

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

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

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
JULY 1, 2015

CALL TO ORDER:

Jonathan Andrews, Esq., called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, **JULY 1, 2015**, 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. Paul Rozario, Director of Investigations
Mr. Fred Schoenfeldt, Investigations Supervisor
Ms. Susan Broili-Kamesch, Licensing Supervisor, Reno
Ms. Bree Welch, Licensing Supervisor, Henderson

LEGAL COUNSEL PRESENT:

Jonathan Andrews, Legal Counsel
David Brown, Legal Counsel

The agenda was posted in compliance with the open meeting law **June 25, 2015** at Washoe County Court House, South Valleys Library, Reno City Hall, both offices of the Board, on the Board's Internet Website and the Nevada Public Notice Website.

ADJUDICATING HEARING OFFICER: JAN B. LEGGETT

1. DISCIPLINARY HEARING: DEFAULT HEARING
FIRST AMERICANS, License No. 68139

Licensee was not present.

The following Agency Exhibit was entered:
Exhibit 1 – Hearing File

Hearing Officer Leggett found the Respondent First Americans, license number 68139 guilty of (1) one violation of NRS 624.3015(1) by acting in the capacity of a contractor beyond the scope of the license; (1) one violation of 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; (1) one violation of NRS 624.3011(1)(b)(1) failure to comply with the building laws of the state; (1) one violation of NRS 624.3013(4) failure to keep in full force the bond or cash deposit pursuant to NRS 624.270 for the full period required by the Board and (1) one violation of NRS 624.3013(3) failure to establish financial responsibility. License number 68139 is revoked. Mr. McCoy was ordered to pay a fine of \$1,000.00 for the First Cause of Action, a fine of \$250.00 for the Second Cause of Action, a fine of \$1,000.00 for the Third Cause of Action, a fine of \$500.00 for the Fourth Cause of Action and a fine of \$500.00 for the Fifth Cause of Action for total fines of \$3,250.00; and investigative costs in the amount of \$1,997.00.

2. DISCIPLINARY HEARING:

TRINITY RENOVATION, INC., License No. 79290

Licensee was present.

The following Agency Exhibit was entered:
Exhibit 1 – Hearing file

The following Respondents Exhibit was entered:
Exhibit A – Respondent’s Answer

Hearing Officer Leggett found the Respondent Trinity Renovation Inc, license number 79290 guilty of two (2) violations of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; two (2) violations of NRS 624.3011(1)(b)(1) failure to comply with the building laws of the state; one (1) violation of NRS 624.3017(3) advertising projects of construction beyond the scope of the license; one (1) violation of NRS 624.3014(1)(a) by acting in the capacity of a contractor under any license issued hereunder except (a) in the name of the licensee as set forth upon the license; one (1) violation of NRS 624.3013(5) as set forth in NAC 624.640(3) if any change occurs in a licensee's address or personnel which affects the accuracy of statements in the application upon which his license is based, he shall report the change in writing to the Board within 30 days after the change occurs and one (1) violation of NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner. No administrative fines were imposed. Respondent shall pay investigative costs in the amount of \$1,807.00 within seven (7) days or license number 79290 will automatically be suspended.

3. DISCIPLINARY HEARING: DEFAULT HEARING
CHEYENNE STEEL CO., INC., License No. 53113

Licensee was not present.

The following Agency Exhibit was entered:
Exhibit 1 – Hearing file

Hearing Officer Leggett found the Respondent Cheyenne Steel Company, Inc, license number 53113 guilty of (1) one violation of NRS 624.256 failure to maintain industrial insurance; (2) violations of NRS 624.3011(1)(b)(4) willful or deliberate disregard of the laws of this State regarding industrial insurance; (1) one violation of NRS 624.302(5) failure or refusal to cooperate in an investigation; (1) one violation of NRS 624.3013(4) failure to keep in full force the bond or cash deposit pursuant to NRS 624.270 for the full period required by the Board and (1) one violation of NRS 624.3013(3) failure to establish financial responsibility. License number 53113 is revoked. Mr. Wenzl was ordered to pay a fine of \$1,000.00 for the First Cause of Action, a fine of \$500.00 for the Second Cause of Action, a fine of \$1,000.00 for the Third Cause of Action, a fine of \$250.00 for the Fourth Cause of Action, a fine of \$500.00 for the Fifth Cause of Action and a fine of \$500.00 for the Sixth Cause of Action for total fines of \$3,750.00; and investigative costs in the amount of \$1,571.00.

4. DISCIPLINARY HEARING:

SHANE ROBERT MCGUIRE DBA, IRISH GREEN LAWNS, LICENSE NO. 74319

Licensee was present.

The following Agency Exhibit was entered:
Exhibit 1 – Hearing file

The following Respondents Exhibit was entered:
Exhibit A – Respondent’s Answer

Hearing Officer Leggett found the Respondent Shane Robert McGuire dba Irish Green Lawns, license number 74319 guilty of one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.700(3)(a) failure to comply with the Board's Notice to Correct; one

(1) violation of NRS 624.302(6) failure or refusal to comply with a written request by the Board for information or records; (3) three violations of NRS 624.3011(1)(b)(1) failure to comply with the building laws of the state; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; one (1) violation of 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; one (1) violation of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. License number 74319 is suspended. Mr. McGuire was ordered to pay a fine of \$500.00 for the First Cause of Action, a fine of \$1,000.00 for the Second Cause of Action, a fine of \$1,000.00 for the Third Cause of Action, a fine of \$1,000.00 for the Fourth Cause of Action, a fine of \$50.00 for the Fifth Cause of Action, a fine of \$50.00 for the Sixth Cause of Action, a fine of \$250.00 for the Seventh Cause of Action and a fine of \$500.00 for the Eighth Cause of Action for a total fines of \$4,350.00; and investigative costs in the amount of \$2,417.00 and provide a current financial statement that supports the monetary limit within one-hundred eighty (180) days or license number 74319 will automatically be revoked.

5. DISCIPLINARY HEARING:

LERO ENTERPRISES INC DBA, A PLUS RESTORATION, LICENSE NO. 73620

Licensee was present.

Hearing Officer Leggett has taken this under advisement.

6. FINANCIAL RESPONSIBILITY HEARING:

VETERAN CONSTRUCTION, LLC, LICENSE NOS. 78737, 78819

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Hearing file

Hearing Officer Leggett found the Respondent guilty of violating NRS 624.3013(3) failure to establish financial responsibility and NRS 624.302(5) failure to respond to the Board. License numbers 78737 and 78819 are suspended. Respondent must pay a fine in the amount of \$750.00 and investigative fees in the amount of \$477.89 and provide a financial statement supporting the license limit, a bank verification form and a response to the request for derogatory credit information within sixty (60) days or license numbers 78737 and 78819 will automatically be revoked.

7. FINANCIAL RESPONSIBILITY HEARING:

TOLTEST, INC., License No. 68724

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Hearing file

Hearing Officer Leggett found the Respondent guilty of violating NRS 624.3013(3) failure to establish financial responsibility and NRS 624.302(5) failure to respond to the Board. License number 68724 is suspended. Respondent must pay a fine in the amount of \$750.00 and investigative fees in the amount of \$470.39 and provide a current financial statement and bank verification form within sixty (60) days or license number 68724 will automatically be revoked.

8. FINANCIAL RESPONSIBILITY HEARING:

BRIAN ANTHONY MANDIO SR, DBA MANDIO & SONS CONSTRUCTION, LICENSE NO. 78814

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Hearing file

Hearing Officer Leggett vacated this hearing per staff's request.

9. FINANCIAL RESPONSIBILITY HEARING:
PLATINUM SCAFFOLDING SERVICES INC LICENSE NO. 77680

Licensee was present.

Hearing Officer Leggett ordered that this be taken under advisement. Respondent has sixty (60) days to provide a reviewed or audited financial statement for Platinum Scaffolding Services Inc., license number 77680.

10. FINANCIAL RESPONSIBILITY HEARING:
GARY FREDRICK COOK DBA, GARY COOK CONSTRUCTION, LICENSE NO. 78714

Licensee was present.

The following Agency Exhibit was entered:
Exhibit 1 – Hearing file

Hearing Officer Leggett found Respondent guilty of violating NRS 624.3013(3) failure to establish financial responsibility and NRS 624.302(5) failure to respond to the Board. License number 78714 is suspended until Respondent provides evidence of active status with Secretary of State, pays a fine in the amount of \$350.00 and investigative fees in the amount of \$467.89.

11. FINANCIAL RESPONSIBILITY HEARING:
GREEN DAY, LLC, License Nos. 78620, 78621

Licensee was present.

The following Agency Exhibit was entered:
Exhibit 1 – Hearing file

Hearing Officer Leggett continued this matter to the August 5, 2015 hearing. If financial information supporting the license limit is provided at least 10 days prior to the August 5, 2015, hearing the financial review can be approved by staff.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Leggett at 2.33p.m.

Respectfully Submitted,


Sandy Diederich, Recording Secretary

APPROVED:


Margi A. Grein, NSCB Executive Officer


Jan B. Leggett, Hearing Officer