

BRIAN SANDOVAL
Governor

STATE OF NEVADA



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

**STATE CONTRACTORS BOARD
MINUTES OF THE MEETING
January 18, 2018**

1. CALL TO ORDER:

- a. Chairman, Margaret Cavin called the meeting of the State Contractors Board to order and led the Pledge of Allegiance at 8:30 a.m., Thursday, January 18, 2017, 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
Ms. Melissa Caron
Mr. Mason Gorda
Mr. Joe Hernandez
Mr. Kent Lay
Mr. Jan Leggett
Mr. Guy Wells

BOARD MEMBERS ABSENT:

None.

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Paul Rozario, Director of Investigations
Ms. Deborah Lumbert, Fiscal Service Manager
Ms. Nancy Mathias, Licensing Administrator
Ms. Jennifer Lewis, Public Information Officer
Mr. Brian Hayashi, I.T. Manager

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. PUBLIC COMMENT:

Ms. Grein introduced Criminal Assistant, Toni Williams, and Criminal Investigators, Wilson Crespo and Tony Gross to the Board.

3. APPROVAL OF AGENDA:

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

Ms. Grein noted the following changes to the agenda:

Consent Agenda Item #447 (Airport GC) was removed from the agenda and will be placed on next month's consent agenda for ratification.

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

- Recommendations for Agenda Items for Future Board Meetings

Ms. Grein noted the Strategic Planning Meeting has been scheduled for March 6, 2018 at the Springs Preserve. She noted the Joint Board meeting with the California State Licensing Board is scheduled for June 8, 2018, and that the Board would be honoring former member Kevin Burke for his service to the Board following the February 22, 2018 Board meeting. Lastly, Ms. Grein noted the Residential Recovery Fund meeting had been rescheduled to January 22, 2018.

4. APPROVAL OF MINUTES:

It was moved and seconded to approve the minutes of November 16, 2017. MOTION CARRIED.

5. SUBCOMMITTEE APPOINTMENTS – For Possible Action

Selection and appointment of Board Members to serve on the following Subcommittees:

- a. Executive Subcommittee
- b. Recovery Fund Subcommittee
- c. Classification/Regulation Subcommittee
- d. Finance Subcommittee

It was moved and seconded to appoint Ms. Cavin, Mr. Leggett, and Mr. Lay to the Executive Subcommittee and the Finance Subcommittee, and Mr. Wells, Mr. Leggett, Mr. Hernandez, and Mr. Lay to the Residential Recovery Fund Subcommittee. It was determined that the Chair would appoint members to the Classification/Regulation Subcommittee. MOTION CARRIED.

6. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein provided an update on the Governor's Office of Finance Audit, the Legislative Commission's Sunset Review Subcommittee's Audit for both the Board and the Commission on Construction Education, and the leadership and staff training program, which will last from January to October, 2018. Ms. Grein also noted that she will be attending the FARB (Federal Association of Regulatory Boards) conference from January 25-28, 2018.

- Review of Monthly Department Statistics

Ms. Grein provided the following statistics for the month of November and December, noting that a recent database conversion has temporarily limited the data that can be reported on for this month:

- Licensing Division:
 - Received 257 new license applications and 369 change applications;
 - Issued 158 new licenses;
 - Approved 99 Financial Reviews; and
 - Processed 870 inactive and active license renewal applications
- Compliance Division:
 - Issued 21 Administrative Citations;
 - Held 18 Disciplinary Hearings; and
 - Opened 3 Recovery Fund claims.
- Criminal Division:
 - Opened 104 complaints; and
 - Issued 51 court filings, 48 misdemeanor charges, 4 gross misdemeanor charges and 4 felony charges for the alleged suspects.

- **Additional Board Activities:**
 - During November and December, Ms. Grein attended a Board and Commission training provided by the Attorney General's Office, gave a presentation to the Commercial Real Estate Women (CREW) Las Vegas Chapter, and attended the first Occupational Licensing Learning Consortium meeting.
 - The Board held a Regulation Workshop and Hearing to receive comment on the proposed regulation to conform to the license by endorsement provisions provided in Senate Bill 69, which was adopted by the Board at the November meeting.
 - The Board held a Commission on Construction Education meeting where members awarded just over \$76,000 in grant funding, and a Residential Recovery Fund Committee meeting, which awarded just under \$54,000 to damaged homeowners.
 - The Board's public information office and enforcement department gave a presentation to the City of Henderson contracts personnel regarding Board resources, and participated in a Fire House Disaster Preparedness event with a number of state and local agencies.
 - The Board celebrated its veteran employees and members at its annual Veteran's Day luncheon and recognized staff for their years of service at its annual holiday luncheon.
- Discussion of NRS 232B.210 Concerning the Legislative Commission's Sunset Subcommittee Selection of Boards, Commissions, and Similar Entities for Sunset Review

Ms. Grein noted that the Board and the Commission on Construction Education were selected by the Legislative Commission's Sunset Subcommittee to be reviewed. Ms. Grein informed the Board that the Board will likely present to the Sunset Subcommittee at its February 21, 2018 meeting and that the information for the review is already being compiled and verified. Ms. Grein indicated she would keep the Board informed of any new information related to this matter.

- Discussion of Multi-State Occupational Licensing Consortium Meeting Held December 4-6, 2017

Ms. Grein provided discussion on the Multi-State Occupational Licensing Consortium meeting that was held on December 4-6, 2017.

- Executive Officer's Quarterly Report Pursuant to NAC 624.030 and 2017-2018 Strategic Plan Second Quarter Activity Update

It was moved and seconded to accept the Quarterly Report and Strategic Plan Update. MOTION CARRIED.

- Review and Approval of Quarterly Financial Reports for the Period Ending December 31, 2017

It was moved and seconded to approve the Quarterly Financial Reports for the Period Ending December 31, 2017. 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. Allison reported on pending legal matters.

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

- Subcommittee Reports

Ms. Grein noted that on November 15, 2017, the Residential Recovery Fund Subcommittee awarded homeowners a total amount of \$53,864.71.

- Discussion Concerning Possible Suggestions for Statutory Changes for Submittal to the Sunset Subcommittee and Recommendation for Review of Licensure Requirements by Assigned Subcommittees

Ms. Grein requested suggestions from the Board for possible statutory changes to consider when providing information for the Legislative Commission's Sunset Subcommittee Review.

7. APPROVAL OF CONSENT AGENDA – For Possible Action:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 638)

Mr. Joe Hernandez made the following disclosure:

- Item #299-300 (Richardson Construction, Inc.) – Disclosed a past business relationship with the applicant.

Ms. Melissa Caron made the following disclosures:

- Item #56 (Cool Breeze) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #105 & 616 (L & H Concrete) – Disclosed a past business relationship with the applicant.
- Item #182 (Thyssenkrupp Sy, Inc.) – Disclosed a past business relationship with the applicant.
- Item #210 (Cabling Solutions, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #261 & 418 (Webers Cabinet & Fixture Company) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #294 (NVision Glass, Inc.) – Disclosed a past business relationship with the applicant.
- Item #370 (Jolt Electric) - Disclosed and abstained based on the applicant being a former employee.

Mr. Jan Leggett made no disclosures.

Ms. Margaret Cavin made the following disclosures:

- Item #22 (Alpha Omega Mechanical, LLC) – Disclosed the applicant is a former employee.
- Item #93-94 (Industrial Logistics Services, Inc.) – Disclosed a past business relationship with the applicant.
- Item #199 (L F Harris & Company, Inc.) – Disclosed a personal friendship with the applicant.
- Item #286 (Hansen Mechanical Contractors, Inc.) – Disclosed a personal friendship with the applicant.

Mr. Guy Wells made the following disclosures:

- Item #274-275 (Dri Tech Corporation) – Disclosed a personal friendship and a past business relationship with the applicant.
- Item #295 (The Penta Building Group, LLC) – Disclosed a past business relationship with the applicant.
- Item #340 (Contri Construction) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #586 (Austin General Contracting, Inc.) – Disclosed a past business relationship with the applicant.
- Item #606 (Dri Tech Corporation) – Disclosed a personal friendship with the applicant.

Mr. Kent Lay made the following disclosures:

- Item #158-159 (Sacramento Insulation Contractors) – Disclosed a past business relationship with the applicant.
- Item #209 (Builders Design Group, LLC) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #236 (Pinnacle Homes, Inc.) – Disclosed and abstained based on a personal friendship with the applicant and that the applicant is a competitor.
- Item #244 (Ryland Homes Nevada, LLC) – Disclosed and abstained based on the applicant being a competitor.
- Item #339 (Coleman Toll Limited Partnership) – Disclosed and abstained based on the applicant being a competitor.
- Item #475 (Focus Concrete, LLC) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #477 (Hearth & Home Specialties, Inc.) – Disclosed and abstained based on an ongoing business relationship with the applicant.

Mr. Mason Gorda made the following disclosures:

- Item #158-159 (Sacramento Insulation Contractors) – Disclosed a past business relationship with the applicant.

- Item #199 (L F Harris and Company, Inc.) – Disclosed a past business relationship with the applicant.
- Item #207 & 287 (Hill International, Inc.) – Disclosed a past business relationship with the applicant.
- Item #229-230 (Northstar Construction of Nevada, LLC) – Disclosed a past business relationship with the applicant.
- Item #233-234 (Parsons Construction Group, Inc.) – Disclosed a past business relationship with the applicant.
- Item #246 (S A Healy Company) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #263 & 311-312 (X L Concrete Masonry, LLC) – Disclosed a past business relationship with the applicant.
- Item #286 (Hansen Mechanical) – Disclosed a past business relationship with the applicant.
- Item #294 (Nvision Glass, Inc.) – Disclosed a past business relationship with the applicant.
- Item #295 (The Penta Building Group, LLC) – Disclosed that the applicant was a competitor.
- Item #299-300 (Richardson Construction, Inc.) – Disclosed that the applicant was a competitor.
- Item #301-302 (S M E Steel Coatings, LLC) – Disclosed a past business relationship with the applicant.
- Item #340 (Contri Construction Company) – Disclosed and abstained based on past litigation with the applicant.
- Item #516 (Precision Concrete Cutting, Inc.) – Disclosed a past business relationship with the applicant.
- Item #577 (T E Bertagnolli & Associates, Inc.) – Disclosed a past business relationship with the applicant.
- Item #586 (Austin General Contracting, Inc.) – Disclosed that the applicant was a competitor.

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

8. NEW APPLICATION DENIAL HEARING

(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.)

GARDEN FARMS OF NEVADA LLC

Bryan C. Vellinga, Managing Member/Proposed Qualified Individual
Class C-10 (Landscape Contracting)

Bryan Vellinga was present for the hearing and represented by Counsel, Evan James, Esq.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to approve licensure classification C-10 (Landscape Contracting) with a \$10,000.00 monetary limit, a \$2,000.00 bond, an annual business review for two (2) years, and a personal indemnification by Bryan Vellinga. MOTION CARRIED.

9. NEW APPLICATION DENIAL HEARING

(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.)

WEATHERGUARD INC

Gregory Leroy Dearden, President/Proposed Qualified Individual
Class: B-2 (Residential & Small Commercial)

Gregory Dearden 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

(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.)

EATON DRILLING CO INC.

Tomas Edward Eaton, President/Proposed Qualified Individual
Mark Douglas Coby, Secretary/Treasurer
Class: A (General Engineering)

Thomas Eaton was present for the hearing. Mark Coby was not present.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to approve licensure classification A (General Engineering) with a \$1,000,000.00 monetary limit and a \$30,000.00 bond. MOTION CARRIED.

Mr. Hernandez left the meeting at 11:00 a.m.

11. NEW APPLICATION DENIAL HEARING

(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.)

SILVER SAGE LANDSCAPE LLC

Brad J. Wilks, Managing Member/Proposed Qualified Individual

Linda E. Wilks, Managing Member

Class: C-10 (Landscape Contracting)

Brad Wilks and Linda Wilks were present for the hearing and represented by Counsel, Donald Williams, Esq.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to continue this agenda item for up to sixty (60) days. MOTION CARRIED.

12. NEW APPLICATION DENIAL HEARING

(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.)

SPARTAN PLUMBING INC.

Michael James Gesty, President/Proposed Qualified Individual

Denise Gesty, Secretary

Class: C-1 (Plumbing & Heating)

Michael Gesty, Denise Gesty, and Sam Pearson were present for the hearing and represented by Counsel, Tony May, Esq.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to approve licensure classification C-1 (Plumbing & Heating) with a \$250,000.00 monetary limit, a \$15,000.00 bond, an annual business review for two (2) years, and a personal indemnification by Michael Gesty and Denise Gesty. MOTION CARRIED.

Mr. Wells and Ms. Cavin opposed the motion.

13. NEW APPLICATION DENIAL HEARING (Continued from September 21, 2017 and October 19, 2017)

(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.)

WATSON COMPANIES INC.

Gregory Mark Watson, President/Proposed Qualified Individual

Class: C-15a (Roofing)

Gregory Watson was present for the hearing and represented by Counsel, Steven Bus, Esq.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to approve licensure classification C-15a (Roofing) with a \$245,000.00 monetary limit, a \$15,000.00 bond, an annual business review for two (2) years, and a personal

indemnification by Gregory Watson. MOTION CARRIED.

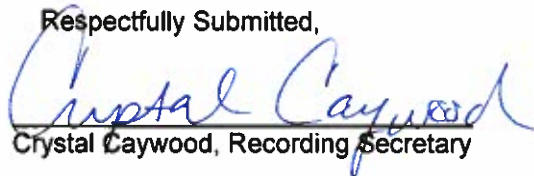
14. PUBLIC COMMENT:

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 Margaret Cavin at 11:58 p.m.

Respectfully Submitted,


Crystal Caywood, Recording Secretary

APPROVED:


Margi A. Grein, Executive Officer


Margaret Cavin, Chair