

STEVE SISOLAK
Governor

STATE OF NEVADA



MEMBERS
Margaret Cavin, Chair
Kevin Burke
Joe Hernandez
Kent Lay
Jan B. Leggett
Melissa Maguire
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
March 21, 2019**

1. CALL TO ORDER:

Chairman Guy Wells called the meeting of the State Contractors Board to order at 9:00 a.m., Thursday, March 21, 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
Mr. Joe Hernandez
Mr. Kent Lay
Mr. Jan Leggett
Ms. Melissa Maguire
Mr. Guy Wells

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

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

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

- Recommendations for Agenda Items for Future Board Meetings

Ms. Grein reminded the Board that Daniel Iacafano with MIG will be attending the April Board meeting to conduct the second phase of the strategic planning session.

5. APPROVAL OF MINUTES

It was moved and seconded to approve the minutes of January 24, 2019. MOTION CARRIED.

It was moved and seconded to approve the minutes of February 26, 2019. MOTION CARRIED.

6. EXECUTIVE SESSION

- Executive Officer's Report

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

- Review of Monthly Department Statistics

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

- Licensing Department:
 - Received 160 new license applications and 239 change applications;
 - Issued 100 new licenses;
 - Approved 56 Financial Reviews;
 - Approved 532 inactive and active license renewal applications;
 - Issued or renewed 37 Certificates of Eligibility;
 - Initiated 5 Actions Related to lapse in Workers' Compensation Insurance provided by the Department of Education, Training, and Rehabilitation;
 - Held five new application denial hearings;
 - Held 2 Business Assistance Programs with 40 participants.
- Investigations Department:
 - Opened a total of 209 complaints, including 127 compliance and 82 criminal complaints;
 - Held 15 Disciplinary Hearings, where 5 licenses were revoked.
 - A total of \$28,950 in fines and \$14,757 in investigative costs were assessed, and \$13,685.50 in restitution was ordered by the Board; and
 - 29 court filings were issued seeking prosecution for 21 misdemeanor charges, 4 Gross Misdemeanor charges, and 6 felony charges against the alleged suspects.
 - Also during the month, 20 Recovery Fund claims were opened.
- Other Activities:
 - In February, the Board welcomed the start of the 2019 Legislative Session.
 - Ms. Grein noted that in February she met with several members of the Assembly Commerce and Labor Committee, including Chairwoman Spiegel to discuss the Board's legislative package and address any concerns or questions they had prior to the hearing date for our bills.
 - Ms. Grein worked with Daniel on the development of the Board's Strategic Planning agenda, which took place February 26, 2019.
 - Also during the month, the Board held its regulation workshop and hearing.
 - Ms. Grein attended an Occupational Licensing Consortium meeting.
 - Board staff participated in a Fire Station 66 community outreach event, gave a presentation to the Greater Las Vegas Association of Realtors on license verification

and hiring contractors, and attended the Northwest Career and Technical Academy Engineering Week event.

- The Public Information Officer participated in a Vegas PBS Inside Education television interview to discuss the Board's workforce development efforts.
- 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.

- Approval of Proposed Temporary Regulation LCB File No. T002-19 Concerning Permitted Forms of Experience Documentation and Defining Employer-Employee Relationship as used in NRS Chapter 624

It was moved and seconded to adopt proposed temporary regulation LCB File No T002-19 concerning permitted forms of experience documentation and defining employer-employee relationship as used in NRS Chapter 624. MOTION CARRIED.

- Legislative Discussion

Ms. Grein provided an update on the Board's bill draft requests.

It was moved and seconded to approve the amendment to AB 29 as presented. MOTION CARRIED.

It was moved and seconded to approve the amendment to AB 25 as presented. 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 366)

Mr. Jan Leggett made the following disclosures.

- Item #154 (Moana Nursery) – Disclosed and abstained based on the applicant being his company.
- Item #159 (Peabody and Associates, Inc.) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #182-183 (Construction Development Services, Inc.) – Disclosed and abstained based on a personal relationship with the applicant and he currently serves on the Nevada State Contractors Board with the applicant.
- Item #351 (M&M Construction) – Disclosed and abstained based on a personal relationship with the applicant.

Mr. Joe Hernandez made the following disclosure:

- Item #154 (Moana Nursery) – Disclosed that he serves on the Nevada State Contractors Board with the applicant.
- Item #182-183 (Construction Development Services, Inc.) – Disclosed that he serves on the Nevada State Contractors Board with the applicant.

Mr. Kevin Burke made the following disclosures:

- Item #172 (Tesla Motors, Inc.) – Disclosed and abstained based on a past business relationship with the applicant.
- Item #182-183 (Construction Development Services, Inc.) – Disclosed that he serves on the Nevada State Contractors Board with the applicant.
- Item #189-190 (Ideal Mechanical, Inc.) – Disclosed a past business relationship with the applicant.

- Item #205-206 (Ideal Mechanical, Inc.) – Disclosed a past business relationship with the applicant.
- Item #337 (Indoff Incorporated) – Disclosed and abstained based on a current business relationship with the applicant.

Mr. Guy Wells made the following disclosures:

- Item #42 (Heartmann, LLC) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #137 (Construction Development Services, Inc.) – Disclosed that he serves on the Nevada State Contractors Board with the applicant.
- Item #148 (LLO, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #182-183 (Construction Development Services, Inc.) – Disclosed that he serves on the Nevada State Contractors Board with the applicant.
- Item #189-190 (Ideal Mechanical, Inc.) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #205-206 (Ideal Mechanical, Inc.) – Disclosed and abstained based on a personal relationship with the applicant.

Mr. Kent Lay made the following disclosures:

- Item #138 (D R Horton, Inc.) – Disclosed and abstained based on the applicant being a competitor.
- Item #172 (Tesla Motors, Inc.) – Disclosed a past business relationship with the applicant.
- Item #291 (Admiral Pool Solution, LLC) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #154 (Moana Nursery) – Disclosed and abstained based on the fact that he currently serves on the Nevada State Contractors Board with the applicant.
- Item #182-183 (Construction Development Services, Inc.) – Disclosed and abstained based on the fact that he serves on the Nevada State Contractors Board with the applicant.

Ms. Melissa Maguire made the following disclosures:

- Item #160 (Peerless Construction LTD) – Disclosed and abstained based on a current business relationship and personal relationship with the applicant.
- Item #186 (Geney Gassiot, Inc.) – Disclosed and abstained based on a past business relationship with the applicant.
- Item #208 (Nelson Electric Co, Inc.) – Disclosed and abstained based on the applicant being a competitor.

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

8. NEW APPLICATION DENIAL HEARING

ALL AMERICAN BUILDERS INC.

Stephen Edward Thueringer, President

Christopher Michael Madsen, Secretary/Proposed Qualified Individual

Ricky Leo Bunch, 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.)

Christopher Madsen was present. Stephen Thueringer and Ricky Bunch were not present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to approve licensure classifications B (General Building) and C-3 (Carpentry) with an unlimited monetary limit, a \$50,000.00 bond, and a personal indemnification by Christopher Madsen. MOTION CARRIED.

9. NEW APPLICATION DENIAL HEARING (Continued from 08/23/2018)

AQUA PIRANHA POOLS AND SPAS LLC

Robert Anthony Willis, Managing Member/Proposed Qualified Individual

Joanne Elizabeth Willis, 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.)

Robert Willis was present for the hearing. Joanne Willis was not present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to approve licensure classification A-10E (Maintenance and Repair of Pools and Spas) with a \$25,000.00 monetary limit, a \$7,500.00 bond, a \$10,000.00 Consumer Protection Bond, and a personal indemnification by Robert Willis. MOTION CARRIED.

10. NEW APPLICATION DENIAL HEARING

BANGLE CONSTRUCTION LLC

John Michael Bangle, Manager/Proposed Qualified Individual
Class B-2 (Residential and Small Commercial)

(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.)

John Bangle and Sharon Bangle were present for the hearing with Counsel Eric Dobberstein, Esq.

Exhibit 1 is the Board Notice of Hearing.

Exhibit 2 is the Applicant's Answer.

It was moved and seconded to approve licensure classification B-2 (Residential and Small Commercial) with a \$600,000.00 monetary limit, a \$20,000.00 bond, and a personal indemnification by John Bangle. The applicant is required to pay all fines and investigative costs prior to licensure. MOTION CARRIED.

11. NEW APPLICATION DENIAL HEARING

MACS PAINTING PROS LLC

Mitchell Alan Clay, 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.)

Mitchell Clay was present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to accept the applicant's request to continue this matter for thirty (30) days. MOTION CARRIED.

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

RENO ROCK TRANSPORT LLC

Gary Earl Archi, Managing Member

Paris James Archie, 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.)

Gary Archi was not present for the hearing. Paris Archie was present for the hearing with Counsel John Springgate, Esq.

Exhibit 1 is the Board Notice of Hearing.

Exhibit 2 is the Board's Decision and Order dated May 2015.

It was moved and seconded to approve licensure classification C-10 (Landscape Contracting) with a \$245,000.00 monetary limit, and a \$15,000.00 bond. MOTION CARRIED.

Mr. Leggett recused himself from this item as he has done business in the past with the applicant.

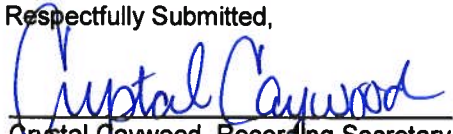
13. PUBLIC COMMENT:

No one was present to offer public comment.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Guy Wells at 11:45 a.m.

Respectfully Submitted,


Crystal Gaywood, Recording Secretary

APPROVED:


Margi A. Grein, Executive Officer


Guy Wells, Chairman