

BRIAN SANDOVAL
Governor

STATE OF NEVADA



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

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**STATE CONTRACTORS BOARD
MINUTES OF THE MEETING
September 20, 2018**

• **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, September 20, 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. Jan Leggett
Mr. Guy Wells

BOARD MEMBERS ABSENT:

Mr. Kent Lay

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. 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

No one was 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 Item #144 (Jones Lang Lasalle Americas, Inc.) is being removed from the consent agenda as the Board has received information that their QE is no longer with the company.

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 of upcoming meetings and events.

5. APPROVAL OF MINUTES:

It was moved and seconded to approve the minutes of August 23, 2018. MOTION CARRIED.

6. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein informed the Board that a mandated training by the Attorney General's office is scheduled for October 24, 2018. Ms. Grein also noted that the Board hosted a roundtable discussion with various occupational licensing board on September 13, 2018.

- Review of Monthly Department Statistics

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

- Licensing Department:
 - Received 166 new license applications and 253 change applications;
 - Issued 155 new licenses;
 - Approved 93 Financial Reviews;
 - Approved 641 inactive and active license renewal applications;
 - Issued or renewed 39 Certificates of Eligibility; and
 - Held one Business Assistance Program with 8 participants.
- Investigations Department:
 - Opened a total of 266 complaints, including 175 compliance and 91 criminal complaints;
 - Held 9 Disciplinary Hearings, where 8 licenses were revoked and 2 were suspended.
 - A total of \$105,450 in fines and \$20,151 in investigative costs were assessed, and
 - 24 court filings were issued seeking prosecution for 21 misdemeanor charges and 4 Gross Misdemeanor charges, and 3 felony charges against the alleged suspects.
 - Also during August, 14 Recovery Fund claims were opened, however there was no Recovery Fund meeting in August.
- Other Activities:
 - Some of the activities that took place during August include Board member participation in the Board's annual Judicial College Training in Reno, and a management training focused on managing and resolving conflict.
 - Also during the month, Ms. Grein attended an Occupational Licensing Consortium meeting at the Grant Sawyer building and attended the NASCLA Annual Conference.
 - Lastly, Board staff met with representatives of NV Energy's solar division to discuss their solar programs as well as share resources with them on how to best address some of the unlicensed scams and misinformation they are dealing with.
- Review and Approval of Audited Financial Reports for the Period Ending June 30, 2018

Mr. Ryan Webber of J.A. Solari and Partners provided the Board with a review of the Nevada State Contractors Board and Residential Construction Recovery Fund audited financial reports for the period ending

June 30, 2018.

It was moved and seconded to approve the audited financial reports for the period ending June 30, 2018. MOTION CARRIED.

- Review and Discussion of Proposed Budget for FY 2018-19

This item was continued to the next scheduled Board meeting.

- Review and Approval of Contract with Moore Iacofano Goltsman, Inc. for Professional Services Related to Strategic Planning

It was moved and seconded to approve the contract with Moore Iacofano Goltsman, Inc. MOTION CARRIED.

- Review and Approval of Contract with The Ferraro Group for Professional Services Related to Public Relations and Legislative Representation

It was moved and seconded to approve the contract with The Ferraro Group. MOTION CARRIED.

- Review of NRS 624.355 Report to the Governor

Ms. Grein provided a copy of the report submitted to the Governor's office in compliance with NRS 624.355.

It was moved and seconded to approve the Board's report to the Governor. MOTION CARRIED.

- Review and Discussion of NSCB's Draft Response to Phase One of the Executive Branch Audit

Ms. Grein provided an overview concerning the Board's draft response to Phase One of the Executive Branch Audit. The final copy of the response will be provided to the Board for approval at the next scheduled Board meeting.

- Legislative Discussion

Ms. Grein provided information concerning the Board's Bill Draft Requests for the 2019 Legislative Session.

- 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. Mr. Burke requested that a cost sheet be provided to the Board at each Board meeting.

It was moved and seconded to approve the legal report. MOTION CARRIED.

- Subcommittee Reports

Ms. Grein noted the Residential Recovery Fund Committee meeting was held September 19, 2018 where nine (9) claims were heard. The Committee denied one (1) claim and approved eight (8) claims, awarding a total of \$73,576.46 for an average award of \$9,197.06.

7. APPROVAL OF CONSENT AGENDA:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 375)
- Mr. Joe Hernandez made no disclosures.

Ms. Melissa Caron made the following disclosures:

- Item #66 (Lamborn Enterprises, Inc.) – Disclosed a past business relationship with the applicant.

- Item #141 and 220 (Handyman Restorations, LLC) – Disclosed and abstained based on the applicant being a competitor.
- Item #285 (Creekside Electrical Contractors, Inc.) – Disclosed and abstained based on the applicant being a competitor.
- Item #333 (Western Pacific Electric, Inc.) – Disclosed and abstained based on a personal relationship with the applicant, and the fact that the applicant is a competitor.

Mr. Jan Leggett made the following disclosures:

- Item #291-293 (D&D Plumbing, Inc.) – Disclosed a personal relationship with the applicant.
- Item #346 (Dunnright Construction, Inc.) – Disclosed a personal relationship with the applicant.

Ms. Margaret Cavin made the following disclosures:

- Item #291-293 (D&D Plumbing, Inc.) – Disclosed a personal relationship with the applicant.
- Item #333 (Western Pacific Electric, Inc.) – Disclosed a personal relationship with the applicant.

Mr. Kevin Burke made the following disclosures:

- Item #172 (Fencing Specialists, Inc.) – Disclosed a past business relationship with the applicant.
- Item # 208 (Bruin Painting and Drywall LLC) – Disclosed a past business relationship with the applicant.
- Item # 256 (Wulfenstein Construction CO., Inc.) – Disclosed a past business relationship with the applicant.
- Item #286 (Culinary Depot LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #360 (Steel Partners LLC) – Disclosed a past business relationship with the applicant.

Mr. Guy Wells made the following disclosures:

- Item #142 (J A Tiberti Construction Company, Inc.) – Disclosed and abstained based on a personal relationship and past business relationship with the applicant.
- Item #154 (The Tiberti Company LLC) – Disclosed and abstained based on a personal relationship and past business relationship with the applicant.

It was moved and seconded to approve the Consent Agenda with the removal of Item #144, Jones Lang Lasalle Americas, Inc. MOTION CARRIED.

8. NEW APPLICATION DENIAL HEARING

ALLIED MODULAR BUILDING SYSTEMS

Francisco Javier Alvarez-Garcia, 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.)

Francisco Alvarez-Garcia was present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to approve classification B-2 (Residential and Small Commercial) with a \$245,000.00 monetary limit, a \$15,000.00 bond, contingent upon acceptance of an Administrative Citation for misrepresentation and the payment of fines in the amount of \$500.00 and investigative costs in the amount of \$220.00. MOTION CARRIED.

9. NEW APPLICATION DENIAL HEARING

FAUX CREATIONS

Chad Anderson, President/Proposed Qualified Individual

Wendy Anderson

(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.) Mark Welden was not present for the hearing.

Chad Anderson and Wendy Anderson were present for the hearing, with Council Eric Dobberstein, Esq.

Exhibit 1 is the Board Notice of Hearing.

Exhibit A is the Respondent's letters of recommendations.

It was moved and seconded to continue this matter for thirty (30) days. MOTION CARRIED.

10. **PUBLIC COMMENT:**

Mr. Aquiles Anquillano provided comments concerning his claims against Home Depot. Ms. Helen Anquillano provided comments concerning Mr. Anquillano's claim against Home Depot.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chair Margaret Cavin at 10:42 a.m.

Respectfully Submitted,


Crystal Caywood, Recording Secretary

APPROVED:


Margi A. Grein, Executive Officer


Margaret Cavin, Chair