



Solid Waste Management Authority  
Hearing Officer Administrative Hearing  
**MEETING MINUTES**

**Southern Nevada Health District**  
280 South Decatur Boulevard, Las Vegas, Nevada 89107  
Red Rock Trail Conference Room  
9:00 AM – Thursday, December 8, 2022

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**SNHD STAFF PRESENT:**

Donna Houston, Sr. EH Specialist  
Gary Martens, EH Specialist  
Edward Wynder, Associate General Counsel  
Jonathan Dalton, EH Specialist

Bruno Stephani, EH Supervisor  
Jennifer Luther, Sr. Admin Assistant  
Lynn Cintron, Sr. Admin Assistant  
Myles Holland, EH Specialist

**FACILITY OWNERS/REPRESENTATIVES PRESENT:**

Jason Kelly, FCCMI

Jayson Swann, FCCMI

**PUBLIC PRESENT:**

Carl Osborne, SW21-986/13/13 FTC  
Alexis Brown, SW21-986/13/13 FTC  
Kelly Koning, SW21-986/13/13 FTC  
Daylin Sigler, CCWQ

Omar Mazeghou, SW21-986/13/13 FTC  
Kevin Faro, SW21-986/13/13 FTC  
James Eudy, SW22-730/G4

I. **CALL TO ORDER:**

The Hearing Officer, Henry Melton, called the meeting to order at 9:01 a.m.

II. **PUBLIC COMMENT:**

Hearing Officer Melton opened the public comment period. Omar Mazeghou stated that his property had been flooded with damage in excess of \$250,000, that the case was dragging, that he was frustrated, and that attempts to intimidate him have included a person coming after him with a machete and a contractor with a gun, and that some neighbors were working with FCCMI, the HOA's management company. Kevin Faro stated that he represents the owner of multiple units, that he is not affiliated with FCCMI, that the fines ultimately must be paid by the owners, that some of his neighbors cannot afford the fines, and that some neighbors are on welfare. Carl Osborne stated that he was a renter at the property but no longer lives there, that FCCMI never does anything it says it will. No additional public comment was made and public comment was closed.

III. **MATTERS REQUIRING HEARING OFFICER ACTION:**

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Benjamin Kolodaro, Nily Kolodaro, and Gary Kolodaro** – NOV #SW22-354/32- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on June 9, 2022.

The case was continued to the February 9, 2023 Hearing.

2. **Stacy W. Stallworth** – NOV #SW22-730/G4- For 1) operating a disposal site in Clark County, Nevada without a permit issued by the Solid Waste Management Authority on or

about March 1, 2022; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 1001 North Christy Lane, Clark County, Nevada, on or about March 1, 2022.

Hearing officer found Stacy W. Stallworth in violation and imposed a penalty of \$1,000 for 1) and a penalty of \$1,000 for 2). A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada. A Cease and Desist order is issued to stop placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose.

Case called. Hearing Officer Melton asked if the respondent or a representative were present. No person responded. SNHD called Jennifer Luther to testify regarding service of the NOV. Ms. Luther testified that she sent the NOV to the respondent via certified mail. Proof of service and the NOV were attached as exhibits. Hearing Officer Melton determined service was satisfactory. SNHD called Jonathan Dalton who testified that he received a complaint of unauthorized dumping of solid waste, that the citizen witness who made the complaint provided photos showing the items dumped with respondent's name on shipping labels, and record of Guitar Center customer received from Guitar Center with respondent's information. Photos were authenticated by Mr. Dalton and admitted as evidence. SNHD called citizen witness James Eudy. He testified that he was a maintenance person at the property, that he provided the photos previously admitted as evidence and that the respondent did not have authorization to dump solid waste there. SNHD rested. Hearing Officer Melton asked if the respondent or a representative were present. No person responded. Hearing Officer Melton asked if any members of the public had any relevant information. No person responded. After summation, Hearing Officer rendered decision noted above.

3. **Desert Inn Villas Homeowners Association** – NOV #SW21-986/13/13 FTC NOV - For 1) failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on June 9, 2022; and 2) causing or allowing sewage or accumulation of human excreta to overflow on the property located at 356 East Desert Inn Road, Clark County, Nevada on or about July 12, 2022.

Hearing officer found Desert Inn Villas Homeowners Association in violation and imposed a penalty of \$5,000 for 1) and a penalty of \$5,000 for 2). Remediation of the area affected by sewage overflow is ordered. Contract with a licensed plumber to assess sewer lines via camera and repair all deficient plumbing elements is ordered. Sewer caps are ordered. Copies of the camera assessment is ordered. Contract with a licensed plumber to make all necessary repairs to common areas of sewer system and provide proof to SNHD ordered. Complete all necessary repairs to common elements of sewer system ordered. Provide proof of repairs to SNHD ordered. Provide update documenting all repairs completed to SNHD ordered. A Cease and Desist is issued to stop causing or allowing to cause any sewage or accumulation of human excreta to overflow and deposit at this property or any other property in Clark County, Nevada.

Case called. Jason Kelly appeared for respondent and was sworn in. SNHD called EHS Gary Martens who testified regarding ongoing sewage issues at the property since 2021. Photographs taken by Martens were authenticated and admitted without objection. SNHD rested. Jason Kelly testified on behalf of respondent that they are attempting to gather the money necessary for repairs through a loan and by raising the condo owners' HOA dues starting January 2023. Respondent called Kelly Koning who was sworn in and

testified he was a licensed plumber that has been working on the sewer system repairs at this property, that a full replumb of decayed pipes are needed, and the cost will be 2-2.7 million dollars. Mr. Konig testified that his company will be willing to front a portion of the money to get the repairs started once he has confirmation that the HOA will be able to secure the loan/money needed. Respondent rested. Public comment was heard from Alexis Brown, attorney for Omar Mazeghou. Alexis Brown stated that fines assessed here were just fines on the owners, that the Health District should bring this matter to the District Court. After summation, Hearing Officer rendered decision noted above.

B. NON-CONTESTED NOTICES OF VIOLATION:

1. **Rio Suites Hotel and Casino** – NOV #SW22-962/C6 – For failure to comply with the Order issued by the Solid Waste Management Authority on May 17, 2022.

Hearing officer found Rio Suites Hotel and Casino in violation and imposed a penalty of \$1,000.

The respondent did not contest the Notice of Violation, agreeing to the facts alleged and accepting the proposed penalty.

2. **Faith Crawford** – NOV #SW22-999/G4 – For 1) operating a disposal site in Clark County, Nevada without a permit issued by the Solid Waste Management Authority on or about May 28, 2022; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 1741 Desert Flower Drive, Clark County, Nevada, and on the public right-of-way along Desert Flower Drive, Clark County, Nevada, on or about May 28, 2022.

Hearing officer found Faith Crawford in violation of 2) and imposed a penalty of \$750. A Cease and Desist order is issued to stop placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

SNHD and the respondent reached a compromise settlement of the case. The details of the agreement were stated on the record and approved and ordered by Hearing Officer Melton.

3. **Eastern Promenade, LLC** – NOV #SW22-540/42 – For 1) operating a disposal site in Clark County, Nevada without a permit issued by the Solid Waste Management Authority on or about December 20, 2021; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on January 25, 2022.

Hearing officer found Eastern Promenade, LLC in violation of 2) and imposed a penalty of \$500. A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

SNHD and the respondent reached a compromise settlement of the case. The details of the agreement were stated on the record and approved and ordered by Hearing Officer Melton.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None

IV. **REPORT TO HEARING OFFICER**

None

V. **Public Comment:**

Hearing Officer Melton opened the public comment period. Kevin Faro provided public comment. Carl Osborne provided additional public comment and submitted photographs. No additional public comment was made and public comment was closed.

VI. **ADJOURNMENT – ADJOURNED BY THE HEARING OFFICER AT 11:39 A.M.**