

KENNY C. GUINN
Governor

State Of Nevada

Reply To:

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MEMBERS
Kim W. Gregory, Chairman
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Randy Schaefer
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STATE CONTRACTORS' BOARD

RENO

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**MINUTES OF THE WORKSHOP BEFORE THE
NEVADA STATE CONTRACTORS' BOARD
HELD JULY 11, 2001**

The workshop was called to order at 10:06 a.m. on Wednesday, July 11, 2001, at the offices of the State Contractors' Board, 4220 S. Maryland Parkway, #D-800, Las Vegas, Nevada 89119. Exhibit A is the Notice of Intent to Act Upon a Regulation and a copy of the proposed rules. Exhibit B is the Sign-Log.

BOARD MEMBERS PRESENT:

Randy Schaefer

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. George Lyford, Director of Special Investigations
Ms. Nancy Mathias, Licensing Administrator
Mr. Robert Griffy, Legal Counsel (Haney, Woloson and Mullins)
Ms. Cheryl Young, Investigator – SIU
Ms. Sonya Ruffin, Public Relations
Ms. Barbara Hennessy, Recording Secretary

OTHERS PRESENT:

Mr. Wallace Stevens, Law Firm of Stevens, Knight and Edward; Ms. Sandra Malone, Mr. Dave Hirsch and Mr. Juan Gonzalez from the Carpenter's and Contractor's Joint Labor Management; Mr. Joe Wheeler, Editor, Construction Zone and Mr. William Smith, Homeowner.

Ms. Grein explained the purpose of the workshop is to solicit comments from all interested persons regarding the adoption of regulations pertaining to Chapter 624 of the Nevada Administrative Code. Ms. Grein stated that the Notice of the Hearing was posted in compliance with NRS 233B on June 8, 2001 at the Las Vegas City Hall, Sawyer State Building, Clark County Library, the Washoe County Courthouse, Washoe County Library, Reno City Hall and offices of the State Contractors' Board in Reno and Las Vegas.

Ms. Grein indicated that the proposed amendments to NAC 624 are needed to comply with legislative mandates concerning the residential recovery fund which creates a procedure for homeowners to apply to recover monetary losses from the performance of inadequate services of a residential contractor and administrative citations to provide the form of a written citation issued pursuant to NRS 624.361.

Ms. Grein introduced Mr. Randy Schaefer of the State Contractors' Board.

Mr. Wallace Stevens of the Law Firm of Stevens, Knight and Edwards expressed his concerns regarding the draft verbiage as follows:

1. The Citation draft states "Order of the Board" and the Statute reads that a citation would be an "Administrative Order".
2. The Citation draft states "correct by appropriate means" and NRS 624.341(2) requires citation to specifically describe the required action to be taken." Mr. Stevens suggested the citation should specifically indicate what corrective actions are necessary and how to correct.
3. The Citation draft states "the contest of the citation has to be filed within 15 days of the date of the citation." Mr. Stevens suggested it should read "15 days from the date of the service of the citation" and describe what constitutes service.
4. In reviewing the Citation draft, it doesn't appear to provide any provisions for setting a schedule of fines.

Ms. Grein stated that the NSCB is currently in litigation with Mr. Steven's client, so the Board would have to refrain from comment on Mr. Steven's concerns without the representation of counsel.

Mr. David Kirsh, Carpenters and Contractors Joint Labor Management stated that they were in attendance to observe the proceedings. Their concerns lie with contractors committing wage and other law violations.

Ms. Grein stated that Mr. Hal Taylor's letter will be attached to record.

Mr. Wheeler, Editor, Construction Zone inquired as to how much money was available through the fund and when the forms would be available?

Ms. Grein stated that neither the Recovery Fund or Administrative Citation procedures have been finalized. Today's meeting is to obtain suggestions and comments from the public. There will also be a Hearing scheduled in Northern Nevada. Once all comments have been received, procedures will be finalized and presented to the Board for final adoption.

Mr. Robert Griffy, Legal Counsel, Haney, Woloson and Mullins arrived at 10:51 a.m. to represent the Board.

Mr. Wallace Stevens reiterated his previously recorded concerns regarding the Citation draft.

Since there were no other members of the public wishing to comment, the Workshop was adjourned at 10:59 a.m.

Respectfully Submitted,

Barbara Hennessy
Recording Secretary

APPROVED BY:

Margi Grein, Executive Officer