCUSSION OF DECEMBER OFFICE FUNCTION:**

The employee holiday party was discussed.

**7. INFORMAL SETTLEMENTS:**

**a. EDINGTON & ASSOCIATES**, LICENSE NO. 50639

It was moved and seconded to accept the Stipulated Settlement Agreement. The Respondent is to reimburse the Board for Investigative Costs of \$414 within 60 days. A Warning Letter shall be placed in Respondent's file. MOTION CARRIED. Mr. Higgins abstained.

**b. SUN-KIST HOME IMPROVEMENT**, LICENSE NO. 23042

It was moved and seconded to accept the Stipulated Settlement Agreement. The Respondent is to pay an Administrative fine to the Residential Recovery Fund of \$100 and reimburse the Board for Investigative Costs of \$871 within 60 days. A Permanent Letter of Reprimand shall be placed in Respondent's file. MOTION CARRIED. Mr. Higgins abstained.

**c. GOUGH DEVELOPMENT INC.**, LICENSE NO. 31856

It was moved and seconded to accept the Stipulated Settlement Agreement. The Respondent is to pay Administrative fine of \$1000 and reimburse the Board for Investigative Costs of \$979 within 60 days. A Permanent Letter of Reprimand shall be placed in Respondent's file. MOTION CARRIED. Mr. Higgins abstained.

**d. STUART CONSTRUCTION**, LICENSE NO. 20859

It was moved and seconded to accept the Stipulated Settlement Agreement. The Respondent is to pay Administrative fine of \$1,000 and reimburse the Board for Investigative Costs of \$1,022 within 120 days. The Respondent must pass the CMS exam within 120 days. MOTION CARRIED. Mr. Higgins abstained.

**8. APPLICATIONS:**

**a. APPLICATIONS:** (CLOSED MEETING PURSUANT TO NRS 241.030)

It was moved and seconded to close the meeting to the public in accordance with NRS 241.030 to discuss financial matters. MOTION CARRIED.

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

Applicant was present. The application was approved contingent upon current bank verification with a

financial review upon renewal.

**NEWCOM TELEPHONE COMPANY INC.**, (B-2 RESIDENTIAL AND SMALL COMMERCIAL), NEW APPLICATION, REQUESTING WAIVER OF TRADE EXAM

Applicant was present. The application was approved.

**HOLMAN & ASSOCIATES**, 22951, 34221, (B2 RESIDENTIAL AND SMALL COMMERCIAL: C5 CONCRETE CONTRACTING), RAISE IN LIMIT

Licensee was present. The raise in limit was approved.

The Board reviewed the remainder of the applications on the agenda.

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

**b. RATIFICATION OF LICENSE APPLICATIONS, CHANGES OF LICENSURE, REINSTATEMENTS OF LICENSURE:**

**It was moved and seconded to ratify all applications not specifically discussed in closed session as recommended by staff. MOTION CARRIED.**

**9. RENEWAL HEARING:**

**FISTON PAINTING COMPANY**, LICENSE NO. 50305

Licensee was present.

**It was moved and seconded to approve the renewal of license number 50305, Fiston Painting Company. MOTION CARRIED.**

**10. RENEWAL HEARING:**

**D R LEWIS CONSTRUCTION**, LICENSE NO. 48094

This matter was continued for 90 days.

**11. RENEWAL HEARING:**

**KOCH ELECTRIC COMPANY**, LICENSE NO. 53430

Licensee was present.

**It was moved and seconded to approve the renewal of license number 53430, Koch Electric Company. MOTION CARRIED.**

**12. PUBLIC COMMENT:**

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

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned by Chairman Zech at 11:12 a.m.

Respectfully Submitted,

Annette Hodges, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Michael Zech, Chairman

**DISCIPLINARY HEARINGS: ADJUDICATING BOARD MEMBER: RANDY SCHAEFER**

**14. DISCIPLINARY HEARING:** (CONTINUED FROM OCTOBER 28, 2003)

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

Licensee was present.

Hearing Officer Schaefer found the respondent Premier Plumbing, LLC, dba Plumbers.Com and Sacor Development, Inc., Darryl Lloyd Vigneux, Member and President, license numbers 50031 and 51932, guilty of the first, second, third, fourth and sixth causes of action and dismissed the fifth, seventh and eighth causes of action. Mr. Vigneux was assessed a fine of \$50 per cause of action for a total of \$250. Investigative costs were assessed in the amount of \$2,338. The fine and costs are to be paid within 90 days from November 12, 2003 or license numbers 50031 and 51932, Premier Plumbing, LLC, dba Plumbers.Com and Sacor Development, Inc., will automatically be suspended

**15. DISCIPLINARY HEARING:** STAFF UPDATE (CONTINUED FROM OCTOBER 28, 2003)

**TRIANGLE CONSTRUCTION, INC.** LICENSE NO. 32494

Investigator Greg Welch updated the Hearing Officer on the status of the repairs.

Respectfully Submitted,

Annette Hodges, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Randy Schaefer, Adjudicating Board Member

**DISCIPLINARY HEARINGS: ADJUCICATING BOARD MEMBER: JERRY HIGGINS**

**17. DISCIPLINARY HEARING:**

**OLYMPUS & ASSOCIATES, dba OLYMPUS PAINTING & SANDBLASTING**, LICENSE NOS. 51422, 51433

Licensee was present with attorney, Shelly O'Neill.

Hearing Officer Higgins found the respondent Olympus & Associates, dba Olympus Painting & Sandblasting, George Loanis Desipris, President, license numbers 51422 and 51433, guilty of the fourth cause of action and dismissed the first, second, third and fifth causes of action. Mr. Desipris was assessed a fine of \$250.

**18. DISCIPLINARY HEARINGS:**

**ACE FURNACE & STEAM CLEANING**, LICENSE NO. 19893B  
**A 1 REMEDIATION**, LICENSE NO. 19893C

Licensee was present with attorney, Kelly Turner.

Hearing Officer Higgins dismissed all causes of action against the respondent Ace Furnace & Steam Cleaning and A 1 Remediation, Rikki Allan Castro, Sr., President, license numbers 19893B and 19893C.

**19. DISCIPLINARY HEARING:**

**RAIL CITY GARDEN CENTER**, LICENSE NO. 49148

This matter was continued.

**20. DISCIPLINARY HEARING:**

**DAVE BARRETT BUILDER**, LICENSE NO. 28899

Licensee was present with attorney, Lee Hotchkins.

Hearing Officer Higgins found the respondent David Charles Barrett, dba Dave Barrett Builder, license number 28899, guilty of the first, second, third, fourth, fifth, sixth and seventh causes of action and dismissed the eighth cause of action. Mr. Barrett was assessed a fine of \$100 per cause of action for a total of \$700. Investigative costs were assessed in the amount of \$1,418. The fine and costs are to be paid within 120 days from November 12, 2003 or license number 28899, Dave Barrett Builder will automatically be suspended

**21. DISCIPLINARY HEARING:**

**HAMLIN DEVELOPMENT**, LICENSE NO. 47827A

This matter was continued.

**22. DISCIPLINARY HEARING:**

**SIERRA WATERPROOFING**, LICENSE NO. 16255

Licensee was present with attorney, Michael Springer.

Hearing Officer Higgins found the respondent James Terry Fleischer, dba Sierra Waterproofing, license number 16255, guilty of the first, second, third, fourth and sixth causes of action and dismissed the fifth cause of action. Investigative costs were assessed in the amount of \$2,117. The

costs are to be paid within 90 days from November 12, 2003 or license number 16255, Sierra Waterproofing will automatically be suspended

23. DISCIPLINARY HEARING - DEFAULT ORDER:

STROSNIDER CONSTRUCTION, LICENSE NO. 44927

Licensee was not present.

Hearing Officer Higgins found respondent James Victor Stosnider, dba Strosnider Construction, license number 44927, in Default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. License number 44927, Strosnider Construction was Revoked. Mr. Strosnider is required to pay full restitution to the damaged parties and reimburse the Board for Investigative Costs of \$1,648, plus any expenses that may be paid out of the Residential Recovery Fund prior to consideration of future licensure.

21. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Adjudicating Board Member Higgins at 4:53 p.m.

Respectfully Submitted,

Annette Hodges, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Jerry Higgins, Adjudicating Board Member