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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING August 29, 2023

ADMINISTRATIVE LAW JUDGE

Richard Scotti, Esq.

STAFF MEMBERS PRESENT

Terry Wike, Compliance Supervisor

Irene Elicerio, Compliance Investigator
Damien Bilyeu, Compliance Investigator
Josue Barrera, Compliance Investigator

LEGAL COUNSEL PRESENT Jack Juan, Esq.

Compliance Supervisor, Terry Wike, stated that the agenda was posted in compliance with the open meeting law at Executive Director 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 – Status Check

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

Case Nos.: 30059856; 30059638| 30059064| 30059604| 30059093| 30060104| 30060485;
30060681; 30060769

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

Admitted: Any and all documents not already part of file received and admitted by Prosecutor/Board and Respondent.

Appearances by Complainant / Homeowners Steven and Tammy Bell; Joe Scrofani; and appearing via Zoom is Complainant / Homeowner Ladonna Coulter; Respondent, Ronald Bennett Jr. appears with counsel, Donald "Butch" Williams and Scot Shirley, Esq.; Jack Juan, Prosecutor, Terry Wike, Compliance Supervisor and Damien Bilyeu, Compliance Investigator. The Administrative Law Judge reminded everyone of the previous facts and testimony from the previous status check hearing. Homeowners Joe Scrofani, Ladonna Coulter, Steven and Tammy Bell make statements regarding the progress on their respective homes. Respondent's counsel gives an update to the ALJ regarding the open cases. Compliance Supervisor, Terry Wike requests the court Order Respondent to provide a new list of projects taken on since the suspension was lifted allowing it to take on a few new customers. Thereupon the ALJ ORDERS the Respondent provide the Board with a list of new projects by Wednesday, September 6, 2023. The next status check is set for October 4, 2023 and the Board will prepare the Notice of Status Check.

2. **DISCIPLINARY HEARING** – Continued from August 2, 2023
Greencare Designs LLC, License No. 78730
Case Nos.: 30057188
Jeffrey Glen Best, Manager, CMS and Trade

Admitted: Exhibits 1-303 with additional Exhibits 304-306
Respondent exhibits A-Q and R, S, T.

Appearances by Respondent, who appeared with counsel, Eric Dobberstein, Esq., John Reese, Operations Manager, Steve Dooly, Director of Operations, Area Manager, Noah Joice, Director of Plumbing and Monique Hanlon, Accounts Receivables and Payables Clerk and Juan Sigala, Field Supervisor; Complainant / Homeowner, Chris Rodarte and his father; Jack Juan, Prosecutor, Terry Wike, Compliance Supervisor and Damien Bilyeu, Compliance Investigator. Eric Dobberstein requests his Motion to Dismiss be granted. The Administrative Law Judge denies the motion, and after hearing testimony by Homeowner Rodarte and Respondent's witnesses, takes the case under advisement and will make his final ruling within seven (7) days from the date of hearing.

3. **DISCIPLINARY HEARING** –
Bella Patio, LLC, License No. 87658
Case Nos.: 30058393
Lee Packer, Managing Member, CMS and Trade
Christy King Packer, Managing Member

Admitted: Exhibits 1-109

Appearances by Jack Juan, Prosecutor, Terry Wike, Compliance Supervisor and Josue Barrera, Compliance Investigator. The Respondent nor his counsel, R. Scott Rasmussen appear. Prosecutor Juan proceeds with prima facie hearing for the record, but during the first few minutes of the hearing, it is recognized that the hearing is actually scheduled to start at 1:00 p.m., so it is decided to wait until the afternoon session to proceed. In the interim, Prosecutor Juan has a phone conversation with Respondent's counsel and is advised that he's in trial through September and possibly October and thereby Prosecutor and Administrative Law Judge agree to continue to hearing until October 18, 2023. Prosecutor Juan will email Respondent's attorney for verification purposes. Therefore the Administrative Law Judge ORDERS this case continued to October 18, 2023. The Board will send Notice of Continuance to interested parties.

4. **DISCIPLINARY HEARING** – Continued from August 9, 2023
G V S Construction LLC, License No. 80553
Case Nos.: 30060798
Miguel Angel Gutierrez, Manager, CMS and Trade

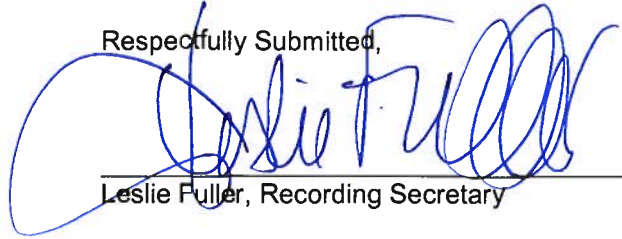
Admitted: All previously admitted Exhibits.

Appearances by Respondent Miguel Gutierrez, Respondent's counsel, Edgar Smith, Esq.; Complainant Oscar Mendoza, Complainants counsel, David Lee, Esq.; Jack Juan, Prosecutor, Terry Wike, Compliance Supervisor and Irene Elicerio, Compliance Investigator. Administrative Law Judge reminds everyone of the previously held hearing and the reason for continuance. Prosecutor Juan reminds the Administrative Law Judge that Respondent's attorney has one (1) hour to produce his final witnesses. After testimony by Respondent and cross-examination by Prosecutor Juan, the Administrative Law Judge ORDERS that both parties are to provide a five (5) page or under closing brief and the Respondent is to provide the change in design order by September 7, 2023. The Administrative Law Judge will issue a Decision & Order after review of counsel's closing briefs.

ADJOURNMENT

The meeting was adjourned by the Administrative Law Judge at 2:58 p.m.

Respectfully Submitted,



Leslie Fuller, Recording Secretary

APPROVED



Margi A. Grein, Executive Officer