

MEMBERS
Boyd Martin, Chairman
Margaret Cavin
Bryan Cowart
Joe Hernandez
Kent Lay
Jan B. Leggett
Louis Polish Jr.



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
March 15, 2023

CALL TO ORDER

Richard Scotti, Esq. called the meeting of the State Contractors Board to order at 8:34 a.m., Wednesday March 15, 2023, State Contractors Board, Reno and Las Vegas, Nevada.

ADMINISTRATIVE LAW JUDGE

Richard Scotti, Esq.

STAFF MEMBERS PRESENT

Margi Grein, Executive Officer
Dave Behar, Deputy Director of Investigations

Terry Wike, Compliance Supervisor
Luis Rico, Criminal Investigator
Susan Broili-Kamesch, Licensing Administrator

LEGAL COUNSEL PRESENT Jack Juan, Esq.

Ms. Grein stated that the agenda was posted in compliance with the open meeting law at both offices of the Board, 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.

1. **DISCIPLINARY HEARING – Continued Status Check from February 15, 2023:**

PPAS LV LLC, dba Premier Pools and Spas, License No. 79647

Case Nos. 30059586, 30059638, 30059064, 30059604, 30059093, 30060104, 30060485,
30060681, 30060769

Penny Marie Ramos-Bennett, Managing Member
Ronald Raymond Bennett, Jr., Manager, CMS and Trade

Appearances by Prosecutor, Jack Juan, Attorneys Ron Bennett, Donald "Butch" Williams, Scott Shirley, Homeowner/Complainant Nicole Scrofani (Case No. 30059093) and Compliance Supervisor, Terry Wike. Prosecutor Juan states that Respondent's efforts to complete all the work is noted and progress is being made. That payment negotiations for amounts owed and in dispute are back on track. The Administrative Law Judge therefore ORDERS that this matter is continued for 30 days to April 19, 2023.

2. **DISCIPLINARY HEARING – Continued from January 25, 2023:**

Acero Masonry, License No. 80958, 82720

Case Nos. 30054712, 30058477, 30057499

Ricardo Acero Jr., Managing Member, CMS and Trade
Exhibits: All Exhibits admitted.

No appearances made by or for Respondent Acero Masonry. Appearance by Prosecutor Jack Juan, and Compliance Supervisor, Terry Wike. Peter Dubowsky, Esq. representing American Builders Supply was present and offered testimony. The Respondent is in default for failure to show and defend. Board exhibits are admitted. The Administrative Law Judge ORDERS that the Board has more than a preponderance of evidence to prove the allegations in the Complaint. The Administrative Law Judge therefore ORDERS that

the Respondent is in violation of allegations 1 through 8 and assessed fines in the total amount of \$18,000 and was ordered to pay the Board's investigative costs pursuant to NRS 624.341(2)(c), in addition to reasonable attorney fees and hearing officer fees recoverable pursuant to NRS 622.400.

**Respondent did make an untimely appearance at approximately 11:00am at the conclusion of the hearings. The Administrative Law Judge informed the Respondent that he may file for reconsideration or file a petition for judicial review with the District Court. **

3. DISCIPLINARY HEARING – Continued from February 15, 2023:

Anthony & Sylvan Pools Corporation, License No. 23414

Case Nos. 30059021, 30057520

Mark Koide, President

Alan Kendrick Walker, Vice President

Martin Iles, Secretary/Treasurer

Mitch C. Martinez, CMS and Trade

Appearances by Cynthia Alexander, Esq. for Respondent, Prosecutor Jack Juan, and Compliance Supervisor, Terry Wike. Claimant Mehrdad Asadifar and Farahnaz Fahami were present. Prosecutor Juan calls Board Witness, Compliance Supervisor, Terry Wike who is sworn in and provided testimony. Respondent filed its Motion to Continue. After the brief introductory testimony, Case number 30059021 was continued by the Administrative Law Judge to May 17, 2023. Administrative Law Judge Orders that Respondent is precluded from admitting any further evidence. The Administrative Law Judge ORDERS Motion to Continue granted to April 19, 2023 for Case # 30057520 pursuant to agreement of parties that Respondent will provide financial statement by April 3, 2023.

4. DISCIPLINARY HEARING – Continued from February 15, 2023:

Maui Pools, Inc., License No. 77902

Case Nos. 30060560, 30060561

Michael Lee McDuffy, President, CMS and Trade

Appearances by Respondent, Michael McDuffy, Prosecutor Jack Juan, and Compliance Supervisor, Terry Wike. The Administrative Law Judge ordered the Respondent to respond to Mr. Juan's email and provide the Board with documents concerning employees and invoices. Mr. Juan will provide all parties with a Brief. The Administrative Law Judge continued this matter to April 19, 2023.

5. DISCIPLINARY HEARING:

Sky Park Canyon Construction LLC, License No. 86360

Case No. 30061215

Adam Pietro Childress, Manager, CMS and Trade

Appearances by Respondent, Adam Childress, Prosecutor, Jack Juan, Criminal Investigator, Luis Rico (Las Vegas) and Licensing Administrator Susan Broili-Kamesch (Reno). Board exhibits are admitted. The Administrative Law Judge heard testimony and took this matter under advisement.

6. DISCIPLINARY HEARING:

Vegas Property Management LLC, dba Primaris Construction License No. 76751, 80845

Case No. 30059051

Grant Christopher Matesic, Manager, CMS and Trade

Appearances by Respondent, Grant C. Matesic, Prosecutor, Jack Juan, Complainants, Arthur and Rebecca White on behalf of Aqua Plumbing Service & Repair LLC. Board exhibits including Aqua Plumbing Service & Repair LLC's Mediation Resolution and Settlement Agreement and Discharge Notice of Lien. The Administrative Law Judge found the Respondent in violation of allegation 1 and assessed a fine in the amount of \$5,000 and ordered the Respondent to pay the Board's investigative costs pursuant to NRS 624.341(2)(c), in addition to reasonable attorney fees and hearing officer fees recoverable pursuant to NRS 622.400.

7. **DISCIPLINARY HEARING:**
Daniel Linares, dba Precision Granite, License No. 80589
Case Nos. 30060831
Daniel Linares, Owner, CMS and Trade

Appearances by Respondent, Daniel Linares, Prosecutor, Jack Juan, and Compliance Supervisor, Terry Wike. Respondent testifies that he is now in compliance as workers compensation was amended to show coverage prior to Complaint. Prosecutor, Juan states that Respondent is no longer in violation and withdraws the Complaint. The Administrative Law Judge granted the Board's request that the matter be withdrawn.

ADJOURNMENT

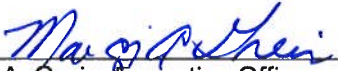
There being no further business to come before the Board, the meeting was adjourned by the Administrative Law Judge at 11:35 a.m.

Respectfully Submitted,



Leslie Fuller, Recording Secretary

APPROVED



Margi A. Grein, Executive Officer