

BRIAN SANDOVAL
Governor

STATE OF NEVADA



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

**STATE CONTRACTORS BOARD
MINUTES OF THE MEETING
July 19, 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, July 19, 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. 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. 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.

OATH OF OFFICE

Ms. Cavin administered the Oath of Office to Mr. Burke.

2. PUBLIC COMMENT:

Ms. Grein welcomed Board Investigators Michael McCoy, Chris Catanese, Scott Winter, and Terry Roberts to the Board.

3. APPROVAL OF AGENDA:

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

Ms. Grein requested that Items 6E and 6F be continued to the September 20, 2018 Board meeting. Ms. Grein also noted that Item #9 (Accent Products, Inc.) was continued at the request of the applicant.

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

- Recommendations for Agenda Items for Future Board Meetings

Ms. Grein reminded the Board of the National Judicial College training scheduled for August 14, 2018.

4. APPROVAL OF MINUTES:

It was moved and seconded to approve the minutes of June 8, 2018. MOTION CARRIED.

It was moved and seconded to approve the minutes of June 21, 2018. MOTION CARRIED.

Mr. Burke recused himself from the vote as he was not present at the meetings.

5. ELECTION OF OFFICERS

It was moved and seconded to re-elect Margaret Cavin as Chair and Kent Lay as Treasurer. MOTION CARRIED.

6. EXECUTIVE SESSION

- Executive Officer's Report
- 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.
- Review of Monthly Department Statistics

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

- Licensing Division:
 - Received 195 new license applications and 231 change applications;
 - Issued 127 new licenses;
 - Approved 51 Financial Reviews;
 - Processed 696 inactive and active license renewal applications;
 - Issued or renewed 36 Certificates of Eligibility; and
 - Held two Business Assistance Programs with 21 persons in attendance.
- Investigations Department:
 - Opened 227 complaint, including 146 compliance and 81 criminal complaints;
 - Held 13 Disciplinary Hearings, where 3 licenses were revoked, 1 was suspended, and 1 license was summarily suspended. A total of \$52,350 in fines and \$52,030 in investigative costs were assessed, restitution totaling \$6,611 was ordered by the Board, and \$57,000 in restitution was reached through a settlement agreement concerning a harmed senior citizen; and lastly,
 - 15 court filings were issued seeking prosecution for 15 misdemeanor charges and 3 felony charges against the alleged suspects.
- Ms. Grein noted the Board held its annual Joint Board meeting with the California Contractors State License Board, and that she had a follow-up meeting with Mark Richards to discuss the second phase of the Executive Branch Audit and also attended the Executive Branch Audit Committee (EBAC) meeting where proposed findings from phase one of the audit were

discussed.

- Ms. Grein noted the Legislative Commission's Sunset Subcommittee shared general findings and recommendations from the audit performed on all occupational licensing Boards, and any additional changes made would be summarized in their final report.
- Ms. Grein reported she held a conference call with representatives from The Judicial College to discuss and finalize the topics and agenda format for the Board's upcoming training in August.
- Lastly, Ms. Grein noted she met with representatives from the Raiders' Stadium Project, attended the Governor's Education to Workforce Summit, and that the Board held its monthly management training focused on coaching v. counseling.

- **Review and Approval of Contract for Development of Mobile Application**

Ms. Grein noted the Board solicited quotes from vendors for the development of its mobile application, and has since selected a vendor and drafted a contract, which is pending review by the Attorney General's Office. Following the AG's review and Board approval, the contract will be submitted to the Board of Examiners for final approval.

It was moved and seconded to approve the contract for development of the mobile application.

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

It was moved and seconded to accept the Quarterly Report and 2017-2018 Strategic Plan Fourth Quarter Activity and Annual Update. MOTION CARRIED.

- Review and Approval of Quarterly Financial Reports for the Period Ending June 30, 2018

This item was continued to the September 20, 2018 Board Meeting.

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

This item was continued to the September 20, 2018 Board Meeting.

- Legislative Discussion

Ms. Grein noted there is no new information relative to the bill draft request.

- **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

Mr. Rozario noted the Residential Recovery Fund Committee meeting was held July 18, 2018 where two claims were heard, one claim was denied, and \$18,414.50 was awarded to one homeowner.

7. APPROVAL OF CONSENT AGENDA:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 430)

Mr. Joe Hernandez made no disclosures.

Ms. Melissa Caron made the following disclosures:

- Item #176 (Johnson Controls Fire Protection LP) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #183 (Rep Plumbing, LLC) – Disclosed and abstained based on a personal relationship with the

applicant.

- Item #191 (ARMAC Construction, LLC) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #279 (Neeser Construction) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #360 and 400 (Tom Peters Construction, Inc.) – Disclosed a past business relationship with the applicant.
- Item #362 (Triumph Electric) – Disclosed and abstained based on the applicant being a competitor.
- Item #398 (Reliant Electric, LLC) – Disclosed and abstained based on the applicant being a competitor.

Mr. Jan Leggett made the following disclosures:

- Item #104 (National Landscape) – Disclosed and abstained based on the applicant being a competitor.
- Item #128-129 (Signature Coast Holdings, LLC) – Disclosed and abstained based on the applicant being a competitor.
- Item #425-426 (Signature Landscapes, LLC) – Disclosed and abstained based on the applicant being a competitor.

Ms. Margaret Cavin made the following disclosures:

- Item #42-43 (D Double G, LLC) – Disclosed a past business relationship with the applicant.
- Item #61 and 414 (Great Basin Construction, Inc.) – Disclosed a past business relationship with the applicant.
- Item #195 (C R Drake & Sons, Inc.) – Disclosed a personal relationship with the applicant.
- Item #398 (Reliant Electric, LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #429 (TNT Construction) – Disclosed a past business relationship with the applicant.

Mr. Kent Lay made the following disclosures:

- Item #67 (Hirschi Masonry, LLC) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #152 (Warmington Apartment Communities, Inc.) – Disclosed and abstained based on the applicant being a competitor.
- Item #162 (Beazer Homes Holdings, LLC) – Disclosed and abstained based on the applicant being a competitor and former employer.
- Item #178 and 205 (Las Vegas Paving Corporation) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #184, 291 and 308 (Ryland Homes Nevada, LLC) – Disclosed and abstained based on the applicant being a competitor.
- Item #356-359 (Sunrise Carpentry, Inc.) – Disclosed and abstained based on an ongoing business relationship with the applicant.

Mr. Kevin Burke made the following disclosures:

- Item #161 & 192 (APCO Construction) – Disclosed a personal relationship with the applicant.
- Item #173, 259-261 (Hufcor, Inc.) – Disclosed a past business relationship with the applicant.
- Item #178 & 205 (Las Vegas Paving Corporation) – Disclosed a personal relationship with the applicant.
- Item #198 (Dataplus Communication Limited) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #208-209 (Nevada Contract Carpet, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #212-216 (The Penta Building Group, LLC) – Disclosed the applicant is a competitor.
- Item #300 & 372 (Zitting Commercial Framing, LLC) – Disclosed a past business relationship with the applicant.

Mr. Guy Wells made the following disclosures:

- Item #67 (Hirschi Masonry, LLC) – Disclosed and abstained based on a past business and personal relationship with the applicant.
- Item #161 & 192 (APCO Construction) – Disclosed and abstained based on a past business relationship with the applicant, and the applicant is a competitor.

- Item #178 & 205 (Las Vegas Paving Corporation) – Disclosed and abstained based on the applicant being a competitor.
- Item #212-216 (The Penta Building Group, LLC) – Disclosed a past business relationship with the applicant.
- Item #321 and 395 (Austin General Contracting, Inc.) – Disclosed a past business relationship with the applicant.

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

8. NEW APPLICATION DENIAL HEARING:

RED OAK CONSTRUCTION LLC

Robert Lawrence Lewis Jr., Managing Member/Proposed Qualified Individual

Robert Lewis, Jr. was present for the hearing and represented by Counsel Shemilly Briscoe, Esq.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to approve licensure classification C-3 (Carpentry) with a \$10,000.00 monetary limit, a \$2,000.00 bond, and a personal indemnification by Robert Lewis, Jr. MOTION CARRIED.

9. NEW APPLICATION DENIAL HEARING (Continued from 04/19/2018)

ACCENT PRODUCTS, INC.

Peter A. Knight, President/Proposed Qualified Individual

This item was continued at the request of the applicant.

10. NEW APPLICATION DENIAL HEARING (Continued from 04/19/2018)

CHRYSALIS CONSTRUCTION LLC

Alan Gene Masterfield, Managing Member/Proposed Qualified Individual

Denise Renee Mantzer, Managing Member

Alan Masterfield and Denise Mantzer were present for the hearing and represented by Counsel, Robert Bell, Esq.

Exhibit 1 is the Board Notice of Hearing.

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


11. PUBLIC COMMENT:

Ms. Grein noted that the Southern Nevada Homebuilders Association will be placed on the August 23, 2018 Board meeting agenda for discussion about their proposed legislation.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chair Margaret Cavin at 10:20 a.m.

Respectfully Submitted,


Crystal Caywood, Recording Secretary

APPROVED:


Margi A. Grein, Executive Officer


Margaret Cavin, Chair