

BRIAN SANDOVAL
Governor

MEMBERS
Kevin E. Burke, Chairman
Thomas "Jim" Alexander
Donald L. Drake
Nathaniel W. Hodgson, III
William "Bruce" King
Stephen P. Quinn
Guy M. Wells

STATE OF NEVADA



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
April 6, 2011

REPLY TO:

NORTHERN NEVADA
9670 Gateway Drive, Suite 100
Reno, Nevada 89521
(775) 688-1141
Fax (775) 688-1271
Investigations (775) 688-1150

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SOUTHERN NEVADA
2310 Corporate Circle
Suite 200
Henderson, Nevada 89074
(702) 486-1100
Fax (702) 486-1190
Investigations (702) 486-1110

CALL TO ORDER:

Hearing Officer Donald L. Drake called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday April 6, 2011, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

OTHER BOARD MEMBERS PRESENT:

Mr. Bruce King

STAFF MEMBERS PRESENT:

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

LEGAL COUNSEL PRESENT:

Louis Ling, Esq. Legal Counsel
Bruce Robb, Esq., Legal Counsel

The agenda was posted in compliance with the open meeting law March 31, 2011 at Reno City Hall, Washoe County Court House and Washoe County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board Internet Website.

ADJUDICATING BOARD MEMBER: BRUCE KING
2. HERNANDEZ LAWN CARE & LANDSCAPING, LICENSE NOS. 71149: Continued Hearing

Licensee was present with John Moore, Esq.

Hearing Officer King assessed investigative costs of \$943.81 to be paid within sixty (60) days and licensee must provide a compiled financial statement within sixty (60) days that supports the license limit or license will remain suspended.

ADJOURNMENT

There is no further business to come before Hearing Officer King.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Bruce King, Hearing Officer

ADJUDICATING BOARD MEMBER: DONALD L. DRAKE**3. DISCIPLINARY HEARING:
J N C DEVELOPMENT INC, LICENSE NO. 54425**

Licensee was not present, but was represented by Paul Quade, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit 2 – Stipulated Revocation letter dated March 31, 2011

Hearing Officer Drake found the Respondent guilty of violating NRS 624.3012(2) failure to pay for materials and services; NRS 624.3012(1) diversion of money or property received for the completion of a specific construction project or operation or for a specified purpose in the completion of any construction project acting in the capacity of a contractor; NRS 624.3013(5) failure to notify the Board of the bankruptcy as required in NRS 624.263(3); NRS 624.302(5) failure or refusal to cooperate in an investigation and NRS 624.3013(3) failure to establish financial responsibility. Hearing Officer Drake revoked license number 54425. Respondent was ordered to pay a fine of \$2,000.00 for the First Cause of Action, \$1,000.00 for the Second Cause of Action, \$50.00 for the Third Cause of Action, \$250.00 for the Fourth Cause of Action and \$500.00 for the Fifth Cause of Action for a total fine of \$3,800.00; and pay investigative cost of \$2,729.00. Respondent is responsible for resolving all current and future money owing claims from all subcontractors and suppliers.

**4. DISCIPLINARY HEARING:
SIONE SELETI MOKOFISI DBA, MOKOFISI CONSTRUCTION, LICENSE NO. 69852**

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Drake found the Respondent guilty of violating NRS 624.3014(2)(a) Aiding or abetting an unlicensed person; NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; NRS 624.3013(5), as set forth in NAC 624.640(5) each licensee shall include in all bids he submits or contracts he enters into for construction work within this State, the number of his license and any monetary limit placed upon his license and NRS 624.3013(3) failure to establish financial responsibility. Respondent was ordered to pay a fine of \$1,000.00 for the First Cause of Action, \$500.00 for the Second Cause of Action, \$100.00 for the Third Cause of Action, \$500.00 for the Fourth Cause of Action for a total fine of \$2,100.00, no fine was imposed on the Fifth Cause of Action; pay investigative cost of \$2,729.00 within sixty (60) days from April 6, 2011 or license number 69852 will automatically be suspended. Respondent shall provide a current CPA prepared financial statement within twenty (20) days of April 6, 2011 or license number 69852 will automatically be suspended.

**5. DISCIPLINARY HEARING:
FRONTIER FENCE LLC, LICENSE NO. 41996**

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

The following Respondent Exhibit was entered:

Exhibit A – Copy of payment from Builders Fence

Hearing Officer Drake found the Respondent guilty of violating NRS 624.302(5) failure or refusal to cooperate in an investigation and NRS 624.3013(3) failure to establish financial responsibility. Respondent was ordered to pay a fine of \$250.00 for the First Cause of Action and \$500.00 for the Second Cause of Action for a total fine of \$750.00; investigative cost of \$2,729.00 to be paid within sixty (60) days from April 6, 2011 or license number 41996 will automatically be suspended. Respondent shall provide a current CPA prepared financial statement sixty (60) days from April 15, 2011 or license number 41996 will automatically be suspended.

6. FINANCIAL RESPONSIBILITY HEARING:
CONSTRUX INC, LICENSE NO. 74333

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Drake found the Respondent guilty of one (1) violation of NRS 624.3013(3) failing to establish financial responsibility and one (1) violation of NRS 624.302(6) failing to comply with a written request by the Board. Licensee shall pay an administrative fine of \$750.00 and investigative costs of \$469.66 within sixty (60) days or license number 74333 will automatically be suspended. Licensee shall provide a current financial statement supporting his monetary license limit within thirty (30) days or license will automatically be suspended.

7. FINANCIAL RESPONSIBILITY HEARING:
HOLLAND WATER PROOFING INC, LICENSE NO. 67881A

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Drake found the Respondent guilty of one (1) violation of NRS 624.3013(3) failing to establish financial responsibility and one (1) violation of NRS 624.302(6) failing to comply with a written request by the Board. Licensee shall pay an administrative fine of \$750.00 and investigative costs of \$497.00 within thirty (30) days or license number 67881A will automatically be suspended. Licensee shall provide a current financial statement within sixty (60) days or license number 67881A will automatically be suspended.

8. FINANCIAL RESPONSIBILITY HEARING:
KIRK EUGENE FENTON DBA, MOUNTAIN WEST HOME IMPROVEMENT, LICENSE NO. 74298

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Drake found the Respondent guilty of one (1) violation of NRS 624.3013(3) failing to establish financial responsibility. Licensee shall pay an administrative fine of \$250.00 to be paid within sixty (60) days or license number 74298 will automatically be suspended. No investigative fees

were assessed.

9. FINANCIAL RESPONSIBILITY HEARING:
TAYLOR REFRIGERATION AND HVAC, LICENSE NO. 57909

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Drake continued this matter for sixty (60) days.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Drake at 11:30 a.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Donald L. Drake, Hearing Officer