

BRIAN SANDOVAL
Governor

STATE OF NEVADA



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

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

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

CALL TO ORDER:

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, October 18, 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
Mr. Kent Lay
Mr. Jan Leggett
Mr. Guy Wells

BOARD MEMBERS ABSENT:

Ms. Melissa Caron
Mr. Joe Hernandez

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Paul Rozario, Director of Investigations
Ms. Nancy Mathias, Licensing Administrator

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. 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 promoting public confidence and trust in the competence and integrity of licensees and to protect the health, safety, and welfare of the public."

3. PUBLIC COMMENT

Ms. Grein introduced Compliance Investigator David Guyette to the Board.

4. APPROVAL OF AGENDA:

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

Ms. Grein noted that Item #6E (Review of Recommendations from Solari and Partners Concerning the Residential Recovery Fund Audit Report and Required Assessments Pursuant to NRS 624.470) will be placed on the November Agenda for discussion.

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

- Recommendations for Agenda Items for Future Board Meetings

Ms. Grein noted that the Board's Veteran's Day celebration will be held Tuesday, November 13, 2018 and the Holiday luncheon will be held Thursday, December 20, 2018. Ms. Grein also informed the Board that Henderson members will be traveling to Reno for the November 15, 2018 meeting.

5. APPROVAL OF MINUTES:

It was moved and seconded to approve the minutes of September 20, 2018. MOTION CARRIED.

6. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein informed the Board that a mandated training by the Attorney General's office is scheduled for October 24, 2018. Ms. Grein also noted that she will be attending the National Occupational Licensing Consortium meeting in Florida on November 27-30, 2018. Ms. Grein informed the Board that the Department of Labor will be issuing a grant of \$7.5 million to Council of State Governments, which will be used, in part, to support the objectives of the National Occupational Licensing Consortium's deregulation initiatives. Finally, Ms. Grein noted that she met with Senator Heidi Gansert to discuss the Board's involvement in the Occupational Licensing Consortium, efforts the Board is making to reduce barriers to licensure, and related legislative initiatives for the 2019 Legislative Session.

- Review of Monthly Department Statistics

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

- Licensing Department:
 - Received 155 new license applications and 186 change applications;
 - Issued 82 new licenses;
 - Approved 61 Financial Reviews;
 - Approved 619 inactive and active license renewal applications;
 - Issued or renewed 32 Certificates of Eligibility; and
 - Initiated 17 actions related to lapse in Workers Compensation Insurance;
 - Entered 2 final new application denial decisions following appeal opportunities; and
 - Held 2 Business Assistance Programs with 41 participants.
- Investigations Department:
 - Opened a total of 191 complaints, including 121 compliance and 70 criminal complaints;
 - Held 7 Disciplinary Hearings, where 5 licenses were revoked and 1 was summarily suspended.
 - A total of \$13,700 in fines and \$10,089 in investigative costs were assessed, and \$5,400 in restitution was ordered by the Board; and
 - 35 court filings were issued seeking prosecution for 27 misdemeanor charges and 9 Gross Misdemeanor charges, and 10 felony charges against the alleged suspects.
 - Also during August, 8 Recovery Fund claims were opened. One Recovery Fund meeting was held where 9 claims were heard, 1 was denied, and 8 others were awarded totaling \$73,576.46.

- Other Activities:
 - During the month of September, Ms. Grein attended the FARB Regulatory Law Conference in Portland.
 - The Board hosted a roundtable discussion with other occupational licensing boards concerning the EBAC Audit and each boards' response to the first phase of the audit, in addition to hosting our fifth annual Contractor Training Day events in Reno and Las Vegas.
 - Board staff provided a presentations to the Cora Coleman Senior Center and the Nevada Claims Association in Reno, in addition to conducting a 45 minute webinar for the Las Vegas Metro Chamber University.
 - Media interviews were conducted with KOH radio in Reno concerning disaster preparedness and Channel 13 news in Las Vegas regarding a consumer-related story.
 - Lastly, staff in Reno participated in the Construction Career Day put on by the Nevada Builders Alliance.
- Review and Approval of Proposed Budget for FY 2018-19

It was moved and seconded to approve the proposed budget for FY 2018-19. MOTION CARRIED.

- Review and Approval of Recommendations from Solari and Partners Concerning the Board's Operating Reserve Policy

It was moved and seconded to approve the recommendations from Solari and Partners concerning the Board's operating reserve policy.

- Review and Approval of Recommendations from Solari and Partners Concerning the Residential Recovery Fund Audit Report and Required Assessments Pursuant to NRS 624.470

This item was continued to the next scheduled Board meeting.

- Review and Approval of NSCB's Proposed Response to Phase One of the Executive Branch Audit

Ms. Grein provided the Board a copy of the proposed response to Phase One of the Executive Branch Audit.

It was moved and seconded to accept the proposed response to Phase One of the Executive Branch Audit. MOTION CARRIED.

- Status Report and Discussion Regarding Request for Attorney General's Opinion Concerning NRS 281.123

Ms. Grein provided a status report to the Board concerning the request for the Attorney General's Opinion regarding NRS 281.123.

This item was continued to the next scheduled Board meeting.

- Discussion and Approval of Amended Contract with The Ferraro Group for Professional Services Related to Public Relations and Legislative Representation

Ms. Grein noted that the Board has been instructed by the State Board of Examiners to solicit proposals for professional services related to legislative and public relations liaison services. Ms. Grein noted that the Board was granted a three-month extension until December 31, 2018 to continue utilizing the services of The Ferraro Group, which will allow the Board to request information from interested and qualified individuals/entities.

It was moved and seconded to schedule a telephonic Board meeting, in accordance with the Open Meeting Law, on Thursday, October 25, 2018 concerning the contract for professional services related to public relations and legislative representation. MOTION CARRIED.

It was moved and seconded to approve the amended contract with the Ferraro Group. MOTION

CARRIED.

- Legislative Discussion

Ms. Misty Grimmer of The Ferraro Group provided information concerning the Board's Bill Draft Requests for the 2019 Legislative Session and related legislative matters.

- 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 provided the Board with an expense report and reported on pending legal matters.

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

- Subcommittee Reports

There were no Subcommittee Reports.

7. APPROVAL OF CONSENT AGENDA:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 323)

Mr. Jan Leggett made the following disclosures:

- Item #154-156 (Ray Heating Products, Inc.) – Disclosed a past business relationship with the applicant.
- Item #288 (Green Side Up Nursery) – Disclosed that the applicant is a competitor.

Ms. Margaret Cavin made the following disclosures:

- Item #99 (L A Perks Plumbing & Heating, Inc.) – Disclosed a personal and past business relationship with the applicant.
- Item #154-156 (Ray Heating Products, Inc.) – Disclosed a personal and past business relationship with the applicant.
- Item #317 (Legarza Exploration) – Disclosed and abstained based on a current business relationship.

Mr. Kevin Burke made the following disclosures:

- Item #120 (Modernfold of Nevada, LLC) – Disclosed a past business relationship with the applicant.
- Item #142 (Desert Fire Protection LP) – Disclosed a past business relationship with the applicant.
- Item #164 (Tradewinds Building & Development, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #187-188 (Dri Tech Corporation) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #246 (C&H Plumbing, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #254 (Focus Fire Protection, LLC) – Disclosed a past business relationship with the applicant.

Mr. Guy Wells made the following disclosures:

- Item #64 (Preston Construction LLC) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #123 (N P L Construction Co.) – Disclosed a past business relationship with the applicant.
- Item #164 (Tradewinds Building & Development, Inc.) – Disclosed a past business relationship with the applicant.
- Item #187-188 (Dri Tech Corporation) – Disclosed a personal relationship with the applicant.
- Item #283 (C G & B Enterprises, Inc.) – Disclosed and abstained based on a past and current business relationship with the applicant.
- Item #296 (Alpine Water Systems LLC) – Disclosed and abstained based on a personal and past business relationship with the applicant.

Mr. Kent Lay made the following disclosures:

- Item #29 (Geotechnical Drilling LLC) – Disclosed and abstained based on a current business

- relationship with the applicant.
- Item #153 & #162 (Petersen Dean, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #245 (Brass2copper Mechanical, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #254 (Focus Fire Protection, LLC) – Disclosed and abstained based on a current business relationship with the applicant.

It was moved and seconded to modify Item #84 (Preston Construction LLC) to remove “Contingent upon passing CMS & Trade Exam within 60 days.” MOTION CARRIED.

Mr. Wells recused himself from the vote.

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

8. NEW APPLICATION DENIAL HEARING

NORMYS A C & REFRIGERATION LLC

Ruo Ming Zheng, Managing Member/Proposed Qualifier

(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.)

Ruo Zheng was present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to affirm staff's denial of the application and the applicant may not submit a new application for a period of six (6) months per NRS 624.730. MOTION CARRIED.

9. PUBLIC COMMENT:

There was no one present to offer public comment.

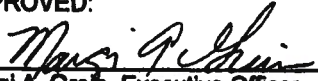
ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chair Margaret Cavin at 10:07 a.m.

Respectfully Submitted,


Crystal Caywood, Recording Secretary

APPROVED:


Margi A. Greih, Executive Officer


Margaret Cavin, Chair