

BRIAN SANDOVAL
Governor

STATE OF NEVADA



Southern Nevada
2310 Corporate Circle, Suite 200
Henderson, Nevada 89074
(702) 486-1100
Fax (702) 486-1190
Investigations: (702) 486-1110
www.nscb.nv.gov

Northern Nevada
5390 Kietzke Lane, Suite 102
Reno, Nevada 89511
(775) 688-1141
Fax (775) 688-1271
Investigations: (775) 688-1150

- 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
March 22, 2018**

1. CALL TO ORDER:

- a. 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, March 22, 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
Ms. Nancy Mathias, Licensing Administrator
Mr. Paul Rozario, Director of Investigations

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 welcomed Carolyn Potter to the Board.

3. 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 notified the Board that the draft Strategic Plan for FY 2018-19 will be presented by Daniel Iacafano at the April 19, 2018 meeting, and also updated the Board on details relative to the June 8, 2018 Joint Board Meeting with the California State Licensing Board.

4. APPROVAL OF MINUTES:

It was moved and seconded to approve the minutes of February 22, 2018 and March 6, 2018. MOTION CARRIED.

5. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein read the Board's Mission Statement into the record. Ms. Grein noted the Board held its annual strategic planning session on March 6, 2018, and that she attended the NASCLA Mid-Year Conference providing a joint presentation with Dale Atkinson of the Federation of Associations of Regulatory Boards (FARB) concerning the National Occupational Licensing Learning Consortium. Ms. Grein reported she is currently in discussion with Morrissey Insurance regarding possible changes to the Board's health plan. Lastly, Ms. Grein noted that the Board Member Administrative Procedures Manual approved in 2012, is being reviewed and the updated version for 2018 will be placed on the April 19, 2018 Board agenda for discussion and approval.

- Review of Monthly Department Statistics

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

- Licensing Division:
 - Received 148 new license applications and 237 change applications;
 - Issued 85 new licenses;
 - Approved 53 Financial Reviews; and
 - Processed 675 inactive and active license renewal applications
- Compliance Division:
 - Issued 16 Administrative Citations;
 - Held 5 Disciplinary Hearings; and
 - Opened 3 Recovery Fund claims.
- Criminal Division:
 - Opened 111 complaints; and
 - Issued 24 court filings, 21 misdemeanor charges, 2 gross misdemeanor charges and 4 felony charges for the alleged suspects.
- Additional Board Activities:
 - Ms. Grein informed the Board she testified before the Legislative Commission's Sunset Subcommittee regarding the Sunset Review performed on the Board and the Commission on Construction Education; hosted the second meeting for Nevada's Core Team for the Occupational Licensing Consortium; and gave a presentation to the NASCLA Board of Directors on the Occupational Licensing Consortium initiatives.
 - At the end of February, an honorary luncheon was held recognizing former Board member and chair Kevin Burke for his 9 years of service; and,
 - Lastly, staff in both offices received their second training session by the Simmons Group, and the Board participated in a number of outreach activities, including two homeowner presentations to Sun City Anthem residents, a community event at local fire station 19, a presentation to a Reno-based realtor group, and a senior presentation to the members of OLLI – the Osher Lifelong Learning Institute.
- Legislative Discussion – For Possible Action

Discussion of Possible Bill Draft Requests for the 2019 Legislative Session, including but not limited to:

 - NRS 624.282 Concerning the Inactive Status of a License – For Possible Action

Ms. Grein provided an overview of the proposed changes to NRS 624.282 concerning the inactive status of a license.

It was moved and seconded to submit a Bill Draft Request to amend NRS 624.282 concerning the inactive status of a license. MOTION CARRIED.

- NRS 624.264 Concerning Licensee Financial Reviews – For Possible Action

Ms. Grein provided an overview of the proposed changes to NRS 624.264 concerning the licensee financial reviews.

It was moved and seconded to submit a Bill Draft Request to amend NRS 624.264 concerning licensee financial reviews. MOTION CARRIED.

- NRS 624.260 Concerning Experience Requirements – For Possible Action

Ms. Grein provided an overview of the proposed changes to NRS 624.260 concerning experience requirements.

It was moved and seconded to submit a Bill Draft Request to amend NRS 624.260 concerning experience requirements. MOTION CARRIED.

- NRS 624.140 Concerning Delegation of Authority Related to Appeal Hearings – For Possible Action

Ms. Grein provided an overview of the proposed changes to NRS 624.140 concerning delegation of authority related to appeal hearings.

It was moved and seconded to submit a Bill Draft Request to amend NRS 624.140 concerning delegation of authority related to appeal hearings. MOTION CARRIED.

- NRS 624.283 Concerning Renewal of a License by a Licensee on Active Military Duty – For Possible Action

Ms. Grein provided an overview of the proposed changes to NRS 624.283 concerning renewal of a license by a licensee on active military duty.

It was moved and seconded to submit a Bill Draft Request to amend NRS 624.283 concerning renewal of a license by a licensee on active military duty. MOTION CARRIED.

- NRS 624.215 Concerning the Work of a General Building Contractor – For Possible Action

Ms. Grein provided an overview of the proposed changes to NRS 624.215 concerning the work of a general building contractor.

It was moved and seconded to submit a Bill Draft Request to amend NRS 624.215 concerning the work of a general building contractor. MOTION CARRIED.

- NRS 624.510 and NRS 624.520 Concerning the Residential Recovery Fund – For Possible Action

Ms. Grein provided an overview of the proposed changes to NRS 624.510 and NRS 624.520 concerning the Residential Recovery Fund.

It was moved and seconded to submit a Bill Draft Request to amend NRS 624.510 and NRS 624.520 concerning the Residential Recovery Fund. MOTION CARRIED.

- NRS 624.345 Concerning an Order to Cease and Desist – For Possible Action

Ms. Grein provided an overview of the proposed changes to NRS 624.345 concerning an order to Cease and Desist.

It was moved and seconded to submit a Bill Draft Request to amend NRS 624.345 concerning an order to Cease and Desist. MOTION CARRIED.

- NRS 624.270 Concerning Unlawful Advertising – For Possible Action

Ms. Grein provided an overview of the proposed changes to NRS 624.270 concerning unlawful advertising.

It was moved and second to submit a Bill Draft Request to amend NRS 624.720 concerning unlawful advertising. MOTION CARRIED.

- NRS 624 Related to Reducing Barriers to Licensure and Strengthening Portability of Licensure – For Possible Action

Ms. Grein noted that the Board will continue to identify other legislative remedies to reduce barriers to licensure and strengthen portability of licensure, and will bring forward any additional bill draft requests at the April 19, 2018 meeting.

It was moved and seconded to authorize Ms. Grein to draft any additional Bill Draft Requests needed to address proposed changes to reduce barriers to licensure and strengthen portability of licensure as needed. MOTION CARRIED

- NRS 624 Related to Bonding Requirements for Solar Contracting – For Possible Action

Ms. Grein noted that a Bill Draft Request regarding Solar Contracting Bonding requirements would be placed on the April 19, 2018 agenda for Board discussion.

- 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 the Residential Recovery Fund Committee meeting was held March 21, 2018, and that the outcomes of that meeting will be reported on at the April 19, 2018 Board meeting.

- Review and Discussion of NRS 232B.210 concerning the Legislative Commission's Sunset Subcommittee Review.

Ms. Grein informed the Board she had provided additional information to the Legislative Commission's Sunset Subcommittee specific to the Board's fines and fees as well as a summary list of grant reports received during 2017 for the Commission on Construction Education. Both of these items were placed on the March 21, 2018 Sunset Subcommittee meeting agenda, however, no action was taken. Ms. Grein noted the Board anticipates appearing before the Sunset Subcommittee at its May 21, 2018 meeting.

- Review and Discussion of Executive Branch Audit of Boards and Commissions

Ms. Grein noted the Executive Branch Audit remains ongoing and that she is in communication with the Governor's Finance Auditor.

6. 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 302)

Mr. Joe Hernandez made the following disclosure:

- Item #293 and 294 (Lay Investments, LLC) – Disclosed based on the fact Mr. Hernandez sits on the Contractors Board with the applicant.

Ms. Melissa Caron made the following disclosures:

- Item #79 (Nevada Fence, LLC) – Disclosed and abstained based on the fact that Ms. Caron sits on a Board with the applicant.
- Item #185 (Tanamera Construction, LLC) – Disclosed and abstained based on a current business relationship with the applicant.

Mr. Jan Leggett made the following disclosures:

- Item #11 (Bader Construction, LLC) – Disclosed a past business relationship with the applicant.
- Item #185 (Tanamera Construction, LLC) – Disclosed a past business relationship with the applicant.
- Item #293 and 294 (Lay Investments, LLC) – Disclosed based on the fact Mr. Leggett sits on the Contractors Board with the applicant.

Ms. Margaret Cavin made the following disclosures:

- Item #101-103 (Superior Contracting Corporation) – Disclosed a personal friendship with the applicant.
- Item #143 (Pyramid Mechanical Services, LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #240 (Alexander Heating & Air, Inc.) – Disclosed a past business relationship with the applicant.
- Item #293 and 294 (Lay Investments, LLC) – Disclosed based on the fact Ms. Cavin sits on the Contractors Board with the applicant.

Mr. Kent Lay made the following disclosures:

- Item #244 (Brass2Copper Mechanical, Inc.) – Disclosed a past business relationship with the applicant.
- Item #245-247 (Builders Design Group, LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #293 and 294 (Lay Investments, LLC) – Disclosed and abstained based on the fact Mr. Lay and a family member are the applicant.

Mr. Guy Wells made the following disclosures:

- Item #73 (Mikon Construction Co., Inc.) – Disclosed a past business relationship with the applicant.
- Item #173-175 (M M C Contractors West, Inc.) – Disclosed an acquaintance with the applicant.
- Item #179 and 180 (The PENTA Building Group, LLC) – Disclosed a past business relationship with the applicant.
- Item #293 and 294 (Lay Investments, LLC) – Disclosed based on the fact Mr. Wells sits on the Contractors Board with the applicant.

Mr. Mason Gorda made the following disclosures:

- Item #116 (Zitting Commercial Framing, LLC) – Disclosed a past business relationship with the applicant.
- Item #131 (Costco Wholesale Corporation) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #149 (Steel Encounters, Inc.) – Disclosed a past business relationship with the applicant.
- Item #293 and 294 (Lay Investments, LLC) – Disclosed and abstained based on a current business relationship with the applicant.

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

7. 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, Member/Proposed Qualified Individual

Linda E. Wilks, Managing Member

Donald Butch Williams, Esq. and Brad J. Wilks were present for the hearing. Ms. Linda Wilks was not present

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to continue the hearing up to 60 days to allow the applicant to attempt to satisfy the outstanding issues related to revocation of his license in Arizona. 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.)

BRIGADOON COMMUNICATIONS INC.

Mark Edward Welden, President/Proposed Qualified Individual

Mark Welden was not present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

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

9. PUBLIC COMMENT:

There was no one present to offer public comment.

ADJOURNMENT

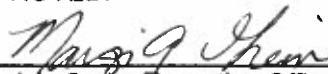
There being no further business to come before the Board, the meeting was adjourned by Chair Margaret Cavin at 9:45 a.m.

Respectfully Submitted,



Carolyn Potter, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer



Margaret Cavin, Chair