

BRIAN SANDOVAL
Governor

STATE OF NEVADA

REPLY TO:

MEMBERS

Jan B. Leggett, Chairman
Thomas "Jim" Alexander
Kevin E. Burke
Margaret Cavin
Joe Hernandez
Kent Lay
Guy M. Wells



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

www.nscb.nv.gov

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

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING

January 6, 2016

CALL TO ORDER:

Jonathan Andrews, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, January 6, 2016, 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

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Paul Rozario, Director of Investigations
Mr. George Lyford, Associate Director
Mr. Daniel Hammack, Chief of Enforcement
Mr. Fred Schoenfeldt, Investigations Supervisor

LEGAL COUNSEL PRESENT:

Mr. Jack Juan, Esq.
Mr. Jonathan Andrews, Esq.

Mr. Schoenfeldt stated the agenda was posted in compliance with the open meeting law on December 30, 2015, at Paseo Verde Library, 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's Internet Website.

HEARING OFFICER: MARGARET CAVIN

1. DISCIPLINARY HEARING:

BUCKEYE DRYWALL & PAINT, LLC, License No. 77247

Licensee was present and represented by Brian Pezzillo, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – The signed Final Settlement 01-06-2016 between the Board and the Respondent.

In the signed agreement entitled "FINAL SETTLEMENT 01-06-2016" accepted by Hearing Officer Cavin, the Respondent pled *nolo contendere* to one (1) violation of NRS 624.3016(1) any fraudulent or deceitful act committed in the capacity of a contractor; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.750(3)(b) diversion of money; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. The Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth,

Nineteenth, Twentieth, Twenty First, Twenty Second, Twenty Third and Twenty Fourth Causes of Action are dismissed. The Respondent was assessed a fine of \$2,500.00 for the First Cause of Action and a fine of \$2,500.00 for total fines of \$5,000.00 and investigative costs of \$3,000.00. Fines and investigative costs are to be paid within 90 days of the January 6, 2016 hearing or license number 77247 shall be suspended. The Respondent shall provide a current financial statement with bank verification form for all cash accounts that supports the license limit within thirty (30) days of the January 6, 2016 hearing. If the financial statement does not support the license limit, the license limit shall be lowered to the amount the financial statement supports. If the financial statement does not support any license limit, the license shall be suspended until a compliant financial statement is provided. The Respondent shall make restitution (\$65,000.00) to Shaw-Lindquist Associates per the terms and conditions of the written agreement between the two (2) parties. The revocation of Respondent's license, number 77247, is stayed and the Respondent shall be placed on Probation with standard terms for five (5) years. If the Respondent violates the restitution agreement with Shaw-Lindquist Associates or violates any prohibitions of NRS chapter 624, the license will be immediately revoked. The Respondent will co-operate as a witness as required against any and all co-conspirators in this case in any administrative or criminal proceedings.

ADJOURNMENT

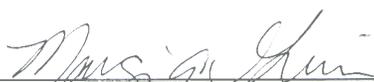
There being no further business to come before the Board, the meeting was adjourned by Mr. Andrews at 8:39 a.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer

Margaret Cavitt, Hearing Officer