

BRIAN SANDOVAL
Governor

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MEMBERS
Margaret Cavin, Chair
Kevin Burke
Melissa Caron
Joe Hernandez
Kent Lay
Jan B. Leggett
Guy M. Wells

**STATE CONTRACTORS BOARD
MINUTES OF THE MEETING
August 23, 2018**

1. CALL TO ORDER:

Chair, Margaret Cavin called the meeting of the State Contractors Board to order and led the Pledge of Allegiance at 8:30 a.m., Thursday, August 23, 2018, 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, Chair
Mr. Kevin Burke
Ms. Melissa Caron
Mr. Joe Hernandez
Mr. Kent Lay
Mr. Jan Leggett

BOARD MEMBERS ABSENT:

Mr. Guy Wells

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Paul Rozario, Director of Investigations
Ms. Nancy Mathias, Licensing Administrator

LEGAL COUNSEL PRESENT:

Mr. Noah Allison, Esq.

Ms. Grein stated the agenda was posted in compliance with the Open Meeting Law at Paseo Verde Library, Sawyer State Building, Clark County Library, Reno City Hall, Washoe County Courthouse and Washoe County Library. The agenda was also posted in both offices of the Board, Henderson and Reno, on the Board's Internet Website and the Nevada Public Notice Website.

2. PUBLIC COMMENT:

- Ms. Grein read the Board's mission statement into the record: "The Nevada State Contractors Board is committed to promoting public confidence and trust in the competence and integrity of licensees and to protect the health, safety, and welfare of the public."

3. APPROVAL OF AGENDA:

- Approval of Agenda with the Inclusion of any Emergency Items and Deletion of any Items

Ms. Grein noted that Item #16 (Buckner Heavylift Cranes, LLC) has been vacated as the applicant has decided not to appeal the denial of its application.

It was moved and seconded to accept the amended agenda. MOTION CARRIED.

- Recommendations for Agenda Items for Future Board Meetings

Ms. Grein reminded the Board that the Disciplinary Hearing for MC Mojave is scheduled for Friday, August 24, 2018, and noted that she would be attending the NASCLA Annual Conference beginning on August 27, 2018. Additionally, Ms. Grein informed the Board of the September 10 and 11, 2018 Contractor Training Day events in Reno and Henderson.

4. APPROVAL OF MINUTES:

It was moved and seconded to approve the minutes of July 19, 2018. MOTION CARRIED.

5. Review and Discussion of Southern Nevada Home Builder Association's Legislative Proposal for the 2019 Legislative Session to Amend Language Under NRS 624.031(5)(3) Regarding Exemptions and Add New Language Under NRS 624 Concerning Mandatory Elements of Contracts for Residential Contractors

Mr. Nat Hodgson and Mr. Josh Hicks of the Southern Nevada Home Builders Association provided an overview of the Southern Nevada Home Builder Association's legislative proposals.

6. Review and Discussion of Proposed Legislation by the Nevada Manufactured Housing Association for the 2019 Legislative Session Concerning Amendments to NRS 118 to Allow for Contractors Licensed Under NRS 624 to Perform Non-Structural Work on Manufactured Homes

Ms. Alissa Knave-Worth, representing the Manufactured Housing Association, provided an overview of the Manufactured Housing Association's legislative proposal.

7. Review and Discussion of NSCB's Response to Phase One of the Executive Branch Audit

Ms. Grein reported on the status of the proposed response to phase one of the Executive Branch Audit, and noted a draft response would be presented to the Board at its September 20, 2018 meeting.

8. Review and Discussion of Phase Two of the Executive Branch Audit

Ms. Grein provided information concerning the Board's response to phase two of the Executive Branch Audit.

9. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein informed the Board that she will be participating in a Legislator Meet and Greet opportunity for all Boards on February 15, 2019, at the Legislative Office Building in Carson City.

- Review of Monthly Department Statistics

Ms. Grein provided the following statistics for the month of July:

- Licensing Department:
 - Received 139 new license applications and 242 change applications;
 - Issued 120 new licenses;
 - Approved 76 Financial Reviews;
 - Approved 664 inactive and active license renewal applications;
 - Issued or renewed 31 Certificates of Eligibility; and
 - Held two Business Assistance Programs with 36 participants.
- Investigations Department:
 - Opened a total of 229 complaints, including 136 compliance and 93 criminal complaints;
 - Held 11 Disciplinary Hearings, where 6 licenses were revoked and 4 were suspended.
 - A total of \$27,800 in fines and \$18,593 in investigative costs were assessed, and \$24,622 in restitution was ordered by the Board; and

- 37 court filings were issued seeking prosecution for 34 misdemeanor charges and 3 Gross Misdemeanor charges, and 5 felony charges against the alleged suspects.
- Also during July, 4 Recovery Fund claims were opened. The Recovery Fund Subcommittee met and heard 2 claims, awarding \$18,414.50 to one claimant and denying the other.
- Additionally, the Board hosted a Legislator Meet and Greet with Dale Atkinson of FARB, which provided legislators with an overview of the role of occupational licensing Boards.
- Members and Board staff also participated in the annual Comprehensive Regulatory Training by Dale Atkinson, which was held at the Reno office.
- Board management participated in a monthly training focused on Building and Strengthening Workplace Relationships;
- Board staff met with members of PHCC and SNARSCA in a roundtable discussion;
- Board staff gave a presentation to the contracts personnel at NV Energy highlighting the Board's license verification services and other proactive resources.
- The Public Information Office met with the editor of Biz Nevada to discuss upcoming opportunities and share information about the Board's services; participated in an interview at the Beasley Media Group studios for the Shades of Green radio program; interviewed our first Recovery Fund recipient testimonial; and participated in a radio interview with Entercom radio about monsoon season.
- Review and Approval of Tentative Board Meeting and Hearing Schedule for 2019

Ms. Grein provided the Board with a tentative Board meeting and hearing schedule for 2019.

- Discussion on Board Member Training Opportunities

Ms. Grein provided discussion concerning Board member training opportunities.

- Update on the National Occupational Licensing Learning Policy Consortium

Ms. Grein provided an update concerning her participation in the National Occupational Licensing Learning Policy Consortium.

- Legislative Discussion

Ms. Grein provided discussion on bill draft requests 19ABDC1979, 19ABDC1980, 19ABDC1981 and 19ABDC1990.

- **Legal Report** (A public body may interrupt the open meeting and exclude the public for the purpose of having an attorney-client discussion of potential and existing litigation pursuant to NRS 241.015(3)(b)(2))

Mr. Allison reported on pending legal matters.

It was moved and seconded to approve attendance at the appeal settlement conference.

- Subcommittee Reports

Ms. Grein noted the Residential Recovery Fund Committee meeting was held July 18, 2018 where two claims were heard. One claim was awarded \$18,414.50, and the second claim was denied.

- Designation of Board Member to Serve on Construction Education Commission per NRS 624.570

It was moved and seconded to appoint Ms. Caron to serve on the Construction Education Commission per NRS 624.570.

7. APPROVAL OF CONSENT AGENDA:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of

Licensure, Voluntary Surrenders (List Attached, Items 1 to 563)

Mr. Joe Hernandez made the following disclosure:

- Item #256 (Wells Cargo, Inc.) – Disclosed that the applicant is a fellow NSCB Board member.

Ms. Melissa Caron made the following disclosures:

- Item #256 (Wells Cargo, Inc.) – Disclosed the applicant is a fellow NSCB Board member.
- Item #282 (Rep Plumbing, LLC) – Disclosed a past business relationship with the applicant.
- Item #378 (Neeser Construction) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #421 (Anderson Heating & Air Conditioning, LLC) – Disclosed a past business relationship with the applicant.
- Item #535 (Creekside Electrical Contractors, Inc.) – Disclosed and abstained based on the applicant being a competitor.

Mr. Jan Leggett made the following disclosures:

- Item #114 (Millennium Gardens, LLC) – Disclosed that the applicant is a former employee.
- Item #256 (Wells Cargo, Inc.) – Disclosed the applicant is a fellow NSCB Board member.

Ms. Margaret Cavin made the following disclosures:

- Item #105 (Legarza Exploration, LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #188 (Webb Construction, LLC) – Disclosed a personal relationship with the applicant.
- Item #202 & #266 (B&C Cabinet & Millwork, Inc.) – Disclosed a past business relationship with the applicant.
- Item #256 (Wells Cargo, Inc.) – Disclosed the applicant is a fellow NSCB Board member.
- Item #298 (C R Drake & Sons, Inc.) – Disclosed a personal relationship with the applicant.
- Item #486 (Ruby Dome, Inc.) – Disclosed a personal and past business relationship with the applicant.

Mr. Kent Lay made the following disclosures:

- Item #66 (Focus Fire Protection, LLC) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #206 (BMC West, LLC) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #229 (Interior Specialists, Inc.) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #230 (ISI Design and Installation Solutions, Inc.) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #232-233 (K B Home Las Vegas, Inc.) – Disclosed and abstained based the applicant being a competitor.
- Item #251 (Toll NV Limited Partnership) – Disclosed and abstained based on the applicant being a competitor.
- Item #256 (Wells Cargo, Inc.) – Disclosed the applicant is a fellow NSCB Board member.
- Item #279 (Pinnacle Homes, Inc.) – Disclosed and abstained based on the applicant being a competitor.
- Item #408 (Western Glass, LLC) – Disclosed a past business relationship with the applicant.
- Item #437 (Civil Werx, LLC) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #477 (Parsons Bros Rockeries CA, Inc.) – Disclosed a past business relationship with the applicant.
- Item #492-493 (Sierra, LLC) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #509-510 (Ryland Homes Nevada, LLC) – Disclosed and abstained based on the applicant being a competitor.

Mr. Kevin Burke made the following disclosures:

- Item #256 (Wells Cargo, Inc.) – Disclosed the applicant is a fellow NSCB Board member.
- Item #337 (Discovery Builders Nevada, LLC) – Disclosed the applicant is working on the same project as his company.
- Item #437 (Civil Werx, LLC) – Disclosed that the applicant is a fellow NCA Board member.

- Item #448 (Expansion Specialties, Inc.) – Disclosed a past business relationship with the applicant.

It was moved and seconded to approve the Consent Agenda. MOTION CARRIED.

11. NEW APPLICATION DENIAL HEARING:

PATRICK COX CONSTRUCTION LLC

Patrick Shawn Cox, Managing Member/Proposed Qualified Individual

Mr. Leggett disclosed a current business relationship with Jeff Spencer, Esq.

Patrick Cox was present for the hearing and represented by Counsel Jeff Spencer, Esq.

It was moved and seconded to affirm staff's denial of the application. MOTION CARRIED.

12. NEW APPLICATION DENIAL HEARING (Continued from 04/19/2018)

SKY WEST CONSTRUCTION INC.

Richard Jeffrey Lowden, President

Bradley George Carruth, Proposed Qualified Individual

Richard Lowden and Bradley Carruth were present for the hearing.

It was moved and seconded to continue this item for ninety (90) days. MOTION CARRIED.

13. NEW APPLICATION DENIAL HEARING (Continued from 04/19/2018)

LAS VEGAS DOOR & GLASS LLC

Mike Kendinian, Managing Member/Proposed Qualified Individual

Mike Kendinian was present for the hearing and represented by Counsel Doris Nehme-Tomalka, Esq.

It was moved and seconded to approve licensure classification C-8 (Glass and Glazing Contracting) with a \$10,000.00 monetary limit, a \$2,000.00 bond, and a personal indemnification by Mike Kendinian. MOTION CARRIED.

14. NEW APPLICATION DENIAL HEARING (Continued from 04/19/2018)

BIG MOUNTAIN GARAGE DOOR SERVICE INC

Ronnie Dean Garner, President/Proposed Qualified Individual

Paula Jeanne Garner, Secretary/Treasurer

Ronnie Garner and Paula Garner were present for the hearing.

It was moved and seconded to approve licensure classification C-3d (Overhead Doors) with a \$1,000.00 monetary limit, a \$1,000.00 bond, and a personal indemnification by Ronnie Garner and Paula Garner. MOTION CARRIED.

15. NEW APPLICATION DENIAL HEARING (Continued from 04/19/2018)

ACCENT PRODUCTS INC.

Peter A. Knight, President/Proposed Qualified Individual

Peter Knight was present for the hearing.

It was moved and seconded to continue this item for up to ninety (90) days. MOTION CARRIED.

16. NEW APPLICATION DENIAL HEARING (Continued from 04/19/2018)

BUCKNER HEAVYLIFT CRANES LLC

Michael McElwee Holt, Manager

Douglas Edward Williams, CEO

James Robert Jatho, Proposed Qualified Individual

This agenda item was vacated as the applicant decided not to appeal the denial of its application.

17. PUBLIC COMMENT:

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chair Margaret Cavin at 10:58 a.m.

Respectfully Submitted,


Crystal Caywood, Recording Secretary

APPROVED:


Margi A. Grein, Executive Officer


Margaret Cavin, Chair