

**STEVE SISOLAK**  
*Governor*

**STATE OF NEVADA**



**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  
April 18, 2019**

**1. CALL TO ORDER:**

Chair Margaret Cavin called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, April 18, 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  
Mr. Guy Wells

**BOARD MEMBERS ABSENT:**

None

**STAFF MEMBERS PRESENT:**

Ms. Margi Grein, Executive Officer  
Mr. Fred Schoenfeldt, Investigations Supervisor  
Ms. Nancy Mathias, Licensing Administrator  
Mr. Brian Hayashi, I.T. Manager

**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**

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

Ms. Grein noted that Agenda Item 7D (Discussion Concerning the Board's Disposition of Administrative Fines) will be continued to the May 16, 2019 Board meeting.

**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 Commission of Construction Education will be holding a follow up meeting regarding its Strategic Plan on May 13, 2019. Ms. Grein also noted that the joint meeting with the California Contractors State Licensing Board is scheduled for June 7, 2019 in Lake Tahoe.

#### 5. APPROVAL OF MINUTES

Ms. Maguire noted a correction under her disclosures.

**It was moved and seconded to approve the amended minutes of March 21, 2019. MOTION CARRIED.**

#### 6. Review and Discussion of Draft FY 2019-20 Strategic Plan by Daniel Iacafano of MIG

Mr. Iacafano provided a review of the draft FY 2019-20 Strategic Plan.

#### 7. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein noted that the Commission on Construction Education held a strategic planning meeting on March 19, 2019.

- Overview of the Commission on Construction Education's Strategic Planning Meeting

Ms. Grein provided an overview of the Commission on Construction Education's strategic planning meeting.

- Review of Monthly Department Statistics

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

- Licensing Department:
  - Received 201 new license applications and 291 change applications;
  - Issued 129 new licenses;
  - Approved 57 Financial Reviews;
  - Approved 542 inactive and active license renewal applications;
  - Issued or renewed 110 Certificates of Eligibility;
  - Initiated 6 Actions Related to lapse in Workers' Compensation Insurance provided by the Department of Education, Training, and Rehabilitation;
  - Held 5 new application denial hearings;
  - Held 2 Business Assistance Programs with 33 participants.
- Investigations Department:
  - Opened a total of 242 complaints, including 142 compliance and 100 criminal complaints;
  - Held 16 Disciplinary Hearings, where 3 licenses were revoked.
  - A total of \$55,320 in fines and \$39,189 in investigative costs were assessed, and \$6,593 in restitution was ordered by the Board; and
  - 36 court filings were issued seeking prosecution for 43 misdemeanor charges, and 7 Gross Misdemeanor charges.
  - Also during the month, 4 Recovery Fund claims were opened and one Recovery

Fund meeting was held where 11 claims were considered, one claim was denied, one claim was continued and 9 claimants were awarded a total of \$133,477, for an average award of 14,831.

- Other Activities:
  - Ms. Grein noted that she spent time monitoring and attending legislative hearings to provide testimony on various bills being considered this session.
  - Ms. Grein provided a presentation to a group on subcontractors that focused on maintaining compliance with NRS and NAC 624.
  - Ms. Grein participated in a strategic planning meeting for FARB.
  - Ms. Grein also worked with Daniel Iacafano to coordinate the agenda for the Commission on Construction Education's strategic planning meeting.
  - Board staff met with the representatives of Construction Notebook to clarify and answer questions relative to how data was being reported in the publication.
  - Board staff also attended a Home Show a Sun City Summerlin, participated in two Fraud Prevention Fairs in both Reno and Las Vegas.
- Discussion Concerning the Board's Disposition of Administrative Fines

This agenda item was continued to the May 16, 2019 Board meeting.

- Executive Officer's Quarterly Report Pursuant to NAC 624.030 and 2018-19 Strategic Plan Third Quarter Activity Update

**It was moved and seconded to accept the Quarterly Report and 2018-2019 Strategic Plan Third Quarter Activity and Annual Update. MOTION CARRIED.**

- Review and Approval of Quarterly Financial Reports for the Period Ending March 31, 2019

**It was moved and seconded to approve the Quarterly Financial Reports for the Period Ending March 31, 2019. MOTION CARRIED.**

- Legislative Discussion

Ms. Grein gave an update on the Board's legislative package, which also included proposed amendments to Assembly Bill 440.

**It was moved and seconded to authorize Ms. Grein to submit the proposed amendment to Assembly Bill 440. 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))
  - Discussion Concerning Potential or Pending Litigation – For Possible Action

Mr. Geswein reported on pending legal matters in a closed session.

- Hartco v. NSCB Petition for Judicial Review – Status Report and Authorization to Defend – For Possible Action

**It was moved and seconded to allow Mr. Geswein to defend the Board. MOTION CARRIED.**

- Tom v. Innovative Home Services – Discussion and Authorization Concerning Response – For Possible Action

**It was moved and seconded to direct Mr. Geswein to draft a response for the Board's review. MOTION CARRIED.**

- D&D Roofing and Sheet Metal Petition for a Declaratory Ruling – For Possible Action

**It was moved and seconded to instruct general counsel to investigate protocol for addressing such matters. MOTION CARRIED.**

- Subcommittee Reports

Ms. Grein reported one Recovery Fund meeting was held where 11 claims were considered, one claim was denied, one claim was continued and 9 claimants were awarded a total of \$133,477, for an average award of 14,831.

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

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 455)

Mr. Jan Leggett made the following disclosures.

- Item #381 (Ryder NV Management, LLC) – Disclosed and abstained based on a current business relationship.

Ms. Margaret Cavin made the following disclosures.

- Item #450-453 (T G Sheppard Construction, Inc.) – Disclosed a personal relationship with the applicant.

Mr. Joe Hernandez made the following disclosure:

- Item #50 (Design Concrete of NV, LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #210 (The Whiting Turner Contracting Company) – Disclosed a past business relationship with the applicant.

Mr. Kevin Burke made the following disclosures:

- Item #194 (Penhall Company) – Disclosed a past business relationship with the applicant.
- Item #210 (The Whiting Turner Contracting Company) – Disclosed that the applicant is a competitor.
- Item #236 (Nextgen Fire Protection, LLC) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #336 (Brians Masterpiece, Inc.) – Disclosed a past business relationship with the applicant.
- Item #346 (Ferraro Marble Companies, LLC) – Disclosed a past business relationship with the applicant.

Mr. Guy Wells made the following disclosures:

- Item #17-18 (American Plumbing and HVAC Services, LLC) – Disclosed and abstained based on a personal and business relationship with the applicant.
- Item #189 (M M C, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #193 (Pardee Homes of Nevada) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #231-233 (N P L Construction Co.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #235 (National Barricade, LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #448 (Stewart & Sundell Concrete, Inc.) – Disclosed a past business relationship with the applicant.

Mr. Kent Lay made the following disclosures:

- Item #117 (Premier Wireless Services, LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #192 (P N II, Inc.) – Disclosed and abstained based on the applicant being a competitor.
- Item #193 (Pardee Homes of Nevada) – Disclosed and abstained based on the applicant being a competitor.
- Item #216 (Builder Services Group, Inc.) – Disclosed and abstained based on a current business relationship.

- Item #217 (D R Horton, Inc.) – Disclosed and abstained based on the applicant being a competitor.
- Item #234 (N R C Concrete and Landscape, LLC) – Disclosed and abstained based on a current business relationship.
- Item #239 (Rightway Drywall & Paint, LLC) – Disclosed a past business relationship with the applicant.
- Item #448 (Stewart & Sundell Concrete, Inc.) – Disclosed a past business relationship with the applicant.

Ms. Melissa Maguire made the following disclosures:

- Item #194 (Penhall Company) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #204 (The Happy Outlet, LLC) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #391-393 (A R Acosta LTD) – Disclosed a past business relationship with the applicant.

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

**9. NEW APPLICATION DENIAL HEARING**  
SOUTHERN NEVADA LANDLORD SERVICES LLC  
Avi Moas, Managing Member/Proposed Qualified Individual

Avi Moas was present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

**It was moved and seconded to accept the applicant's withdrawal of the application. MOTION CARRIED.**

**10. NEW APPLICATION DENIAL HEARING (Continued from 08/23/2018)**  
TRI PEAK CONSTRUCTION & DESIGN INC  
James Cody Ellis, President/Proposed Qualified Individual  
Melissa Louise Dorman-Ellis, Secretary/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.)

James Ellis was present for the hearing. Melissa Dorman-Ellis was not present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

**It was moved and seconded to accept the applicant's withdrawal of the application. MOTION CARRIED.**

**11. NEW APPLICATION DENIAL HEARING**  
Y G CONSULTING INC DBA LAS VEGAS STRIPING AND SEALING  
Yobani Gallardo, President/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.)

Yobani Gallardo was present for the hearing.

Exhibit 1 is the Board Notice of Hearing.  
Exhibit A is the Applicant's Answer.

**Mr. Wells disclosed a past business relationship with the applicant.**

**It was moved and seconded to accept the applicant's withdrawal of the application. MOTION CARRIED.**

**12. NEW APPLICATION DENIAL HEARING**

**MACS PAINT PROS LLC**

Mitchell Alan Clay, Managing Member/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.)

Mitchell Clay was present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

Exhibit A is the Applicant's Answer.

**It was moved and seconded to approve licensure classification C-4 (Painting and Decorating) with a \$10,000.00 monetary limit, a \$2,000.00 bond, personal indemnification by Mitchell Clay, and a one (1) year business review. MOTION CARRIED.**

**13. NEW APPLICATION DENIAL HEARING (Continued from January 24, 2019)**

**HANSEN CONSTRUCTION**

Rockney Robert Hansen, Owner/Proposed CMS Qualified Individual

James Olen Curtis, 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.)

Rockney Hansen and James Curtis were present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

Exhibit A is the Applicant's Answer.

**It was moved and seconded to approve licensure classification B-2 (Residential and Small Commercial) with a \$200,000.00 monetary limit, a \$10,000.00 bond, personal indemnification by Rockney Hansen and James Curtis, and a two (2) year business review. MOTION CARRIED.**

**14. 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 12:55 p.m.

Respectfully Submitted,

  
Crystal Caywood, Recording Secretary

APPROVED:

  
Margi A. Grein, Executive Officer

  
Margaret Cavin, Chair