

JOE LOMBARDO
Governor

STATE OF NEVADA



MEMBERS
Boyd Martin, Chairman
Margaret Cavin
Bryan Cowart
Joe Hernandez
Kent Lay
Jan B. Leggett
Louis Polish Jr.

STATE CONTRACTORS BOARD

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MINUTES OF THE MEETING August 22, 2024

CALL TO ORDER:

Chair, Boyd Martin called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, August 22, 2024. The meeting was held at the Reno and Las Vegas Board Offices. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Mr. Kent Lay
Mr. Jan Leggett
Mr. Boyd Martin
Ms. Margaret Cavin
Mr. Bryan Cowart
Mr. Louis Polish, Jr.

BOARD MEMBERS ABSENT:

Mr. Joe Hernandez

STAFF MEMBERS PRESENT:

Mr. Terry Wike, Director of Investigations
Ms. Susan Broilli Kamesch, Licensing Administrator

LEGAL COUNSEL PRESENT:

Mr. Noah Allison, Esq.

Mr. Wike 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

Mr. Wike 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 was no one present to offer public comment.

4. APPROVAL OF AGENDA:

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

Mr. Wike noted that Item #71 (Crawford Door Sales) was removed from the consent agenda.

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

- Recommendations for Agenda Items for Future Board Meetings

Mr. Wike reminded the Board that the September Board meeting will be held in Reno.

5. APPROVAL OF MINUTES

It was moved and seconded to approve the minutes of July 18, 2024 meetings. MOTION CARRIED.

6. EXECUTIVE SESSION

a. Executive Officer's Report

Mr. Wike reported that Mr. Behar participated in a virtual meeting with representatives from the Governor's Office of Energy, attended a town hall meeting that was streamed live and hosted by Clark County Commissioner Marilyn Kirkpatrick, provided a presentation to representatives of the Southern Nevada Legal Aid Center, attended the Nevada Contractors Association's Annual Contractor of the Year Awards event, provided a presentation for the National Hispanic Construction Alliance, participated in legal training at the National Judicial College in Reno with Judge Boone and Justice Gillette, and finally, attended a meeting with Director of Business and Industry Dr. Kristopher Sanchez and other state officials regarding the current Administration's expectations for Boards and Commissions.

b. Review of Monthly Department Statistics:

Mr. Wike provided the following statistics for the month of July:

Licensing Department:

- Received 228 new license applications and 309 change applications;
- Issued 117 new licenses;
- Approved 746 license renewal applications;
- Renewed and issued 37 Certificates of Eligibility to receive preference in bidding; and
- Hosted 1 online Business Assistance Program with 9 participants in attendance.
- There are currently 1,132 license applications and 573 change applications pending.

Investigations Department:

- Held 2 Disciplinary Hearings, where 41 cases were heard.
- Opened 11 Recovery Fund claims and held one Recovery Fund meeting where 15 cases were heard awarded a total of \$382,414.

Compliance Division:

- Received and opened 180 complaints and closed 170 complaints, issuing 8 Administrative Citations.
- As of July 31st, there are 1,016 compliance complaints open active with the average days open of 111.

Criminal Division:

- Received 69 complaints and closed 28 complaints, issuing 12 Administrative Citations.
- 6 criminal cases were sent to the local District Attorney's office.
- 79 criminal complaints are open active with the average days open being 34.
- In Southern Nevada, there were no court cases pending adjudication, and one in Northern Nevada in the month of July.

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

c Report of Disciplinary Hearing Outcomes for July 2024

Mr. Wike reported on the disciplinary hearing outcomes for July 2024.

d. Report of Application Denial Hearing Outcomes for July 2024

Mr. Wike reported on the application denial hearing outcomes for July 2024.

e. Review and Discussion of Request from The Surety & Fidelity Association of America Regarding NRS 624.270(4) Concerning Surety Bond Rating Legislative Changes

Mr. Wike and Ms. Kamesch provided discussion on staff's recommendation related to the Request from the Surety & Fidelity Association of America regarding NRS 624.270(4) concerning surety bond rating legislative changes. Adam Brackemyer from Surety and Fidelity Association of Nevada also provided discussion.

f. Discussion of Potential Options to Address Issues Related to Residential Photovoltaic Systems and Consumer Complaints

Mr. Wike provided discussion concerning potential options to address issues related to residential photovoltaic systems and consumer complaints.

g. Discussion Involving B-6 (Commercial Remodeling) and B-7 (Residential Remodeling) Classification Exams

Mr. Wike provided discussion concerning B-6 (Commercial Remodeling) and B-7 (Residential Remodeling) Classification Exams.

It was moved and seconded to approve staff's recommendation for PSI to review and redraft the B-6 (Commercial Remodeling) and B-7 (Residential Remodeling) Classification Exams. MOTION CARRIED.

h. Legal Report

- Discussion Concerning Potential or Pending Litigation
- Discussion and Action Concerning Decision in American Staffing Association v Nevada State Contractors Board Case No. CV21-01597

Mr. Allison reported on pending legal matters.

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

i. Proposed Bill Draft Requests for the 2025 Legislative Session

- 54-253 Payment and Performance Bond Requirements for Residential Solar Contractors
- 54-254 Causes for Disciplinary Action Related to an Investigation of the Board and Penalty for Unlicensed Contractor Who Bids on a Project.

Mr. Wike provided an overview of the proposed bill draft requests.

It was moved and seconded to approve proposed bill draft request No. 254 for the 2025 legislative session. MOTION CARRIED.

j. Subcommittee Reports

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

Mr. Wike reported that the Residential Recovery Fund Committee meeting was held on July 18, 2024 and \$382,414 was awarded to harmed homeowners.

7. APPROVAL OF CONSENT AGENDA:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 715)

Mr. Boyd Martin made the following disclosures:

- Item #205 (M C Contractors West Inc) – Disclosed and abstained based on a current business relationship with the applicant.

- Item #243 (P 1 Construction LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #344 (A - Core Concrete Cutting Inc) – Disclosed a past business relationship with the applicant.
- Item #377 (Giroux Glass Inc) – Disclosed and abstained based on a current business relationship with the applicant
- Item #386 (Johnson Controls Security Solutions LLC) – Disclosed a past business relationship with the applicant.
- Item #412 (Sunroc Corporation) – Disclosed a past business relationship with the applicant.
- Item #430 (Western Door And Gate LLC) – Disclosed a past business relationship with the applicant.
- Item #469 (Geneva Rock Products Inc) – Disclosed a past business relationship with the applicant
- Item #494-497 (T & V Plaster Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #520-525 (X L Concrete Masonry LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #543 (Adaven Air Conditioning & Sheet Metal LLC) – Disclosed a past business relationship with the applicant.
- Item #571 (EMC Fire Protection LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #620-623 (Synthetic Turf Products Inc) – Disclosed a past business relationship with the applicant.
- Item #703-704 (Signal Fire Inc) – Disclosed a past business relationship with the applicant.

Mr. Kent Lay made the following disclosures:

- Item #359 (Century Communities Of Nevada LLC) – Disclosed and abstained based on the applicant being a competitor.
- Item #428-429 (Westcor Construction) – Disclosed and abstained based on a current business relationship with the applicant.

Mr. Jan Leggett made the following disclosures:

- Item #536 (Clark & Sullivan Constructors Inc) – Disclosed the applicant is a fellow AGC Board member.
- Item #599 (Peri Landscape Construction & Materials Inc) – Disclosed the applicant is a competitor.
- Item #663 (Guidenby Inc) – Disclosed the applicant is a fellow AGC Board member.

Ms. Margaret Cavin made the following disclosures:

- Item #484 (Overhead Fire Protection Inc) – Disclosed a personal relationship with the applicant.
- Item #536 (Clark & Sullivan Constructors Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #599 (Peri Landscape Construction & Materials Inc) – Disclosed a personal relationship with the applicant.
- Item #602 (Powercomm Solutions Inc) – Disclosed a past business relationship with the applicant.
- Item #628 (Truckee Meadows Construction Inc) – Disclosed a personal relationship with the applicant.

Mr. Bryan Cowart made the following disclosures:

- Item #205 (M C Contractors West Inc) – Disclosed a past business relationship with the applicant
- Item #376 & 466-468 (G M Monarch West LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #377 (Giroux Glass Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #401 (Pacific Custom Pools Inc) – Disclosed and abstained based on a current litigation matter with the applicant.

Mr. Louis Polish made the following disclosures:

- Item #354-355 (C & H Concrete LLC) – Disclosed a personal relationship with the applicant.
- Item #359 (Century Communities of Nevada LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #412 (Sunroc Corporation) – Disclosed and abstained based on a current business

- relationship with the applicant.
- Item #428-429 (Westcor Construction) – Disclosed a personal relationship with the applicant.

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

8. **NOTICE OF INTENT TO CONSIDER CASH BOND CLAIMS** :
RENOVATIONS OF LAS VEGAS INC. License No. 72107
 John Compagno, President/Qualified Individual
 (Gregor Jackson and Golssa Moridi, Claimant)
 (Jody Johnson, Claimant)

Exhibit 1 is the Board's Application File

It was moved and seconded to affirm staff's recommendation to award the claimants a total amount of \$15,000.00 and the Board's investigative costs in the amount of \$312.92. MOTION CARRIED.

9. **NEW APPLICATION DENIAL HEARING:**
HELPING HANDS LLC
 James Shane Hardy, Manager/Proposed Qualified Individual
 (C3-Carpentry Maintenance and Minor Repairs)

Exhibit 1 is the Board's Application File

James Hardy was present for the hearing.

It was moved and seconded to accepts the applicant's request to withdrawn the application. MOTION CARRIED.

10. **NEW APPLICATION DENIAL HEARING:**
ABOVE ALL COVERS LLC
 Kenneth Owen Petersen, Manager/Proposed Qualified Individual
 Kimberly Dawn Petersen, Manager
 (C-14H Awnings and Louves)

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

Kenneth and Kimberly Petersen were present for the hearing with council Eric Dobberstein, Esq.

It was moved and seconded to approve license classification Class C-14H (Awnings and Louvres) with a \$20,000 monetary limit and a \$5,000 bond. MOTION CARRIED.


11. **PUBLIC COMMENT**

Adam Brackemyer from Surety and Fidelity Association of Nevada provided public comment.

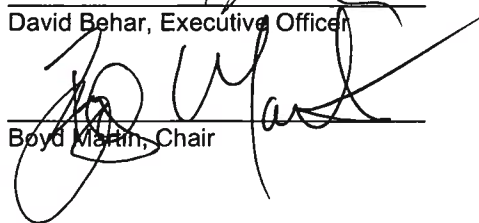
ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Boyd Martin at 10:00 a.m.

APPROVED:



 David Behar, Executive Officer



 Boyd Martin, Chair

Respectfully Submitted,



 Crystal Caywood, Recording Secretary