

BRIAN SANDOVAL
Governor

STATE OF NEVADA

REPLY TO:

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

www.nscb.nv.gov

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



STATE CONTRACTORS BOARD
MINUTES OF THE MEETING
JULY 2, 2014

MEMBERS
Guy M. Wells, Chairman
Thomas "Jim" Alexander
Kevin E. Burke
Margaret Cavin
Joe Hernandez
Jan B. Leggett
Stephen P. Quinn

CALL TO ORDER:

Jonathan Andrews, Esq., called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, **JULY 2, 2014**, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Mr. Jan B. Leggett

STAFF MEMBERS PRESENT:

Ms. Margi A. Grein, Executive Officer
Ms. Nancy Mathias, Licensing Administrator
Mr. George J. Lyford, Director of Investigations
Mr. Paul Rozario, Director of Investigations
Mr. Fred Schoenfeldt, Investigations Supervisor
Ms. Susan Broili-Kamesch, Licensing Supervisor, Reno
Ms. Bree Welsch, Licensing Supervisor, Henderson

LEGAL COUNSEL PRESENT:

Jonathan Andrews, Esq., Legal Counsel
David Brown, Esq. Legal Counsel

The agenda was posted in compliance with the open meeting law **JUNE 26, 2014** at Washoe County Court House, Washoe County Library, Reno City Hall, Paseo Verde Library, Sawyer Building, and Clark County Library, both offices of the Board, on the Board's Internet Website and the Nevada Public Notice Website.

ADJUDICATING BOARD MEMBER: JAN B. LEGGETT

1. DISCIPLINARY HEARING:

EDVERG CONSTRUCTION AND DEVELOPMENT, LICENSE NO. 52630

Licensee was present and represented by Keith Gregory, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Hearing File

The following Respondent Exhibit was entered:

Exhibit A – Answer

Hearing Officer Leggett found the Respondent guilty of violating NRS 624.3014(2)(a) Aiding or abetting an unlicensed person, (b) combining or conspiring with unlicensed person, (c) allowing a license to be used by unlicensed persons and (d) acting as agent, partner of an unlicensed; NRS 624.3014(3) any attempt by a licensee to assign, transfer or otherwise dispose of a license or permit the unauthorized use thereof and NRS 624.3013(3) failure to establish financial responsibility. Mr. Vergara was ordered to pay a fine of \$100.00 each for the First and Second Causes of Action, Third Cause of Action was dismissed and \$500.00 for the Fourth Cause of Action for a total fine in the amount of \$700.00 and investigative fees in the amount of \$1,952.00. Respondent must pay the fine and fees within thirty (30) days of July 2, 2014 or license number 52630 will automatically be suspended. The Respondent's monetary license limit is reduced to \$245,000.00.

2. DISCIPLINARY HEARING:

WYMAN DEVELOPMENT CORPORATION, LICENSE NO. 51073

Licensee was present and was represented by Jeff Spencer, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Hearing File

The following Respondent Exhibits were entered:

Exhibit A – Answer

Exhibit B – Designation of Witnesses

Exhibit C – May 23, 2014 letter

Exhibit D – First Supplemental Disclosure of Documents

Hearing Officer Leggett dismissed this complaint.

3. REACTIVATION DENIAL HEARING:

SOUTHWEST BUILDERS LLC, DBA ALL AMERICAN BUILDERS, LICENSE NO. 57250

Licensee was present.

Hearing Officer Leggett continued this matter for thirty (30) days.

4. FINANCIAL RESPONSIBILITY HEARING:

TONY ALSTON DBA, FABTECH WELDING SERVICE, LICENSE NO. 77086

Licensee was present.

Hearing Officer Leggett lowered the monetary license limit to \$245,000.00 and continued this matter for thirty (30) days to allow the licensee to provide the requested documents to staff.

5. FINANCIAL RESPONSIBILITY HEARING:

DURO CONSTRUCTION LLC., LICENSE NO. 73908

Licensee was present.

Hearing Officer Leggett found Respondent guilty of violating NRS 624.3013(3) failure to establish financial responsibility and NRS 624.302(5) failure to comply. Respondent must pay a fine of \$750.00 and investigative fees in the amount of \$1,028.68. Respondent must pay the fine and fees within thirty (30) days from July 2, 2014 and Respondent must submit to a financial review and business review annually for the next two (2) years.

6. FINANCIAL RESPONSIBILITY HEARING:

EMILIO MAGANA DBA, MAGANA & SONS CONSTRUCTION, LICENSE NO. 76849

Licensee was present.

Hearing Officer Leggett found the Respondent guilty of NRS 624.3013(3) failure to establish financial responsibility with no fine imposed and approved the licensee financial review but ordered the licensee to pay investigative fees of \$469.14 within thirty (30) days and must submit to a business review for the next two (2) years.

7. FINANCIAL RESPONSIBILITY HEARING

OCONNOR CONSTRUCTION MANAGEMENT INC., LICENSE NO. 54463

Licensee was present.

Hearing Officer Leggett found Respondent guilty of violating NRS 624.3013(3) failure to establish financial responsibility and NRS 624.302(5) failure to comply. License number 54463 is suspended until Respondent pays a fine of \$1,000.00; investigative fees in the amount of \$484.13 and provides a current financial statement in the required format.

8. FINANCIAL RESPONSIBILITY HEARING
NEW CITY ENERGY LLC., LICENSE NO. 77811

Licensee was not present.

Hearing Officer Leggett found Respondent guilty of violating NRS 624.3013(3) failure to establish financial responsibility and NRS 624.302(5) failure to comply. License number 77811 is suspended until Respondent pays a fine of \$750.00; investigative fees in the amount of \$474.14 and provides a current financial statement within sixty (60) days from July 2, 2014 or license number 77811 will automatically be revoked.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Leggett at 11:26a.m.

Respectfully Submitted,


Sandy Diederich, Recording Secretary

APPROVED:


Margi A. Grein, NSCB Executive Officer


Jan B. Leggett, Hearing Officer