

**STEVE SISOLAK**  
Governor

**STATE OF NEVADA**

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



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**STATE CONTRACTORS BOARD  
MINUTES OF THE MEETING  
July 18, 2019**

**1. CALL TO ORDER:**

Chair Margaret Cavin called the meeting of the State Contractors Board to order at 9:25 a.m., Thursday, July 18, 2019, 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  
Mr. Joe Hernandez  
Mr. Kent Lay  
Ms. Melissa Maguire  
Mr. Guy Wells

**BOARD MEMBERS ABSENT:**

Mr. Kevin Burke  
Mr. Jan Leggett

**STAFF MEMBERS PRESENT:**

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

**LEGAL COUNSEL PRESENT:**

Mr. Tim Geswein, 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, and e-mailed electronically to persons who have expressed interest in being kept informed of the Board's meetings.

**2. STATEMENT OF THE BOARD'S MISSION**

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. PUBLIC COMMENT**

Ms. Grein thanked Ms. Cavin for her service as Board Chair.

#### 4. APPROVAL OF AGENDA:

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

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

- Recommendations for Agenda Items for Future Board Meetings

Ms. Grein reminded the Board that the National Judicial College training has been scheduled for August 13, 2019. Ms. Grein noted that the Strategic plan quarterly report will be provided to the Board at the August 22, 2019 Board meeting. Ms. Grein also noted that the Contractor Training Day events will be held on August 29, 2019.

#### 5. APPROVAL OF MINUTES

**It was moved and seconded to approve the minutes of June 7, 2019. MOTION CARRIED.**

**It was moved and seconded to approve the minutes of June 13, 2019. MOTION CARRIED.**

**It was moved and seconded to approve the minutes of June 20, 2019. MOTION CARRIED.**

#### 6. ADVISORY OPINION

- Consideration of Advisory Opinion Request submitted by Richard G. Hill, Esq. on behalf of D & D Roofing and Sheet Metal, Inc.

Ms. Margaret Cavin disclosed a friendship with the president of D&D Roofing.

The Petition for Advisory Opinion posed the following two questions:

1) Licensure Requirements for Installation of Standing Seam Metal Roof Systems that Include Metal Soffits, Metal Snow Guards, and Insulated Metal Roof Panels.

2) Licensure Requirements for the Furnishing and Fabricating of Metal Soffits, Metal Snow Guards, and Insulated Metal Roof Panels.

Tim Geswein, Esq. provided an overview of the advisory opinion requests received by the Board, as well as staff's recommendations for response based on prior advisory opinions and existing statutes under NRS Chapter 624. Additional testimony was received by Joseph Coyne, Peter Coyne, and Jeff Spencer, Esq. representing Alpine Roofing, and, Sam Chamberlin, Ken Dillon, and Richard Hill, Esq. representing D&D Roofing and Sheet Metal, Inc.

**It was moved and seconded to accept staff's recommended responses as follows:**

- 1) **The installation of a standing seam metal roof that includes metal soffits, metal snow guards, and insulated metal roofing panels would fall within the scope of the C15 (roofing and siding) classification.**
- 2) **NRS 624.020(3) excludes a person who merely furnishes materials or supplies without fabricating them into, or consuming them in the performance of, the work as a contractor. The off-site fabrication of products and delivering the products to a construction site does not fall within the definition of a contractor and would not require NRS Chapter 624 licensure.**

**MOTION CARRIED.**

#### 7. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein noted the NSCB hosted a joint regulatory Board training with Dale Atkinson, Executive Director of the Federation of Association of Regulatory Boards (FARB). A total of 15 professional and occupational licensing board executive directors/officers attended the training, which provided a high-level discussion of the role of an executive director and understanding the challenges and opportunities facing the regulatory

community. Ms. Grein also shared that the Commission on Construction Education met in July and awarded over \$129,000 to programs of education. She also noted that six of the Commission Members' appointments expired June 30, 2019 and that she was waiting information from the Governor's office regarding any new appointments or reappointments.

- Review of Monthly Department Statistics

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

- Licensing Department:
  - Received 176 new license applications and 243 change applications;
  - Issued 107 new licenses;
  - Approved 41 Financial Reviews;
  - Approved 649 inactive and active license renewal applications;
  - Issued or renewed 24 Certificates of Eligibility;
  - Held 1 new application denial hearing;
  - Held 2 Business Assistance Programs with 31 participants.
- Investigations Department:
  - Opened a total of 259 complaints, including 140 compliance and 119 criminal complaints;
  - Held 15 Disciplinary Hearings, where 8 licenses were revoked and a total of \$19,450 in fines and \$34,281 in investigative costs were assessed;
  - Issued 4 court filings seeking prosecution for 3 misdemeanor charges and 1 Gross Misdemeanor charge; and
  - Opened 7 Recovery Fund claims during the reporting period.
- Other Activities:
  - Ms. Grein reported she gave a presentation to the Glazing Association of Nevada to provide an overview of the 2019 Legislative Session, and hosted the Nevada Organization of Building Officials meeting in June.
  - Ms. Grein participated in a FARB Super Strategic Action Team (SAT) conference call and developed a presentation that she will be giving at the FARB Leadership conference later this month.
  - Ms. Grein attended an Occupational Licensing Consortium meeting that provided information on the licensed practical nurses program, and offered updates relative to Nevada's Statewide Employment Strategic Planning Program for Returning Citizens, the 2019 legislative session, the federal grant monies received and their intended use, as well as providing an overview of Arizona's universal licensing recognition legislation.
  - The NSCB held its Joint Board meeting with the California Contractors State Licensing Board, which provided valuable discussions regarding various licensing, enforcement, and outreach initiatives from both states.
  - The NSCB also held an Executive Subcommittee meeting to discuss Ms. Grein's performance review, the Board's budget and compensation plan, as well as the Board's succession plan.
  - Ms. Grein attended the Executive Branch Audit Committee hearing where the findings and recommendations from the latest audit were discussed. Ms. Grein noted she offered brief testimony during public comment that welcomed the opportunity to be involved in ongoing discussions and decisions relative to the solutions proposed in the audit report.
  - Board staff accompanied Ms. Grein to a roundtable discussion with the Southern Nevada Building Trades Union to share information on the Board's investigative processes and address questions.
  - All staff received a training by the Executive Director of the Nevada Ethics Commission, Yvonne Nevarez-Goodson.
  - And lastly, staff participated in the southern Nevada Vegas PBS 'Be My Neighbor' event; handed out consumer information at the Fire Station 31 event; presented information on the Board's resources at a Lunch and Learn opportunity with CAMCO

Nevada; and participated in NASCLA's 2019 National Coordinated Enforcement Effort to combat unlicensed contracting activities.

**It was moved and seconded to approve the Monthly Statistics Report. MOTION CARRIED.**

- Review and Discussion of SCR 6 from the 2019 Legislative Session and the Governor's Office of Finance, Division of Internal Audits, Audit Report #19-03 Concerning Professional and Occupational Licensing Boards and Commissions

Ms. Grein provided an overview of Senate Concurrent Resolution (SCR) 6 which directs the Legislative Commission to conduct an interim study concerning professional and occupational licensing boards, as well as reviewed the findings and recommendations noted in the Governor's Office of Finance, Division of Internal Audits, Audit Report #19-03.

- Discussion and Action Pursuant to NRS 353A.090 Concerning Division of Internal Audits (DIA) Report #18-05, Annual Follow-up (1)

Ms. Grein provided the Board members with the July 2, 2019 Memorandum from Administrator Warren Lowman of the Governor's Office of Finance concerning compliance with recommendation 1 of the Division of Internal Audits Report #18-D5, and proposed responsive material. Ms. Grein also reported that she had notified Chair Cavin concerning her voluntary reductions in salary in order to comply with the audit recommendations.

**It was moved and seconded to accept the responsive material and Ms. Grein's reduction in salary.**

- Review and Approval of Budget and Compensation Package for FY 2019-20

Ms. Grein noted the Board had approved a draft interim budget and compensation package at its June 2019 Board meeting, and provided the Board with a final budget and compensation package for FY 2019-20 that included year-end numbers. Minor changes were reflected, including increases to personnel costs and auto insurance premiums.

**It was moved and seconded to approve the budget and compensation package for FY 2019-20. MOTION CARRIED.**

- 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))
  - Discussion Concerning Potential or Pending Litigation
  - Silverwing Development vs Nevada State Contractors Board – Discussion and Approval Concerning Defense of Appeal by Silverwing

**It was moved and seconded to authorize Noah Allison, Esq. as counsel for the Silverwing appeal. MOTION CARRIED.**

**It was moved and seconded to authorize the Executive Officer with settlement authority on the Silverwing case. MOTION CARRIED.**

- Subcommittee Reports

There was nothing to report on this item.

## **8. APPROVAL OF CONSENT AGENDA:**

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 421)

Ms. Margaret Cavin made the following disclosures:

- Item #5 (Agate, Inc.) – Disclosed a friendship with the applicant.

- Item #406 (Allan Lowson Brick Contractors, LLC) – Disclosed a past business relationship with the applicant.

Mr. Guy Wells made the following disclosures:

- Item #39-40 (Elite Concrete) – Disclosed a friendship with the applicant.
- Item #174 (C G & B Enterprises, Inc.) – Disclosed and abstained based on the applicant being a customer.
- Item #191 (Pace Contracting) – Disclosed and abstained based on a current business relationship.
- Item #313-314 (C G & B Enterprises, Inc.) – Disclosed and abstained based on the applicant being a customer.

Mr. Joe Hernandez made no disclosures.

Mr. Kent Lay made the following disclosures:

- Item #39-40 (Elite Concrete) – Disclosed a past business relationship with the applicant.
- Item #64 (Iovino Masonry, Inc.) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #191 (Pace Contracting) – Disclosed the owner is his company's landlord.
- Item #287 (Gothic Grounds Management, Inc.) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #288 (Gothic Landscaping, Inc.) – Disclosed and abstained based on an ongoing business relationship with the applicant.

Ms. Melissa Maguire made the following disclosures:

- Item #125-26 (Simerson Construction, LLC) – Disclosed and abstained based on the applicant being a competitor.
- Item #169 (ANI Building Solutions) – Disclosed she served on a Board with the applicant.
- Item #217 (Geney Gassiot, Inc.) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #222 (Jensen Electric Company) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #233 (Thompson Garage Doors, Inc.) – Disclosed and abstained based on a past and current business relationship with the applicant.
- Item #345 (Miles Construction) – Disclosed she serves on the Board with the applicant.
- Item 366-370 (Simerson Construction, LLC) – Disclosed and abstained based on the applicant being a competitor.

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

**Mr. Lay left the meeting at 10:25 a.m.**

- 9. NEW APPLICATION DENIAL HEARING**  
**GOORMASTIC BROTHERS PAINTING**  
Robert W. Goormastic, Owner/Proposed Qualified Individual  
(Portions of this hearing may be closed to the public in accordance with NRS 624.110 (2) to discuss certain financial data related to the applicant.)

Robert Goormastic was present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

**It was moved and seconded to accept the applicant's withdrawal of the application. MOTION CARRIED.**

- 10. NEW APPLICATION DENIAL HEARING**  
**CURTIS BROS INC.**  
David C. Mansfield, President/Proposed Qualified Individual  
(Portions of this hearing may be closed to the public in accordance with NRS 624.110 (2) to discuss certain financial data related to the applicant.)

David Mansfield was present for the hearing with Counsel Jeff Spenser, Esq.

Exhibit 1 is the Board Notice of Hearing.

**It was moved and seconded to continue the hearing for 90 days. MOTION CARRIED.**

**11. NEW APPLICATION DENIAL HEARING  
COOL BREEZE REFRIGERATION INC.**

Joseph Daniel Brown, President/Secretary/Treasurer/Proposed Qualified Individual  
(Portions of this hearing may be closed to the public in accordance with NRS 624.110 (2) to discuss certain financial data related to the applicant.)

Joseph Brown was present for the hearing with Counsel Ryan McElhinney, Esq.

Exhibit 1 is the Board Notice of Hearing.

**It was moved and seconded to approve license classification C-21 (Refrigeration and Air Conditioning) with a \$10,000 monetary limit, a personal indemnification from Joseph Brown, an annual business review that includes a background check for two (2) years, and a \$2,000 bond. The license is limited to non-residential work only. MOTION CARRIED.**

**12. NEW APPLICATION DENIAL HEARING –  
VEOLIA ES TECHNICAL SOLUTIONS LLC  
Jason Rockwell Salgo, Manager  
Robert Edward Cappadona, Manager  
James Stanley Pawloski, Manager  
Whitney Michelle Fawcett, Manager  
Darla Jean Marie Adams, Proposed Qualified Individual**

Jason Rockwell, Robert Edward, James Pawloski, Whitney Fawcett, and Darla Adams were not present for the hearing. Phil Gordon was present to offer testimony on behalf of the applicant.

Exhibit 1 is the Board Notice of Hearing.

**It was moved and seconded to approve license classification A (General Engineering) with an unlimited monetary limit and a \$50,000 bond. MOTION CARRIED.**

**13. PUBLIC COMMENT:**

Mr. Hernandez thanked Ms. Cavin for her service as Board Chair.

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Chair Margaret Cavin at 12:19 p.m.

Respectfully Submitted,

  
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Jennifer Lewis, Recording Secretary

APPROVED:

  
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Margi A. Greif, Executive Officer

  
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Margaret Cavin, Chair