

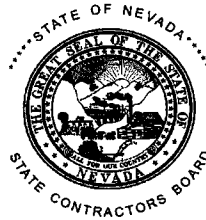
BRIAN SANDOVAL
Governor

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



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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING

March 31, 2016

CALL TO ORDER:

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, March 31, 2016, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign in Log.

ADMINISTRATIVE LAW JUDGE:

Judge Philip M. Pro

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

LEGAL COUNSEL PRESENT:

Mr. Noah Allison, Esq.

Ms. Grein stated the agenda was posted in compliance with the open meeting law on March 25, 2016, 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.

ADMINISTRATIVE LAW JUDGE: PHILIP M. PRO

1. DISCIPLINARY HEARING:

SUMMERLIN ENERGY LAS VEGAS, LLC, License Nos. 78571, 78570

Licensee Drew Levy was not present but was represented by Georlen K. Spangler, Esq. at the hearing.

Licensees Summerlin Energy, LLC, Marisa Corinne Bankey and Sean Francois Melaerts were not present at the hearing nor represented by counsel.

The following Agency Exhibits were entered:

Exhibit 1– Board Hearing File including Board Exhibits 1095 to 1262.

The following Licensee Exhibits were entered:

Exhibit A – Respondent Drew Levy's Answer to the Board's Complaint dated March 16, 2016.

Exhibit B – Respondent Drew Levy's Hearing Exhibits dated March 21, 2016.

ALJ Pro found Respondents Summerlin Energy, LLC, Marisa Corinne Bankey and Sean Francois Melaerts guilty of five (5) violations of NRS 624.301(5) failure to comply with the terms of a construction contract; three (3) violations of NRS 624.301(1) abandonment of a construction project; nine (9) violations of NRS 624.3013(5), as set forth in NRS 624.750(3)(b) diversion of money; three (3) violations of NRS 624.301(2) abandonment of a construction project when the percentage of the project completed is less than the percentage of the total price of the contract paid; seven (7) violations of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with the Board's Notice to Correct; six (6) violations of NRS 624.3012(2) failure to pay any money when due when he has the capacity to pay or has received sufficient money therefor; six (6) violations of NRS 624.302(5) failure to comply with a written request from the Board; six (6) violations of NRS 624.302(6) failure to comply with a written request from the Board; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. The Twelfth Cause of Action was dismissed. Fines, investigative costs and restitution were not ordered due to Respondent Summerlin Energy Las Vegas, LLC's Chapter 7 bankruptcy filing. The Forty Eighth Cause of Action was continued to May 9, 2016. License numbers 78571 and 78570, Summerlin Energy Las Vegas, LLC were revoked.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by ALJ Pro at 12:16 p.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:


Margi A. Greff, Executive Officer