

**STEVE SISOLAK**  
*Governor*

**STATE OF NEVADA**

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



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**STATE CONTRACTORS BOARD  
MINUTES OF THE MEETING  
June 20, 2019**

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**1. CALL TO ORDER:**

Chair Margaret Cavin called the meeting of the State Contractors Board to order at 9:00 a.m., Thursday, June 20, 2019, State Contractors Board Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign in Log.

**BOARD MEMBERS PRESENT:**

Mr. Kevin Burke  
Ms. Margaret Cavin  
Mr. Joe Hernandez  
Mr. Kent Lay  
Mr. Jan Leggett  
Ms. Melissa Maguire

**BOARD MEMBERS ABSENT:**

Mr. Guy Wells

**STAFF MEMBERS PRESENT:**

Ms. Margi Grein, Executive Officer  
Ms. Nancy Mathias, Licensing Administrator  
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 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, 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 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 Public Information Office intern, Dennise Mena to the Board. Ms. Grein also announced that Fred Schoenfeldt will be retiring on July 12, 2019, and Jeff Gore has been promoted to Investigations Supervisor.

**4. APPROVAL OF AGENDA:**

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

Ms. Grein noted that there was an error on the numbering of agenda items. A corrected agenda was provided to the Board. Ms. Grein also noted the application denial hearing was informed the hearing would begin at 9:45 a.m.

**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 that a Certified Regulatory Training with Dale Atkinson is scheduled for July 9, 2019, and the National Judicial College training has been scheduled for August 13, 2019. Ms. Grein also noted that the Contractor Training Day events will be held on August 29, 2019.

**5. ELECTION OF OFFICERS**

**It was moved and seconded to appoint Kent Lay as Chairman and Guy Wells as Treasurer effective August 1, 2019. MOTION CARRIED.**

**6. APPROVAL OF MINUTES**

**It was moved and seconded to approve the minutes of May 16, 2019. MOTION CARRIED.**

**7. EXECUTIVE SESSION**

- Executive Officer's Report

Ms. Grein updated the Board on her involvement with the National Occupational Licensing Consortium and the Federation of Association of Regulatory Board's Super Strategic Action Team (FARB Super SAT). She also noted the Board held a joint meeting with the California Contractors State Licensing Board. Ms. Grein informed the Board that that all staff received a training on Ethics Laws by the Executive Director of the Ethics Commission and will be participating in an upcoming training on the Board's FY 2019-20 Strategic Plan. Lastly, Ms. Grein reminded the Board that the Commission on Construction Education will be holding their next meeting on July 11, 2019, and that she would be attending the Executive Branch Audit Committee meeting on June 25, 2019.

- Review of Monthly Department Statistics

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

- Licensing Department:
  - Received 201 new license applications and 282 change applications;
  - Issued 111 new licenses;
  - Approved 71 Financial Reviews;
  - Approved 639 inactive and active license renewal applications;
  - Issued or renewed 37 Certificates of Eligibility;
  - Held 2 new application denial hearings;
  - Held 2 Business Assistance Programs with 30 participants.
- Investigations Department:
  - Opened a total of 224 complaints, including 145 compliance and 79 criminal complaints;
  - Held 16 Disciplinary Hearings, where 4 licenses were revoked and a total of \$38,500 in fines and \$19,691 in investigative costs were assessed;
  - Issued 28 court filings seeking prosecution for 23 misdemeanor charges, and 2 Gross Misdemeanor charges and 1 felony charge against the alleged suspects;
  - Held one Recovery Fund meeting where 15 cases were heard, 14 cases were awarded a total of \$298,097.25 and one case was continued; and lastly,

- The 14 Recovery Fund claims were opened during the reporting period.
- Other Activities:
  - Ms. Grein continued to work closely on various legislative matters throughout the end of session.
  - Ms. Grein attended the Licensing Department's staff meeting to review recent legislative changes.
  - Ms. Grein attended the Townco Petition for Judicial Review with Mr. Geswein and Mr. Ling.
  - The Commission on Construction Education held a follow-up strategic planning session.
  - Ms. Grein participated in two FARB Super SAT meetings.
  - Lastly, enforcement staff received training on solar and pool construction, the Board's public information officer participated as a judge for the JAG Career Development Conference and also participated in a workforce development panel discussion for students at Lied STEM Academy, and staff attended the Building Safety Awareness Month event held in Henderson.

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

- Legislative Discussion

Ms. Grein provided a final legislative update to the Board.

- Review of Rules of Practice in Accordance with NRS 233B.050 and Approval to Initiate Rulemaking Proceedings Concerning Proposed Changes to NAC 624.6975 – NAC 624.7296

Ms. Grein reported that Board counsel had completed a review of the Board's rules of practice as required by NRS 233B.050.

**It was moved and seconded to initiate rulemaking proceedings relative to the proposed changes to NAC 624.6975 – 624.7296. MOTION CARRIED.**

- Discussion and Approval of Proposed Addition to NAC 624 Establishing Qualifications for Hearing Officers and Approval to Initiate Rulemaking Proceedings

Ms. Grein provided discussion to the Board on the proposed addition to NAC 624 which establishes qualifications for Hearing Officers. The proposed regulation is required by AB 25.

**It was moved and seconded to initiate rulemaking proceedings for qualifications of hearing officers. MOTION CARRIED.**

- Review and Approval of Executive Officer's Performance Review and Compensation

The Executive Subcommittee reviewed the Executive Officer's Performance Review and provided feedback regarding annual goals.

**It was moved and seconded to approve the Executive Officer's performance review and compensation package as discussed by the Executive Subcommittee. MOTION CARRIED.**

- Review and Approval of Draft Budget and Compensation Package for FY 2019-20

Ms. Grein noted that the Executive Subcommittee reviewed and discussed the budget in detail, with a recommendation for a proposed wage survey. The Executive Subcommittee voted to approve the interim budget and compensation package. The final budget will be provided to the Board at the July meeting.

**It was moved and seconded to approve the draft interim budget and compensation package for FY 2019-20. MOTION CARRIED.**

- Review and Approval of FY 2019-20 Strategic Plan

**It was moved and seconded to approve the FY 2019-20 Strategic Plan. 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 approve the Board's response to Tom v. Innovative Home Services. MOTION CARRIED.**

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

- Subcommittee Reports

Ms. Grein reported that the Residential Recovery Fund Subcommittee met on May 16, 2019 and heard 15 cases, of which 14 were awarded a total of \$298,097.25 and one case was continued. Ms. Grein also noted that the Executive Subcommittee met on June 13, 2019 to discuss the Board's proposed budget and compensation package, the Board's draft succession plan, and the performance review and compensation for the Executive Officer.

#### **8. APPROVAL OF CONSENT AGENDA:**

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 487)

Mr. Jan Leggett made the following disclosure.

- Item #188 (Ray Heating Products, Inc.) – Disclosed that he sits on the AGC Board with the applicant.

Ms. Margaret Cavin made the following disclosure.

- Item #188 (Ray Heating Products, Inc.) – Disclosed and abstained based on a personal relationship with the applicants.

Mr. Joe Hernandez made no disclosures.

Mr. Kevin Burke made the following disclosures:

- Item #116 (Tesla Motors, Inc.) – Disclosed a past business relationship with the applicant.
- Item #152 & #334 (Bergelectric Corp) – Disclosed a past business relationship with the applicant.
- Item #154 (Boyd Martin Construction, LLC) – Disclosed that he sits on the NCA/AGC Board with the applicant.
- Item #166 (Hardy Companies, Inc.) – Disclosed a past business relationship with the applicant.
- Item #169 (Kaiser Garage Doors & Gates, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #172 (M&H Enterprises, Inc.) – Disclosed a personal relationship with the applicant.
- Item #240 (Richardson Construction, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.

Mr. Kent Lay made the following disclosures:

- Item #35 (Colvin Construction, LLC) – Disclosed and abstained based on a current relationship with the applicant.
- Item #41 (D R Horton, Inc. N N V) – Disclosed and abstained based on the applicant being a competitor.
- Item #108 (Silver Lake Construction Company) – Disclosed a past business relationship with the applicant.
- Item #140 (Sierra, LLC) – Disclosed and abstained based on a current relationship with the applicant.
- Item #158 (Coleman Toll Limited Partnership) – Disclosed and abstained based on the applicant being a competitor.
- Item #182 (P N II, Inc.) – Disclosed and abstained based on the applicant being a competitor.

- Item #189 (Republic Electric West, Inc.) – Disclosed a past business relationship with the applicant.
- Item #197-198 (Toll Henderson, LLC & Toll NV Limited Partnership) – Disclosed and abstained based on the applicant being a competitor.
- Item #338-339 (Gothic Grounds Management, Inc.) – Disclosed and abstained based on a current relationship with the applicant.

Ms. Melissa Maguire made the following disclosures:

- Item #70 (Lindsey Family Investments, LLC) – Disclosed and abstained based on a past business relationship with the applicant.
- Item #107 (Scott Custom Homes, LLC) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #149 (ANI Building Solutions) – Disclosed that she sits on a Board with the applicant.
- Item #232 (Jackrabbit Plumbing, Inc.) – Disclosed a past business relationship with the applicant.
- Item #375-377 & 447 (Houston Smith Construction, Inc.) – Disclosed and abstained based on a past and current business relationship with the applicant.
- Item #450 (Rapid Construction, Inc.) – Disclosed a personal relationship with the applicant.

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

#### 9. NEW APPLICATION DENIAL HEARING

MONSEN EXTERIORS LLC

Natalie Monsen, Manager

Matthew Farrell Monsen

(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.)

Matthew Monsen and Natalie Monsen were not present for the hearing.

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

#### 10. PUBLIC COMMENT:

No one was 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 9:56 a.m.

Respectfully Submitted,

  
Crystal Caywood, Recording Secretary

APPROVED:

  
Margi A. Grein, Executive Officer

  
Margaret Cavin, Chair