

STEVE SISOLAK
Governor

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**STATE CONTRACTORS BOARD
MINUTES OF THE MEETING
September 17, 2020**

1. CALL TO ORDER:

Chairman Kent Lay called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, September 17, 2020. The meeting was held online via Zoom. Exhibit A is the Meeting Agenda and Exhibit B is a list of public participants identified during the online meeting.

BOARD MEMBERS PRESENT:

Mr. Kent Lay
Ms. Margaret Cavin
Mr. Jan Leggett
Ms. Melissa Maguire
Mr. Steve Menzies

BOARD MEMBERS ABSENT:

Mr. Joe Hernandez
Mr. Guy Wells

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Paul Rozario, Director of Investigations

LEGAL COUNSEL PRESENT:

Mr. Tim Geswein, Esq.

Ms. Grein stated the agenda was posted in compliance with the open meeting law and Declaration of Emergency Directive 006 on the Board's Internet Website, the Public Notice Website, 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

There were no online public participants to offer public comment and no written public comment was received.

4. APPROVAL OF AGENDA:

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

Ms. Grein noted that Item #12 (West Star Builders, LLC) has been continued to November 19, 2020 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 noted an Accountancy Training has been tentatively scheduled for January 14, 2021, and she is working with Dale Atkinson to provide the Board's Comprehensive Regulatory Training session before the end of 2020.

5. PROPOSED REGULATION LCB FILE NO. R014-19

- Pursuant to NRS 233B.061, Public Hearing to receive and consider comments from all interested persons regarding the Board's intent to adopt proposed amendments to LCB File No. R014-19 concerning NAC 624.6975 – NAC 624.7293. The Notice of Intent to Act upon a Regulation, including terms of the proposed regulation and Notice of this Public Hearing were posted in accordance with the provisions of NRS 233B.060 and 233B.0603

Mr. Louis Ling provided an overview of the rulemaking initiative and a summary of Proposed Regulation LCB File No. R014-19.

- Adoption of Proposed Amended Regulation LCB File No. R014-19

It was moved and seconded to adopt the Proposed Amended Regulation LCB File No. R014-19. MOTION CARRIED.

6. APPROVAL OF MINUTES

It was moved and seconded to approve the minutes of August 20, 2020. MOTION CARRIED.

7. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein reported on staff and Board member training sessions during the month, as well as her participation in a FARBside chat meeting, and the monthly Occupational Licensing Consortium network call. Ms. Grein noted she attended the final meeting of the Legislative Commission's Sunset Subcommittee, and participated in the Board's 7th Annual Contractor Training Day and weekly calls with the Ferraro Group. Ms. Grein highlighted the Board's collaboration with female representatives across the industry in hosting its Women in Construction panel presentation for the women utilizing WestCare's behavioral health services. Lastly, Ms. Grein reported she is working with a commercial real estate agent to identify a new southern Nevada office location, since the Board's office lease expires in November of 2021.

- Review of Monthly Department Statistics

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

- The Board's monthly department statistics for August include the following:
 - Licensing Department:
 - Received 188 new license applications and 234 change applications;
 - Issued 116 new licenses;
 - Approved 618 license renewal applications;
 - Renewed and issued 36 Certificates of Eligibility to receive preference in bidding;
 - Received 2,639 calls; and
 - Hosted 1 online Business Assistance Program with 17 participants in attendance.
 - Investigations Department:
 - Opened a total of 185 complaints, including 99 compliance and 86 criminal complaints;
 - Held 5 Disciplinary Hearings resulting in 1 license suspension and fines and costs totaling \$5,842;

- Issued 26 Cease and Desist Orders to respondents; and
- Opened 8 Recovery Fund claims.

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

- Report of Disciplinary Hearing Outcomes for August 2020

Ms. Grein reported on the disciplinary hearing outcomes for August 2020.

- Report of Application Denial Hearing Outcomes for August 2020

Ms. Grein reported on the application denial hearing outcomes for August 2020.

- Review and Approval of Tentative Board Meeting and Hearing Schedule for 2021

Ms. Grein provided the Board with a tentative Board meeting and hearing schedule for 2021.

It was moved and seconded to approve the Tentative Board Meeting and Hearing Schedule for 2021. MOTION CARRIED.

- Review and Approval of Audited Financial Reports for the Period Ending June 30, 2020

Mr. Ryan Webber with J.A. Solari & Partners provided an overview of the Audited Financial Reports for the Period Ending June 30, 2020.

It was moved and seconded to approve the Audited Financial Reports for the Period Ending June 30, 2020. MOTION CARRIED.

- Review and Approval of Revenue and Expenditures for August 2020

Ms. Lumbert provided an overview of the Board's revenue and expenditures for August 2020.

It was moved and seconded to approve Revenue and Expenditures for August 2020. MOTION CARRIED.

- Review and Approval of Proposed Modification to FY 2020-21 Employee Furlough Program

Ms. Grein noted that ongoing review and assessment of the Board's budget suggests the Board could consider reducing the 12-day Employee Furlough Program to only six-days for FY 2020-21. Ms. Grein noted that approval of this recommendation may be subject to change based on future budget projections.

It was moved and seconded to approve the modification to the FY 2020-21 Employee Furlough Program. MOTION CARRIED.

- Legislative Discussion

Ms. Grein noted that each of the Board's bill draft requests were provided to the Legislative Counsel Bureau, and they have been uploaded to LCB's legislative tracking site. Additionally, Ms. Grein noted that the Ferraro Group has begun compiling a list of relevant bill draft requests to track during the session.

It was moved and seconded to accept the Legislative Discussion. 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 accept the Legal Report. MOTION CARRIED.

- Subcommittee Reports
Executive Subcommittee, Recovery Fund Subcommittee, Classification/Regulation Subcommittee, Finance Subcommittee.

Ms. Grein noted that no subcommittee meetings were held during the month of August.

8. APPROVAL OF CONSENT AGENDA:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 351)

Mr. Kent Lay made the following disclosures:

- Item #212 (Focus Framing Door & Trim, LLC) – Disclosed the applicant is a fellow Board member.
- Item #266, 267 & 329 (Green Image, LLC) – Disclosed the applicant is a fellow Board member.
- Item #286 (Nevada Concrete Contractors, LLC) – Disclosed the applicant is a fellow Board member.
- Item #310 (Wire Power Electric, LLC) – Disclosed the applicant is a fellow Board member.

Mr. Jan Leggett made the following disclosures:

- Item #196 (A&K Earth Movers, Inc.) – Disclosed that he sits on the AGC Board with the applicant.
- Item #212 (Focus Framing Door & Trim, LLC) – Disclosed the applicant is a fellow Board member.
- Item #223 (Schuhmacher & Schuhmacher, Inc.) – Disclosed that the applicant is a competitor.
- Item #266, 267 & 329 (Green Image, LLC) – Disclosed the applicant is a fellow Board member.
- Item #286 (Nevada Concrete Contractors, LLC) – Disclosed the applicant is a fellow Board member.
- Item #310 (Wire Power Electric, LLC) – Disclosed the applicant is a fellow Board member.

Mr. Steve Menzies made the following disclosures:

- Item #172 (Desert Star Construction, LLC) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #197 (AMH Development West G C, LLC) – Disclosed and abstained based on a current business relationship.
- Item #212 (Focus Framing Door & Trim, LLC) – Disclosed and abstained based on involvement with the company.
- Item #266, 267 & 329 (Green Image, LLC) – Disclosed and abstained based on involvement with the company.
- Item #286 (Nevada Concrete Contractors, LLC) – Disclosed and abstained based on involvement with the company.
- Item #301 (Raptor Plumbing) – Disclosed and abstained based on the applicant being a competitor.
- Item #310 (Wire Power Electric, LLC) – Disclosed and abstained based on involvement with the company.

Ms. Margaret Cavin made the following disclosures:

- Item #37 (D Double G, LLC) – Disclosed a past business and personal relationship with the applicant.
- Item #165 (Building Control Services, LLC) – Disclosed a past business relationship.
- Item #238 (T F P, Inc.) – Disclosed a personal relationship with the applicant.
- Item #212 (Focus Framing Door & Trim, LLC) – Disclosed the applicant is a fellow Board member.
- Item #266, 267 & 329 (Green Image, LLC) – Disclosed the applicant is a fellow Board member.
- Item #286 (Nevada Concrete Contractors, LLC) – Disclosed the applicant is a fellow Board member.
- Item #310 (Wire Power Electric, LLC) – Disclosed the applicant is a fellow Board member.

Ms. Melissa Maguire made the following disclosures:

- Item #212 (Focus Framing Door & Trim, LLC) – Disclosed the applicant is a fellow Board member.
- Item #266, 267 & 329 (Green Image, LLC) – Disclosed the applicant is a fellow Board member.
- Item #286 (Nevada Concrete Contractors, LLC) – Disclosed the applicant is a fellow Board member.
- Item #310 (Wire Power Electric, LLC) – Disclosed the applicant is a fellow Board member.

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

9. NEW APPLICATION DENIAL HEARING

TOUCHSTONE LIVING INC

Thomas Hubert McCormick, President/Secretary/Treasurer and 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.)

Mr. Menzies disclosed a past business relationship with the applicant.

Mr. Lay disclosed that the applicant is a competitor.

Thomas McCormick was present for the hearing.

Exhibit 1 is the Board's Application File.

Exhibit A is the Applicant's Answer and Exhibits.

It was moved and seconded to approve license classification B-2 (Residential & Small Commercial) with an unlimited monetary limit and a \$50,000 bond. MOTION CARRIED.

10. NEW APPLICATION DENIAL HEARING

NEXTGEN ASSOCIATES INC dba SERVICEMASTER RESTORATION BY EMT

Michael John Demeter, President and Proposed Qualified Individual

Frederick Mark Bower, Secretary

William Roy Elliott III, Treasurer

(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.)

Michael Demeter was present for the hearing. Frederick Bower, and William Elliott III were not present.

Exhibit 1 is the Board's Application File.

Exhibit A is the Applicant's Answer and Exhibits.

It was moved and seconded to continue this matter to November 19, 2020, unless the application can be approved at staff level. MOTION CARRIED.

11. NEW APPLICATION DENIAL HEARING (Continued from Feb. 20, 2020):

JFC LANDSCAPE MAINTENANCE LLC

Roberto Camarena-Gonzalez, Manager

Jeffrey James Hugo, 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.)

Roberto Camarena-Gonzalez and Jeffrey Hugo were not present for the hearing. Juan Camarena was present for the hearing.

It was moved and seconded to continue this matter to the January 2021 Board meeting. MOTION CARRIED.

12. NEW APPLICATION DENIAL HEARING:

WEST STAR BUILDERS LLC

Luis Borrego Jr., Manager and Proposed CMS Individual

Jason Omar Warfield, Proposed Trade 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.)

This agenda item was continued to November 19, 2020, at the request of the applicant.

13. NEW APPLICATION DENIAL HEARING:

SKYLINE REALTY INC dba SRI CONSTRUCTION

Erika Annette Cutler, President

Deedee Pierson, Secretary/Treasurer
James Atkins Cutler, 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.)

Erika Cutler and James Cutler were present for the hearing. Deedee Pierson was not present for the hearing.

Exhibit 1 is the Board's Application File.
Exhibit A is the Applicant's Answer and Exhibits.

It was moved and seconded to continue this matter to the January 2021 Board meeting. MOTION CARRIED.

14. NEW APPLICATION DENIAL HEARING:

B & T CONSTRUCTION INC

David Lawrence Bean, President/Treasurer and Proposed CMS Qualified Individual

Nikolai Shaun Travis, Secretary

James Patrick Wilson, Proposed Trade 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.)

David Bean, Nikolai Travis, and James Wilson were present for the hearing.

Exhibit 1 is the Board's Application File.
Exhibit A is the Applicant's Exhibits.

It was moved and seconded to accept the applicant's request to withdraw the application. MOTION CARRIED.

15. NEW APPLICATION DENIAL HEARING:

RENO TAHOE CONCRETE LLC

Juana Rodriguez Arellano, Managing Member and Proposed CMS Qualified Individual

Jose Ramos-Armenta, Proposed Trade 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.)

Juana Rodriguez Arellano and Jose Ramos-Armenta were present for the hearing with Counsel Jeff Spencer, Esq.

Exhibit 1 is the Board's Application File.
Exhibit A is the Applicant's Answer and Exhibits.

It was moved and seconded to approve license classification C-5 (Concrete Contracting) with a \$10,000.00 monetary limit and a \$2,000 bond. MOTION CARRIED.

16. NEW APPLICATION DENIAL HEARING:

NEVADA TOWER LLC

Eric Reed Allee, Managing Member and 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.)

Mr. Leggett and Ms. Cavin disclosed past business relationships with Jeff Spencer, Esq.

Eric Allee was present for the hearing with witness Carl Kaminski and Counsel Jeff Spencer, Esq.

Exhibit 1 is the Board's Application File.
Exhibit A is the Applicant's Answer and Exhibits.

It was moved and seconded to continue this matter to the January 2021 Board meeting. MOTION CARRIED.

17. ****PUBLIC COMMENT**

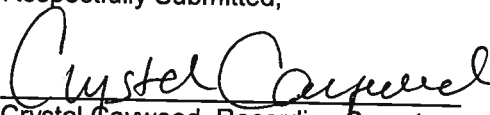
Adjournment – For Possible Action

There were no online public participants to offer public comment and no written public comment was received.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Kent Lay at 12:21 p.m.

Respectfully Submitted,


Crystal Caywood, Recording Secretary

APPROVED:


Margi A. Grein, Executive Officer


Kent Lay, Chairman