

STATE OF NEVADA

JOE LOMBARDO
Governor

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



STATE CONTRACTORS BOARD

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MINUTES OF THE MEETING January 19, 2023

CALL TO ORDER:

Chairman, Boyd Martin called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, January 19, 2023. The meeting was held at the Reno and Las Vegas Board Offices. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Mr. Boyd Martin
Ms. Margaret Cavin
Mr. Bryan Cowart
Mr. Joe Hernandez
Mr. Jan Leggett
Mr. Kent Lay
Mr. Louis Polish, Jr.

BOARD MEMBERS ABSENT:

None.

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Sam Palmer, Deputy Executive Officer
Ms. Nancy Mathias, Licensing Administrator
Mr. Paul Rozario, Director of Investigations
Mr. Dave Behar, Deputy Director of Investigations

LEGAL COUNSEL PRESENT:

Mr. Noah Allison, Esq.

Ms. Grein stated the agenda was posted in compliance with the open meeting law on the Board's Internet Website, the Public Notice Website, both offices of the Nevada State Contractors Board, 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 ensuring the integrity and professionalism of the construction industry in Nevada. The NSCB has the responsibility to promote quality construction by Nevada licensed contractors through a regulatory licensing system designed to protect the health, safety and welfare of the public."

3. PUBLIC COMMENT

Ms. Grein introduced new employees Dennis Zeemer, Irene Elicerio, Jason Moore, Michelle Miller, and Deborah Rezsko to the Board. Ms. Grein also announced Paul Rozario's retirement. There were no members from the general public present to offer public comment.

4. APPROVAL OF AGENDA:

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

Ms. Grein noted that Agenda Item Number 8, Best Pavers & Stone has been vacated and Item number 233 was removed from the consent agenda.

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

- Recommendations for Agenda Items for Future Board Meetings

Ms. Grein informed the Board that the Residential Recovery Fund Subcommittee has been scheduled for January 26, 2023 and the Strategic Planning Session has been scheduled for March 7, 2023.

5. APPROVAL OF MINUTES

It was moved and seconded to approve the minutes of November 17, 2022 meeting. MOTION CARRIED.

6. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein reported that she continues to meet with the Attorney General's office on a monthly basis regarding complaints and challenges related to solar contracts, presented the Board's 1st quarter report to Board staff, provided a legislative overview to Board staff, met with Assemblywoman Elaine Marzola, participated in the last two staff training sessions with Tim Schneider of Aegis Learning, met with many Building Officials throughout the State of Nevada where she gave brief jurisdictional updates, attended a joint meeting with the Commission on Construction Education, and continues to have weekly meetings with the Ferraro Group.

Review of Monthly Department Statistics

Ms. Grein provided the following statistics for the month of November and December:

- Licensing Department:
 - Received 356 new license applications and 492 change applications;
 - Issued 195 new licenses;
 - Approved 1,275 license renewal applications;
 - 4 financial reviews were conducted during this time
 - Renewed and issued 56 Certificates of Eligibility to receive preference in bidding;
 - Hosted 2 online Business Assistance Programs with 17 participants in attendance.
- Investigations Department:
 - Received 231 compliance complaints and 108 criminal complaints;
 - 15 Disciplinary Hearings were held in the months of November and December.
 - Issued 38 Cease and Desist Orders to unlicensed contractors; and
 - Opened 10 Recovery Fund claims; and held one Recovery Fund meeting where 4 claims were considered and 2 were awarded a total of \$36,940.25.

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

- Report of Disciplinary Hearing Outcomes for November 2022 and December 2022

Ms. Grein reported on the disciplinary hearing outcomes for November 2022 and December 2022.

- Report of Application Denial Hearing Outcomes for November 2022 and December 2022

Ms. Grein reported on the application denial hearing outcomes for November 2022 and December 2022.

- **Legislative Discussion**

Ms. Grein provided discussion concerning the Board's 2023 proposed legislation.

- Review and Approval of the 2022-23 Board Member Administrative Procedure Manual

It was moved and seconded to approve the 2022-2023 Board Member Administrative Procedure Manual. MOTION CARRIED.

- Review and Approval of Contract with the Scotti Law Firm for Legal Services

It was moved and seconded to approve the contract with the Scotti Law Firm. MOTION CARRIED.

- Update Concerning Status of Request for Proposal for the Nevada State Contractors Board Website and Mobile Application

Ms. Grein provided an update to the Board concerning the Nevada State Contractors Board website and mobile application.

- Legal Report
 - Discussion Concerning Potential or Pending Litigation
 - Discussion and Action Concerning Decision in American Staffing Association v Nevada State Contractors Board Case No. CV21-01597 – For Possible Action
(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 accept the Legal Report. MOTION CARRIED.

- Subcommittee Reports
Executive Subcommittee, Recovery Fund Subcommittee, Classification/Regulation Subcommittee, Finance Subcommittee.

Ms. Grein reported that the Residential Recovery Fund subcommittee met on November 17, 2022 and awarded \$36,940.25 to harmed homeowners.

- Appointment of Member to the Recovery Fund Subcommittee

It was moved and seconded to elect Louis Polish, Jr. to the Recovery Fund Subcommittee. MOTION CARRIED.

- Review and Approval of Recommendation by the Commission on Construction Education to Engage J.A. Solari & Partners LLC to Review the Grant Application and Reporting Forms

It was moved and seconded to approve the recommendation by the Commission on Construction Education to engage J.A. Solari & Partners LLC to review the grant application and reporting forms. MOTION CARRIED.

- Review and Discussion Concerning Executive Order 2023-03 Freezing the Issuance of New Regulations and Requiring a Review of Existing Regulations

It was moved and seconded to direct the Executive Officer and Board staff to comply with the Executive Order 2023-03 and report progress to the Board Chair. MOTION CARRIED.

- Review and Discussion Concerning Executive Order 2023-04 Directing All Nevada Occupational and Professional Licensing Boards to Suspend the Issuance of Any New Regulations, Show Cause for All Occupational Licensing Requirements and to Provide a Recommended Pathway for Facilitating Licensure Reciprocity

It was moved and seconded to direct the Executive Officer and Board staff to comply with the Executive Order 2023-04 and report progress to the Board Chair. MOTION CARRIED.

7. APPROVAL OF CONSENT AGENDA:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 685)

Mr. Joe Hernandez made the following disclosures:

- Item #250-251 (Universal Drywall Inc) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #370-371 (Boyd Martin Construction LLC) – Disclosed and abstained based on the applicant being a fellow NSCB member.

Mr. Kent Lay made the following disclosures:

- Item #53-55 (Cooper Roofing & Solar Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #290 (Cal Closets Retail Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #352 (Westcor Construction) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #370-371 (Boyd Martin Construction LLC) – Disclosed the applicant is a fellow NSCB Board member.
- Item #406 (Joseph Whatley LLC) – Disclosed the applicant is a past co-worker.
- Item #469 (Clipay Corporation) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #629-630 (Pete King Corp) – Disclosed a personal and past business relationship with the applicant.
- Item #648-650 (Cooper Roofing & Solar LLC) – Disclosed and abstained based on a current business relationship with the applicant.

Mr. Boyd Martin made the following disclosures:

- Item #6 (84 Lumber Company LP) – Disclosed the applicant is a vendor.
- Item #53-55 (Cooper Roofing & Solar Inc) – Disclosed a past business relationship with the applicant.
- Item #281 (A 1 Mechanical Inc) – Disclosed a past business relationship with the applicant.
- Item #289 (C M C Steel Fabricators Inc) – Disclosed a past business relationship with the applicant.
- Item #290 (Cal Closets Retail Inc) – Disclosed a past business relationship with the applicant.
- Item #341 (Schindler Elevator Corporation) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #370-371(Boyd Martin Construction LLC) – Disclosed and abstained as Mr. Martin is the manager of this business.
- Item #376 (C G & B Enterprises Inc) – Disclosed a past business relationship with the applicant.
- Item #387 (E & E Fire Protection LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #388 &451 (E & R Electric) – Disclosed a past business relationship with the applicant.
- Item #391 (Fastrack Construction Inc) – Disclosed a past business relationship with the applicant.
- Item #404 (Johnson Controls Inc) – Disclosed a past business relationship with the applicant.
- Item #413 (McCarthy Building Companies Inc) – Disclosed the applicant is a fellow NCA Board member.
- Item #432 (Superior Tile & Marble Inc) – Disclosed a past business relationship with the applicant.
- Item #444 (Wulfenstein Construction Co Inc) – Disclosed a past business relationship with the applicant.
- Item #485 (A M C Concrete Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #542-544 (J D S Surfaces LLC) – Disclosed and abstained based on a current business

- relationship with the applicant.
- Item #629-630 (Pete King Corp) – Disclosed a past business relationship with the applicant.
- Item #631-632 (Sport Court Of Nevada LLC) – Disclosed a past business relationship with the applicant.
- Item #648-650 (Cooper Roofing & Solar LLC) – Disclosed a past business relationship with the applicant.
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Ms. Margaret Cavin made the following disclosures:

- Item #297, 381, 382, 383 (D & D Roofing And Sheet Metal Inc) – Disclosed a personal relationship with the applicant.
- Item #331 (NV Concrete And Construction Inc) – Disclosed a personal relationship with the applicant.
- Item #370-371 (Boyd Martin Construction LLC) – Disclosed the applicant is a fellow NSCB Board member.
- Item #374 (Building Control Services Inc) – Disclosed and abstained based on a current business relationship with the applicant.

Mr. Jan Leggett made the following disclosures:

- Item #370-371 (Boyd Martin Construction LLC) – Disclosed the applicant is a fellow NSCB Board member.
- Item #462-464 & 599 (Pinecrest Construction & Development Co) – Disclosed a personal relationship with the applicant.

Mr. Cowart made the following disclosures:

- Item #98 (High Impact Sign & Design LLC) – Disclosed a past business relationship with the applicant.
- Item #281 (A 1 Mechanical Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #349, 456, 457 (Tutor Perini Building Corp) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #370-371 (Boyd Martin Construction LLC) – Disclosed the applicant is a fellow NSCB Board member.
- Item #387 (E & E Fire Protection LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #578-582 (Silver State Building Systems LLC) – Disclosed a past business relationship with the applicant.

Mr. Polish made the following disclosures:

- Item #53-55 (Cooper Roofing & Solar Inc) – Disclosed a personal relationship with the applicant.
- Item #352 (Westcor Construction) – Disclosed a personal relationship with the applicant.
- Item #370-371 (Boyd Martin Construction LLC) – Disclosed the applicant is a fellow NSCB Board member.
- Item #406 (Joseph Whatley LLC) – Disclosed and abstained based on a current business relationship and a personal relationship with the applicant.
- Item #444 (Wulfenstein Construction Co Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #629-630 (Pete King Corp) – Disclosed a personal relationship with the applicant.
- Item #645 (Burnham Construction Services LLC) – Disclosed a personal relationship with the applicant.
- Item #648-650 (Cooper Roofing & Solar LLC) – Disclosed a personal relationship with the applicant.

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

**8. NEW APPLICATION DENIAL HEARING (Continued from August 18, 2022)
BEST PAVERS & STONE LLC**

Miguel Angel Estrada-Rodriguez, Managing Member/Proposed Qualified Individual
Class C-18 (Masonry)

This agenda item was vacated.

**9. NEW APPLICATION DENIAL HEARING (Continued from October 20, 2022)
LARSEN CONSTRUCTION COMPANY LLC**
Joshua James Larsen, Manager/Proposed Qualified Individual
Class B-2 (Residential & Small Commercial)

Exhibit 1 is the Board's Application File
Exhibit B is the Applicant's Supplemental Documents

Joshua Larsen was present for the hearing with witness David Bayfield.

It was moved and seconded to approve license classification Class B-2 (Residential and Small Commercial) with a \$650,000 monetary limit, a \$20,000 bond, a personal indemnification by Joshua Larsen contingent upon the B-2 Exam being successfully completed. Mr. Larsen is also required to provide the Board with a compliant personal financial statement. MOTION CARRIED.

Mr. Lay opposed the motion.

**10. NEW APPLICATION DENIAL HEARING (Continued from November 17, 2022)
LEONS CONSTRUCTION LLC**
Jose Jesus Leon-Quintana, Managing Member/Proposed CMS and Trade Qualified Individual
C-3 (Carpentry, Maintenance and Minor Repairs)

Exhibit 1 is the Board's Application File

Jose Leon-Quintana was not present for the hearing.

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

**11. NEW APPLICATION DENIAL HEARING (Continued from September 22, 2022)
ATA CONTRACTING, LLC**
Arthur Andrew Zuk, Manager/Proposed CMS Qualified Individual
Roberto Cano, Manager/Proposed Trade Qualified Individual
Class C-1d (Plumbing)

Exhibit 1 is the Board's Application File

Arthur Zuk and Roberto Cano were present for the hearing with counsel Leo Flangas, Esq.

It was moved and seconded to approve license classification Class C-1D (Plumbing) with a \$10,000 monetary limit and a \$2,000 bond. MOTION CARRIED.

**12. NEW APPLICATION DENIAL HEARING (Continued from November 17, 2022)
STILLWATER HOMES LLC**
David James Dakin, Managing Member/ Proposed CMS and Trade Qualified Individual
Mackenzie Lyn Dakin, Managing Member
B-2 (Residential and Small Commercial)

Exhibit 1 is the Board's Application File

David Dakin was present for the hearing with Counsel Stephen Moss, Esq.

It was moved and seconded to approve license classification Class B-2 (Residential and Small Commercial) with a \$500,000 monetary, a \$15,000 bond, and a personal indemnification by David Dakin. MOTION CARRIED.

13. PUBLIC COMMENT

There was no one present to offer public comment.

ADJOURNMENT

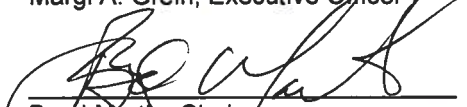
There being no further business to come before the Board, the meeting was adjourned by Chair Boyd Martin at 10:14 a.m.

Respectfully Submitted,


Crystal Caywood, Recording Secretary

APPROVED:


Margi A. Grein, Executive Officer


Boyd Martin, Chair