

STEVE SISOLAK
Governor

STATE OF NEVADA



MEMBERS
Kent Lay, Chairman
Margaret Cavin
Bryan Cowart
Joe Hernandez
Jan B. Leggett
Boyd Martin
Steve Menzies

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**STATE CONTRACTORS BOARD
MINUTES OF THE MEETING
October 21, 2021**

1. CALL TO ORDER:

Acting Chair Margaret Cavin called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, October 21, 2021, 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. Bryan Cowart
Mr. Joe Hernandez
Mr. Jan Leggett
Mr. Boyd Martin
Mr. Steve Menzies

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
Ms. Michael Phillips, Public Information Officer

LEGAL COUNSEL PRESENT:

Mr. Tim Geswein, 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 announced Kenya McCampbell has been promoted to Executive Assistant/Policy Analyst.

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 noted the Open Meeting Law training has been scheduled for October 28, 2021, a rulemaking workshop has been scheduled for November 9, 2021 and hearing will be held on November 16, 2021, the Board's annual Veteran's Day celebration has been scheduled for November 10, 2021, and Board training with Dale Atkinson has been scheduled for February 17, 2022.

5. APPROVAL OF MINUTES

It was moved and seconded to approve the minutes of September 23, 2021. MOTION CARRIED.

It was moved and seconded to approve the minutes of September 30, 2021. MOTION CARRIED.

6. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein reported that she participated in weekly meetings related to progress of the Southern Nevada office relocation and meetings with The Ferraro Group to discuss ongoing priorities. Ms. Grein also noted that on November 10, 2021, the Board will be holding a Supervisor and Managers training session with attorney Jeff Winchester from Fisher & Phillips on harassment in the workplace. Finally, Ms. Grein reported that she will be participating in a virtual Residential Construction Outreach event hosted by the Department of Labor, the NSCB and the Labor Commissioner on November 15, 2021.

- Review of Monthly Department Statistics

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

- Our Licensing Department:
 - Received 178 new license applications and 190 change applications;
 - Issued 95 new licenses;
 - Approved 516 license renewal applications;
 - Conducted 13 financial reviews
 - Renewed and issued 43 Certificates of Eligibility to receive preference in bidding;
 - Received 2,280 calls; and
 - Hosted 1 online Business Assistance Programs with 10 participants in attendance.
- Our Investigations Department:
 - Opened a total of 133 complaints, including 83 compliance and 52 criminal complaints;
 - No Disciplinary Hearings were held in the month of September.
 - Issued 18 Cease and Desist Orders to unlicensed contractors; and
 - Opened 3 Recovery Fund claims and held one Recovery Fund meeting where 21 claims were considered and 18 claims were awarded totaling \$84,027.

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

- Report of Disciplinary Hearing Outcomes for September 2021

Ms. Grein reported on the disciplinary hearing outcomes for September 2021.

- Report of Application Denial Hearing Outcomes for September 2021

Ms. Grein reported on the application denial hearing outcomes for September 2021.

- Review and Approval of Quarterly Financial Reports for the Period Ending September 30, 2021

Ms. Lumbert provided an overview of the Board's quarterly financial reports for the period ending September 30, 2021.

It was moved and seconded to approve the quarterly financial reports for the period ending September 30, 2021. MOTION CARRIED.

- Review and Approval of Cash Disbursements and Transfer Journals for the Period Ending September 30, 2021

It was moved and seconded to approve the cash disbursements and transfer journals for the period ending September 30, 2021. MOTION CARRIED.

- Executive Officer's Quarterly Report Pursuant to NAC 624.030 and 2021-22 Strategic Plan First Quarter Activity Update

Ms. Grein and executive staff provided an overview of the quarterly report pursuant to NAC 624.030 and 2021-22 Strategic Plan first quarter activity.

It was moved and seconded to approve Executive Officer's Quarterly Report pursuant to NAC 624.030 and 2021-22 Strategic Plan first quarter activity update. MOTION CARRIED.

- Review and Discussion of Executive Officer's Performance Review and Compensation

It was moved and seconded to approve the Executive Officer's Performance Review and Compensation. MOTION CARRIED.

- Review and Approval of Updates to the NSCB Employee Handbook

It was moved and seconded to approve the updates to the NSCB Employee Handbook. MOTION CARRIED.

- Selection of Classification/Regulation Committee Members for Review of Potential Residential Remodeling Category

It was moved and seconded to appoint Mr. Martin, Mr. Cowart, and Mr. Menzies as Committee Members for review of the potential residential remodeling category. 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))

Mr. Geswein reported on pending legal matters.

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

- Subcommittee Reports

Ms. Grein reported that one Recovery Fund meeting was held where 21 claims were considered and 18 claims were awarded a total amount of \$84,027.

It was moved and seconded to approve the Subcommittee Report. 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 219)

Mr. Joe Hernandez made the following disclosures.

- Item #193 (Wayne Construction Services LLC) – Disclosed and abstained based on a current business relationship with the applicant.

Ms. Margaret Cavin made the following disclosures.

- Item #79-80 (QSC LLC) – Disclosed a past business relationship with the applicant.
- Item #138 (United Construction Company) - Disclosed a personal and past business relationship with the applicant.
- Item #142 & 178 (Western Pacific Electric, Inc.) - Disclosed a personal relationship with the applicant.
- Item #146 (Core West, Inc.) - Disclosed and abstained based on a current business relationship with the applicant.
- Item #156 (Garden Shop Nursery Landscaping Division, Inc.) - Disclosed a personal relationship with the applicant.

Mr. Boyd Martin made the following disclosures:

- Item #52 (Install It LLC) – Disclosed a past business relationship with the applicant.
- Item #74 (Pete King Corp) – Disclosed a past business relationship with the applicant.
- Item #146 (Core West, Inc.) – Disclosed the applicant is a fellow Board member of the Nevada Contractors Association.
- Item #154-155 (Frontier Stone Works LLC) – Disclosed a past business relationship with the applicant.
- Item #157 (Henderson Floor Coverings, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #162 (Kittrell Jensen Contractors LLC) – Disclosed the applicant is a fellow Board member of the Nevada Contractors Association.
- Item #180 (Sunland Asphalt & Construction LLC) – Disclosed a past business relationship with the applicant.
- Item #190 (Solid State Electric LLC) – Disclosed and abstained based on a current business relationship with the applicant.

Mr. Bryan Cowart made the following disclosure:

- Item #3 (A Track Out Solution LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #154-155 (Frontier Stone Works LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #162 (Kittrell Jensen Contractors LLC) – Disclosed and abstained based on a personal relationship and the applicant is a competitor.

Mr. Jan Leggett made the following disclosures.

- Item #138 (United Construction Company) – Disclosed a past business and personal relationship with the applicant.
- Item #156 (Garden Shop Nursery Landscaping Division, Inc.) – Disclosed the applicant is a competitor.

Mr. Steve Menzies made the following disclosures.

- Item #74 (Pete King Corp) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #193 (Wayne Construction Services 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

G & O BUILDERS LLC

Spencer Thomas Bitz, Jr., Managing Member/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.)

Exhibit 1 is the Board's Application File.

Exhibit A is the Applicant's Answer and Reference Letters.

Spencer Bitz, Jr., was present for the hearing with witnesses Dr. John Halki, Darrell Plummer, Paul Curtis, and Richard Smith.

It was moved and seconded to approve license classification B-2 (Residential and Small Commercial) with a \$2,500,000 monetary limit, a \$30,000 bond, and a personal indemnification from Spencer Thomas Bitz, Jr. MOTION CARRIED.**9. 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 Acting Chair Margaret Cavin at 10:23 a.m.

Respectfully Submitted,


Crystal Caywood, Recording Secretary

APPROVED:


Margi A. Greir, Executive Officer
Margaret Cavin, Acting Chair