

# 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 February 16, 2023

#### **CALL TO ORDER:**

Chairman, Boyd Martin called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, February 16, 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. Kent Lay  
Mr. Jan Leggett  
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. Dave Behar, Director of Investigations  
Mr. Brian Hayashi, IT Manager

#### **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 Leslie Fuller and Sally Putman to the Board. 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

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

- Recommendations for Agenda Items for Future Board Meetings

Ms. Grein informed the Board that the Strategic Planning Session has been scheduled for March 7, 2023, and the joint meeting with the California State Licensing Board has been scheduled for June 23, 2023.

### **5. APPROVAL OF MINUTES**

**It was moved and seconded to approve the minutes of January 12, 2023 meeting. MOTION CARRIED.**  
**It was moved and seconded to approve the minutes of January 19, 2023 meeting. MOTION CARRIED.**

### **6. EXECUTIVE SESSION**

- Executive Officer's Report

Ms. Grein reported that she participated in an Underground Task Force meeting and continues to have weekly meetings with the Ferraro Group. Ms. Grein also welcomed Director of Investigations, David Behar, to the Board.

- Review of Monthly Department Statistics:

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

- Licensing Department:
  - Received 202 new license applications and 254 change applications;
  - Issued 108 new licenses;
  - Approved 697 license renewal applications;
  - 5 financial reviews were conducted during this time
  - Renewed and issued 36 Certificates of Eligibility to receive preference in bidding;
  - Hosted 1 online Business Assistance Programs with 13 participants in attendance.
- Investigations Department:
  - Received 90 compliance complaints and 56 criminal complaints;
  - 20 Disciplinary Hearings were held in the month of January.
  - Issued 28 Cease and Desist Orders to unlicensed contractors; and
  - Opened 3 Recovery Fund claims; and held one Recovery Fund meeting where 7 claims were considered and 5 were awarded a total of \$47,181.94.

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

- Report of Disciplinary Hearing Outcomes for January 2023

Ms. Grein reported on the disciplinary hearing outcomes for January 2023.

- Report of Application Denial Hearing Outcomes for January 2023

Ms. Grein reported on the application denial hearing outcomes for January 2023.

- **Legislative Discussion**

Ms. Grein provided an overview of the Board's legislative bills.

Ms. Grein reported on the status of AB-23 and potential amendments.

**It was moved and seconded to oppose AB 106 as presently drafted. MOTION CARRIED.**

- Review and Approval of Report in Compliance with Executive Order 2023-004

**It was moved and seconded to approve the report in compliance with Executive Order 2023-004. MOTION CARRIED.**

- Review and Approval of Quarterly Financial Reports for the Period Ending December 31, 2022

Ms. Lumbert presented the quarterly financial reports for the period ending December 31, 2022.

**It was moved and seconded to approve the quarterly financial reports for the period ending December 31, 2022. MOTION CARRIED.**

- Review and Approval of Cash Disbursements and Transfer Journals for the Period Ending December 31, 2022

**It was moved and seconded to approve the cash disbursements and transfer journals for the period ending December 31, 2022. MOTION CARRIED.**

- Executive Officer's Quarterly Report Pursuant to NAC 624.030 and FY 2022-23 Strategic Plan Second Quarter Activity Update

Ms. Grein and executive staff provided an overview of the quarterly report pursuant to NAC 624.030 and 2022-23 Strategic Plan Second Quarter Activity.

**It was moved and seconded to approve the Executive Officer's Quarterly Report pursuant to NAC 624.030 and FY 2022-23 Strategic Plan Second Quarter Activity Update. MOTION CARRIED.**

- Review and Approval of Contract with KMJ 2.0 LLC/Karl Maisner for the Request for Proposal for the Nevada State Contractors Board Website and Mobile Application

**It was moved and seconded to approve the contract with KMJ 2.0 LLC/Karl Maisner for the request for proposal for the Nevada State Contractors Board website and mobile application. MOTION CARRIED.**

- 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 approve 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 January 26, 2023 and awarded \$47,181.94 to harmed homeowners.

7. **APPROVAL OF CONSENT AGENDA:**

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 392)

Mr. Joe Hernandez made no disclosures.

Mr. Kent Lay made the following disclosures:

- Item #173 (Avanti Windows & Doors LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #202 (Touchstone Living Inc) – Disclosed and abstained based on the applicant being a competitor.
- Item #267 (Sierra LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #282-283 (Battle Born Specialties LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #366 (Cooper Roofing & Solar LLC) – Disclosed and abstained based on a current business relationship with the applicant.

Mr. Boyd Martin made the following disclosures:

- Item #11 (Alexander Asphalt LLC) – Disclosed a past business relationship with the applicant.
- Item #89 (Jenson Refrigeration Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #179 (Eberhard Southwest Roofing Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #239 (Ryerson Concrete LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #243 (Tesla Motors Inc) – Disclosed Mr. Martin's company is on the applicant's approved GC bid list.
- Item #366-368 (Cooper Roofing & Solar LLC) – Disclosed a past business relationship with the applicant.

Ms. Margaret Cavin made the following disclosures:

- Item #175 (Building Control Services Inc) – Disclosed and abstained based on a current business relationship.
- Item #232 (NV Concrete and Construction Inc) – Disclosed a personal relationship with the applicant.

Mr. Jan Leggett made no disclosures.

Mr. Cowart made the following disclosures:

- Item #239 (Ryerson Concrete LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #205, 248, 249, 256, 257 (Tutor Perini Building Corp) – Disclosed and abstained based on a personal relationship with the company managers.

Mr. Polish made the following disclosures:

- Item #145 (Sunstate Concrete, LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #173 (Avanti Windows & Doors LLC) – Disclosed a personal relationship with the applicant.
- Item #202 (Touchstone Living Inc) – Disclosed a past business relationship with the applicant.
- Item #267 (Sierra LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #282-283 (Battle Born Specialties LLC) – Disclosed a past business relationship with the applicant.
- Item #366-368 (Cooper Roofing & Solar LLC) – Disclosed and abstained based on a personal relationship with the applicant.

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

**8. NEW APPLICATION DENIAL HEARING (Continued from August 18, 2022)**

**PRODIGY PLUMBING LLC**

Russell David Burkett, Manager/Proposed Qualified Individual  
Class C-1D (Plumbing)

Exhibit 1 is the Board's Application File

Russell Burkett was present for the hearing.

**It was moved and seconded to table this matter to August 17, 2023. MOTION CARRIED.**

**9. NEW APPLICATION DENIAL HEARING (Continued from October 20, 2022)  
LEGION CONSTRUCTION & DEVELOPMENT LLC**

John Michael Smales, Managing Member/Proposed Qualified Individual  
Class A (General Engineering)  
Class C-15 (Roofing and Siding)

Exhibit 1 is the Board's Application File

John Smales was present for the hearing.

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

**10. NEW APPLICATION DENIAL HEARING (Continued from November 17, 2022)  
WICKED KOLORS LAS VEGAS LLC**

Keith Harper, Managing Member  
Terry James Sylvania, Other/Proposed Qualified Individual  
Isaiah Joseph Pride, Other  
Class B-2 (Residential and Small Commercial)

Exhibit 1 is the Board's Application File

Exhibit A is the Applicant's Answer

Keith Harper, Terry Sylvania, and Isaiah Pride were present for the hearing.

**It was moved and seconded to approve license classification Class B-2 (Residential and Small Commercial) with a \$250,000 monetary limit and a \$50,000 bond contingent upon the applicant obtaining a C-5 (Concrete Contracting) license from the Board. MOTION CARRIED.**

**11. NEW APPLICATION DENIAL HEARING (Continued from September 22, 2022)  
BUNCH CONSULTING, LLC**

Ricky Leo Bunch, Managing Member/Proposed Qualified Individual  
Amy Ann Bunch, Managing Member  
Class B (General Building)

Exhibit 1 is the Board's Application File

Ricky Bunch and Amy Bunch were present for the hearing.

**It was moved and seconded to approve license classification Class B (General Building) with a \$1,000,000 monetary limit and a \$200,000 bond. The applicant will have the opportunity to request a permanent raise in their limit and/or request a one-time raise in limit up to \$2,000,000. Board approval is required for a monetary limit increase request greater than \$2,000,000. MOTION CARRIED.**

**12. 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 11:24 a.m.

Respectfully Submitted,

  
Crystal Caywood, Recording Secretary

APPROVED:

  
Margi A. Grein, Executive Officer

  
Boyd Martin, Chair