

BRIAN SANDOVAL
Governor

STATE OF NEVADA



MEMBERS

Kevin E. Burke, Chairman
Thomas "Jim" Alexander
Margaret Cavin
Donald L. Drake
Nathaniel W. Hodgson, III
Stephen P. Quinn
Guy M. Wells

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING April 16, 2012

REPLY TO:

Southern Nevada
2310 Corporate Circle
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Henderson, Nevada 89074
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Fax (702) 486-1190
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9670 Gateway Drive, Suite 100
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CALL TO ORDER:

Hearing Officer Margaret Cavin called the meeting of the State Contractors Board to order at 9:00 a.m., Monday, April 16, 2012, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Ms. Margaret Cavin, Hearing Officer
Mr. Stephen Quinn, Hearing Officer (arrived 9:45 a.m.)

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. George Lyford, Director of Investigations
Mr. Daniel Hammack, Chief of Enforcement

LEGAL COUNSEL PRESENT:

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

Ms. Grein stated the agenda was posted in compliance with the open meeting law on April 10, 2012, at Las Vegas City Hall, Sawyer State Building and Clark 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: MARGARET CAVIN

1. DISCIPLINARY HEARING:

MITCHELL FRAMING CONTRACTORS, INC., License No. 46206

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board's Hearing File.

Exhibit 2 – A binder prepared for Burke Construction Group, Inc. by counsel, Richard Peel, Esq.

Exhibit 3 – A document provided by Burke Construction Group, Inc. showing change orders from Respondent plus copies of checks paid to Respondent.

The following Respondent's Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated March 30, 2012.

Hearing Officer Cavin dismissed the Board's Complaint. The voluntary surrender of license number 46206, Mitchell Framing Contractors, Inc. was accepted.

ADJUDICATING BOARD MEMBER: STEPHEN QUINN

2. DISCIPLINARY HEARING:

PEEK CONSTRUCTION COMPANY, License No. 62283

WILLIAMS BROTHER, INC., License Nos. 59537, 60631

Licensee was not present at the hearing but was represented by counsel, Steven Mack, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board's Hearing File.

Exhibit 2 – A letter to the Respondent from the Board dated March 19, 2012.

The following Respondent's Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated March 23, 2012.

Exhibit B – Respondent's letter to the Board dated March 16, 2012.

Hearing Officer Quinn found Respondents guilty of nine (9) violations of NRS 624.3012(2) willful failure to pay any money when due for materials or service; two (2) violations of NRS 624.3013(3) failure to establish financial responsibility; and one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. Respondents were assessed a fine of \$500.00 each for the First, Second, Fourth, Seventh, Tenth, Eleventh, Fourteenth, Fifteenth, Twentieth, Twenty First and Twenty Second Causes of Action for total fines of \$5,500.00 and investigative costs of \$7,553.00. The First, Third, Sixth, Eighth, Ninth, Twelfth, Thirteenth, Sixteenth, Seventeenth, Eighteenth and Nineteenth Causes of Action were dismissed. The Board shall accept the voluntary surrender of license number 62283, Peek Construction Company and license numbers 59537 and 60631, Williams Brother, Inc. within forty five (45) days of April 16, 2012. The Respondents shall pay the fines and costs within forty five (45) days of April 16, 2012 or license number 62283, Peek Construction Company and license numbers 59537 and 60631, Williams Brother, Inc. shall be revoked.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Quinn at 1:22 p.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

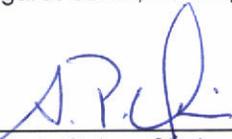
APPROVED:



Margi A. Grein, Executive Officer



Margaret Cavin, Hearing Officer



Stephen Quinn, Chairman