

STATE OF NEVADA

STEVE SISOLAK
Governor

MEMBERS
Kent Lay, Chair
Margaret Cavin
Joe Hernandez
Jan B. Leggett
Melissa Maguire
Steve Menzies
Guy M. Wells



STATE CONTRACTORS BOARD

Minutes of the Meeting
May 21, 2020

REPLY TO:

Northern Nevada
5390 Kietzke Lane
Suite 102
Reno, Nevada 89511
(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
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Investigations (702) 486-1110

CALL TO ORDER:

Jill Greiner, Esq. called the meeting of the State Contractors Board to order at 1:30 p.m., on Thursday, May 21, 2020, State Contractors Board, Henderson and Reno, Nevada.

Administrative Law Judge:

Ms. Jill Greiner, Esq.

Staff Members Present:

Ms. Margi A. Grein, Executive Officer
Mr. Paul Rozario, Director of Investigations
Mr. Tim Geswein, General Counsel
Mr. Julio Sabates, Investigations Supervisor - Henderson

Legal Counsel Present:

Mr. Louis Ling, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law and Declaration of Emergency Directive 006 on the Board's Internet Website, the Nevada Public Notice Website, and e-mailed electronically to persons who have expressed interest in being kept informed of the Board's meetings.

ADMINISTRATIVE LAW JUDGE: JILL GREINER, ESQ.

1. DISCIPLINARY HEARING:

NIKAM DEVELOPMENT COMPANY, License No. 41513

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board's Hearing File

ALJ Jill Greiner found the Respondent Nikam Development Company, guilty of violating NRS 624.302(1)(b) by advertising for construction work while the license is inactive; NRS 624.3012(2) failure to pay for materials or services; NRS 624.3011(1)(b)(4) by willfully or deliberately disregarding and violating the laws of this State regarding industrial insurance and NRS 624.3013(3) failure to establish financial responsibility. License number 41513 is revoked. Respondent shall pay a fine of \$1,000 for the First alleged violation, dismissal on the Second alleged violation, a fine of \$1,000 for the Fourth alleged violation and a fine of \$500 for the Fifth alleged violation for a total in the amount of \$2,500, investigative costs of \$1,516. Fines and fees are to be paid within sixty (60) days.

2. DISCIPLINARY HEARING:

J CAMERON CONSTRUCTION LLC, License No. 79541

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board's Hearing File.

ALJ Greiner found the Respondent J Cameron Construction LLC guilty of violating NRS 624.302(6) failure or refusal to comply with a written request by the Board for information or records; NRS 624.3011(1)(b)(4) by willfully or deliberately disregarding and violating the laws of this State regarding industrial insurance; and, NRS 624.3013(3) failure to establish financial responsibility. License number 79541 is revoked. The Respondent shall pay a fine of \$250 for the First Cause of Action, \$1,000 fine for the Second Cause of Action and \$500 fine for the Third Cause of Action, for a total fine in the amount of \$1,750, and assessed investigative costs of \$1,395. Fines and fees are to be paid within 60 days.

3. DISCIPLINARY HEARING:

ACERO MASONRY LLC, License no. 80958

ACERO MASONRY LLC dba ACERO LANDSCAPING, license no. 82720

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board's Hearing File.

ALJ Greiner found the Respondent Acero Masonry, license number 80958 and Acero Landscaping, license number 82720 guilty of violating NRS 624.302(5) failure or refusal to cooperate in an investigation; NRS 624.302(6) failure or refusal to comply with a written request by the Board for information or records; NRS 624.3013(3) failure to establish financial responsibility; and, NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. License numbers 80958 and 82720 are suspended. The First, Second and Third Causes of Action are dismissed. Respondent shall pay a fine of \$250 for the Fourth Cause of Action, \$500 for the Fifth Cause of Action, no fine imposed on the Sixth Cause of Action, for a total fine in the amount of \$1,000, and assessed investigative costs in the amount of \$1,683. Respondent to provide a current compliant financial statement to the Board. Fines, fees and a current financial statement shall be paid and provided within 60 days. Respondent may continue to work on existing projects, but cannot take on any new work during the suspension. The suspension shall be lifted upon the fines, fees and a compliant financial statement received.

4. DISCIPLINARY HEARING:

VERNON HERBERT DIMICK dba DIMICK DRILLING, License No. 10062

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board's Hearing File.

ALJ Greiner found the Respondent Vernon Herbert Dimick dba Dimick Drilling guilty of violating NRS 624.301(5) willful failure or refusal to comply with terms of a construction contract or written warranty thereby causing material injury to another; NRS 624.301(1) abandonment without legal excuse of any construction project or operation engaged in or undertaken by the licensee as a contractor; NRS 624.301(4) failing or refusing to prosecute a construction project or operation with reasonable diligence; 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 624.3015(2) bidding to contract or contracting for a sum for one construction project in excess of the limit placed on the license by the Board; NRS 624.3015(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; NRS 624.302(6) failure or refusal to comply with a written request by the Board for information or records; NRS 624.301(5) willful failure or refusal to comply with terms of a construction contract or written warranty thereby causing material injury to another; NRS 624.301(1) abandonment without legal excuse of any construction project or operation engaged in or undertaken by the licensee as a contractor; NRS 624.301(4) failing or refusing to prosecute a construction project or operation with reasonable diligence; 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 624.3015(2) bidding to contract or contracting for a sum for one construction project in excess of the limit placed on the license by the Board; NRS 624.3015(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; NRS 624.302(6) failure or refusal to comply with a written request by the Board for information or records; NRS 624.3013(5) by failing to hold an active business license in Clark County as required by NRS 624.165(3)(e)(2); and, NRS 624.3013(3) failure to establish financial responsibility. License number 10062 is revoked. Respondent shall pay a fine of \$ \$2,000 for the First Cause of Action, \$1,000 each for the Second, Third, Fourth and Fifth Causes of Action, \$100 fine for the Sixth Cause of Action, \$250 for the Seventh Cause of Action; \$1,000 each for the Eighth and Ninth Causes of Action, \$2,000 for the Tenth Cause of Action, \$1,000 each for the Eleventh and Twelfth Causes of Action, \$50 fine for the Thirteenth Cause of Action, \$250 fine for the Fourteenth Cause of Action, \$50 fine for the Fifteenth Cause of Action, and \$1,000 fine for the Sixteenth Cause of Action, for a total fine in the amount of \$13,700, and assessed investigative costs of \$1,734. Fines and fees shall be paid within 60 days.

5. DISCIPLINARY HEARING:

MAJESTIC GENERAL CONTRACTORS LLC, License No. 73962

Licensee was present

The following Agency Exhibit was entered:

Exhibit 1 – Board's Hearing File.

ALJ Greiner found the Respondent Majestic General Contractors LLC guilty of violating NRS 624.302(5) failure or refusal to cooperate in an investigation; NRS 624.302(6) failure or refusal to comply with a written request by the Board for information or records; NRS 624.3013(5) by failing to hold an active business license in Clark County as required by NRS 624.165(3)(e)(2); and, NRS 624.3013(3) failure to establish financial responsibility. License number 73962 is revoked. Respondent shall pay a fine of \$250 for the First Cause of Action, \$250 for the Second Cause of Action, \$50 fine for the Third Cause of Action, and \$500 fine for the Fourth Cause of Action, for a total fine in the amount of \$1,250, and assessed investigative costs in the amount of \$1,312. Fines and fees shall be paid within 60 days.

6. DISCIPLINARY HEARING:

BAD RIVER BUILDING LLC, License No. 75662

SIEGEL DESIGN AND DEVELOPMENT LLC, License No.'s 80613, 81560, 81857

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board's Hearing File.

ALJ Greiner found the Respondent guilty of violating NRS 624.3011(1)(b)(4) by willfully or deliberately disregarding and violating the laws of this State regarding industrial insurance; NRS 624.3013(5) failure to hold an active business license in Clark County as required by NRS 624.165(3)(e)(2); NRS 624.302(6) failure or refusal to comply with a written request by the Board for information or records; 624.301(5) willful failure or refusal to

comply with terms of a construction contract or written warranty thereby causing material injury to another; NRS 624.3013(5), as set forth in NRS 624.700(3)(a) failure to comply with the Board's Notice to Correct; NRS 624.301(4) by failure or refusal without legal excuse to prosecute a construction project or operation with reasonable diligence; NRS 624.3015(1) acting beyond the scope of the license; NRS 624.302(6) failure or refusal to comply with a written request by the Board for information or records; NRS 624.3013(3) failure to establish financial responsibility; and, NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. Respondent shall pay a fine on \$1,000 for the First Cause of Action, \$ 50 for the Second Cause of Action, the Third, Fourth, Fifth and Sixth Causes of Action are dismissed, \$500 fine for the Seventh Cause of Action, \$1,000 fine for the Eighth Cause of Action, \$500 for the Ninth Cause of Action, \$1,000 for the Tenth Cause of Action, \$3,000 for the Eleventh Cause of Action, \$500 for the Twelfth Cause of Action, Thirteenth Cause of Action is dismissed, \$500 for the Fourteenth Cause of Action, and Guilt on the Fifteenth Cause of action with no fine imposed, for a total fine in the amount of \$8,050, and assessed investigative costs of \$3,081. Fines and fees are to be paid within 60 days. License number 75662 may be surrendered upon payment of the fines and fees. License numbers 80613, 81560 and 81857 shall replace the qualifier within 30 days.

ADJOURNMENT

The meeting was adjourned by ALJ Greiner at 3:30p.m. on May 21, 2020.

Respectfully Submitted,


Sandra Diederich, Recording Secretary

APPROVED:


Margi A. Grein, NSCB Executive Officer