

STEVE SISOLAK
Governor

STATE OF NEVADA

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MEMBERS
Kent Lay, Chairman
Margaret Cavin
Bryan Cowart
Joe Hernandez
Jan B. Leggett
Boyd Martin
Steve Menzies



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**STATE CONTRACTORS BOARD
MINUTES OF THE MEETING
February 18, 2021**

1. CALL TO ORDER:

Chairman Kent Lay called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, February 18, 2021. 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
Mr. Bryan Cowart
Mr. Joe Hernandez
Mr. Jan Leggett
Mr. Boyd Martin
Mr. Steve Menzies

BOARD MEMBERS ABSENT:

Ms. Margaret Cavin

STAFF MEMBERS PRESENT:

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

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

- Recommendations for Agenda Items for Future Board Meetings

Ms. Grein noted that the annual Strategic Planning meeting has been scheduled for March 2, 2021 and Bankruptcy Law Training and Administrative Law Training for the Board will be scheduled in the near future. Ms. Grein also noted that the Board's 2nd Annual Hammers and Hope event will take place online on March 11, 2021.

5. APPROVAL OF MINUTES

It was moved and seconded to approve the minutes of January 14, 2021. MOTION CARRIED.

6. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein reported on her participation in weekly legislative and public relations discussions with the Ferraro Group, a meeting with industry associations and labor concerning the Board's legislations, a virtual meeting hosted by the Governor's office concerning COVID vaccinations, two virtual construction workforce career panels for members of the Boys and Girls Club, the Fox 5 Live News' morning broadcast, an interview with the 89135 magazine, meetings with real estate broker, meetings with Architecture firms, an Occupational Licensing working group meeting, a virtual training conference conducted by the Federation of Associations of Regulatory Boards, a legislative meeting with Senator Brooks, participation in the 81st Session of the Nevada Legislature, meetings with Daniel Iacofano concerning the upcoming strategic planning session, a committee meeting of the Task Force on Employee Misclassification, meetings with the Labor Commissioner, a meeting with the Assembly Commerce and Labor Committee Chair, and a meeting with the Washoe and Clark County Public Defender's and the Nevada Attorneys for Criminal Justice concerning Assembly Bills 49 and 50. Ms. Grein also noted that the Board is tentatively planning to open the office to the public on a limited basis on March 15, 2021.

- Review of Monthly Department Statistics

Ms. Grein provided the following statistics for the months of November and December:

- The Board's monthly department statistics for November and December include the following:
- The Board's monthly department statistics for January are included in your Board books and highlight the following:
 - Our Licensing Department:
 - Received 151 new license applications and 188 change applications;
 - Issued 94 new licenses;
 - Approved 698 license renewal applications;
 - Renewed and issued 30 Certificates of Eligibility to receive preference in bidding;
 - Received 2,562 calls; and
 - Hosted 1 online Business Assistance Program with 20 participants in attendance.
 - Our Investigations Department:
 - Opened a total of 173 complaints, including 80 compliance and 93 criminal complaints;
 - Held 6 Disciplinary Hearings resulting in 2 license suspensions and fines and costs totaling over \$9,000;
 - Issued 19 Cease and Desist Orders to respondents; and
 - Opened 7 Recovery Fund claims and held one Recovery Fund hearing where 21 cases were considered, and 19 claims were awarded a total of \$197,496.00.

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

- Report of Disciplinary Hearing Outcomes for January 2021

Ms. Grein reported on the disciplinary hearing outcomes for January 2021.

- Report of Application Denial Hearing Outcomes for January 2021

Ms. Grein reported on the application denial hearing outcomes for January 2021.

- Legislative Discussion

Ms. Grein reported on her presentation to the Assembly Commerce and Labor Committee on February 15, 2021 and the status of AB 49, AB 50, and AB 51. Ms. Grein also provided an update on potential Bill Draft Requests related to employees of contractors and residential photovoltaics.

It was moved and seconded to delegate authority to Ms. Grein to speak on behalf of the Board at legislative hearings. MOTION CARRIED.

It was moved and seconded to approve the proposed revised language to AB 49. MOTION CARRIED.

It was moved and seconded to approve the proposed revised language to AB 50. MOTION CARRIED.

It was moved and seconded to approve the proposed revised language to AB 51. MOTION CARRIED.

It was moved and seconded to support the concept of the proposed Bill Draft Request concerning employees of contractors and to closely monitor the activity. MOTION CARRIED.

It was moved and seconded to support the proposed Bill Draft Request concerning residential photovoltaic systems. MOTION CARRIED.

- Update and Finalization of Lease Agreement for Southern Nevada Office Space

Ms. Grein provided the Board an overview of the Cushman & Wakefield LOI for the office space located at UNLV Technology Park.

It was moved and seconded to approve the Cushman & Wakefield Lease Agreement. MOTION CARRIED.

- Approval of Proposed Architectural Services for Southern Nevada Office Space

Ms. Grein provided discussion concerning the proposals for architectural services for the Southern Nevada office relocation.

It was moved and seconded to approve the Carpenter Sellers Del Gatto proposal for the Southern Nevada office space. MOTION CARRIED.

- Review and Approval of Revenue and Expenditures for January 2021

Ms. Lumbert provided an overview of the Revenue and Expenditures for January 2021.

It was moved and seconded to approve Revenue and Expenditures for January 2021. MOTION CARRIED.

- Approval of Review of Expenditures Conducted in Accordance with NRS 622.234

Ms. Grein reported that Chairman Lay and Treasurer Menzies completed the review of expenditures required under NRS 622.234.

It was moved and seconded to approve the review of expenditures conducted in accordance with NRS 622.234. MOTION CARRIED.

- Executive Officer's Quarterly Report Pursuant to NAC 624.030 and FY 2020-21 Strategic Plan Second Quarter Activity Update

Ms. Grein and executive staff provided an update of the quarterly and annual activity of the Board pursuant to NAC 624.030 and the 2020-21 Strategic Plan.

It was moved and seconded to approve Executive Officer's Second Quarter and Annual Activity update pursuant to NAC 624.030 and the 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 Legal Report. MOTION CARRIED.

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

Ms. Grein reported that two Recovery Fund meetings were held where 24 claims were considered and 22 claims were awarded a collective amount of \$223,174.20.

7. APPROVAL OF CONSENT AGENDA:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 426)

Mr. Kent Lay made the following disclosures:

- Item #326 (Tri Pointe Homes Nevada, Inc.) – Disclosed and abstained based on the applicant being a competitor.

Mr. Boyd Martin made the following disclosures:

- Item #36 (Complete Fire Protection, Inc.) – Disclosed a past business relationship with the applicant.
- Item #43 (Desert View Remodelers LLC) – Disclosed a past business relationship with the applicant.
- Item #47 (Division 03) – Disclosed a personal relationship with the applicant.
- Item #79 (J&J Enterprises Services, Inc.) - Disclosed and abstained based on a current business relationship with the applicant.
- Item #93, 94 & 389 (KOR Building Group LLC) – Disclosed the applicant is a fellow Nevada Contractor's Association Board member.
- Item #203 (PRS of Nevada LTD) – Disclosed a past business relationship with the applicant.
- Item #209 (Addison, Inc.) – Disclosed the applicant is a competitor.
- Item #218 & 270 (E&R Electric) – Disclosed a past business relationship.
- Item #227 & 277 (Install It LLC) - Disclosed and abstained based on a current business relationship with the applicant.
- Item #244 (O'Rourke Plumbing, Inc.) – Disclosed a past business relationship with the applicant.
- Item # 257 (Underground, Inc.) – Disclosed a past business relationship with the applicant.
- Item #258 (A 1 Sandblasting, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.

- Item #267 (Commercial Roofers, Inc.) – Disclosed a past business relationship with the applicant.
- Item #287 (Ryan Mechanical, Inc.) - Disclosed and abstained based on a current business relationship with the applicant.
- Item #289 (Silver State Fence & Stain LLC) – Disclosed a past business relationship with the applicant.
- Item #293 (Wulfenstein Construction Co., Inc.) – Disclosed a past business relationship with the applicant.
- Item #384 (Sub Part R, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.

Mr. Joe Hernandez made no disclosures.

Mr. Bryan Cowart made the following disclosures:

- Item #294-295 (AMI Mechanical LLC) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #338 (Cutting Edge Contractors, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.

Mr. Jan Leggett made the following disclosures:

- Item #236 (Martin Iron Works, Inc.) – Disclosed the applicant is a fellow AGC Board member.
- Item #299-301 (Garden Shop Nursery Landscaping Division, Inc.) – Disclosed the applicant is a competitor.

Mr. Steve Menzies made the following disclosures:

- Item #209 (Addison, Inc.) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #265 & 297 (Burnham Painting & Drywall Corp.) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #296 (Burnham Construction Services) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #304 (R&L Stucco LLC) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #421 (Red Rock Remodelers, Inc.) – Disclosed and abstained based on a personal relationship with the applicant.

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

8. NEW APPLICATION DENIAL HEARING

SLIDE MTN CONSTRUCTION LLC

Jack Hunt Healy, Managing Member/Proposed Qualified Individual,

Cody Lynn Engebretson, Managing Member

(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.)

Jack Healy and Cody Engebretson were present for the hearing.

Exhibit 1 is the Board's Application File.

Exhibit B is the Applicant's Supplemental Documents Received February 5, 2021

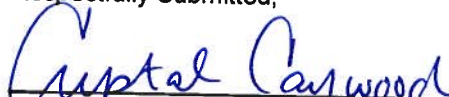
It was moved and seconded to approve license classifications A-7 (Excavating and Grading), A-8 (Sealing and Striping of Impermeable Paving Surfaces), A-9 (Piers and Fountains), A-12 Excavating, Grading, Trenching, and Surfacing), A-13 (Wrecking Buildings, A-15 (Sewers, Drains and Pipes), A-19 (Pipeline Conduits) , A-20 (Industrial Piping), and A-21 (Fencing and Guardrails) with a \$700,000 monetary license limit and a \$20,000 bond and personal indemnifications by Mr. Healy and Mr. Engebretson. MOTION CARRIED.

9. **PUBLIC COMMENT

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Kent Lay at 10:25 a.m.

Respectfully Submitted,


Crystal Caywood, Recording Secretary

APPROVED:


Margi A. Grein, Executive Officer


Kent Lay, Chairman