

STATE OF NEVADA

JOE LOMBARDO
Governor

MEMBERS
Boyd Martin, Chairman
Margaret Cavin
Bryan Cowart
Joe Hernandez
Kent Lay
Jan B. Leggett
Louis Polish Jr.



STATE CONTRACTORS BOARD

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MINUTES OF THE MEETING April 20, 2023

CALL TO ORDER:

Chairman, Boyd Martin called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, April 20, 2023. The meeting was held at the Reno and Las Vegas Board Offices. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Mr. Boyd Martin
Ms. Margaret Cavin
Mr. Bryan Cowart
Mr. Joe Hernandez
Mr. Kent Lay
Mr. Jan Leggett
Mr. Louis Polish, Jr.

BOARD MEMBERS ABSENT:

None.

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Dave Behar, Director of Investigations
Ms. Susan Broili Kamesch, Licensing Administrator
Mr. Brian Hayashi, IT Manager
Ms. Jennifer Lewis

LEGAL COUNSEL PRESENT:

Mr. Richard Scotti, Esq.

Ms. Grein stated the agenda was posted in compliance with the open meeting law on the Board's Internet Website, the Public Notice Website, both offices of the Nevada State Contractors Board, and e-mailed electronically to persons who have expressed interest in being kept informed of the Board's meetings.

2. MOMENT OF SILENCE FOR GEORGE LYFORD

The Board held a moment of silence in remembrance of George Lyford.

3. 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."

4. PUBLIC COMMENT

Ms. Grein introduced new employees Kody Littlefield and Mark Shryock to the Board.

5. 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 the Joint Board Meeting with the California State Licensing Board will be held on June 23, 2023 and noted that Board staff has requested the Board consider a timeframe by which the printing of physical Board books can be phased out. Several Board members volunteered to receive electronic copies of meeting materials.

6. EXECUTIVE ORDER 2023-003

It was moved and seconded to approve Executive Order 2023-003. MOTION CARRIED.

7. APPROVAL OF MINUTES

It was moved and seconded to approve the minutes of March 16, 2023 meeting. MOTION CARRIED.

8. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein reported that she participated in a conference call with the National Association of State Contractor License Agencies regarding this year's joint enforcement operation to combat unlawful construction activities.

- Review of Monthly Department Statistics:

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

- Licensing Department:
 - Received 256 new license applications and 323 change applications;
 - Issued 115 new licenses;
 - Approved 754 license renewal applications;
 - Renewed and issued 52 Certificates of Eligibility to receive preference in bidding; and,
 - Hosted 1 online Business Assistance Program with 19 participants in attendance.
- Investigations Department:
 - Received 141 compliance complaints and 101 criminal complaints;
 - Held 13 Disciplinary Hearings;
 - Issued 33 Cease and Desist Orders to unlicensed contractors; and,
 - Opened 6 Recovery Fund claims
- Quarterly Compliance Statistics:
 - Received 412 complaints.
 - Closed 457 complaints with an average day open of 198.
 - Opened 905 with an average day pending of 149.
 - 51 cases are pending Discipline, with an average of 329 days pending.

- Quarterly Criminal Statistics:
 - Received 224 cases and closed 319 cases with an average day open of 610.
 - There are currently 413 open active cases, with an average day open of 404.
 - 47 Administrative Citation cases are pending with an average day open of 436
 - 677 Bench Warrants are pending on open cases with an average day open of 3,301
 - 193 court pending cases with an average day open of 1,229.

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

- Report of Disciplinary Hearing Outcomes for March 2023

Ms. Grein reported on the disciplinary hearing outcomes for March 2023.

- Report of Application Denial Hearing Outcomes for March 2023

Ms. Grein reported on the application denial hearing outcomes for March 2023.

- Legislative Discussion

Ms. Grein provided an overview of the Board's legislation.

**It was moved and seconded for the Board to remain neutral on SB 373. MOTION CARRIED.
Mr. Leggett opposed the motion.**

It was moved and seconded for the Board to remain neutral on SB 431. MOTION CARRIED.

It was moved and seconded for the Board to support SB 293. MOTION CARRIED.

- Review and Approval of Quarterly Financial Reports for the Period Ending March 31, 2023

It was moved and seconded to approve the quarterly financial reports for the period ending March 31, 2023. MOTION CARRIED.

- Review and Approval of Cash Disbursements and Transfer Journals for the Period Ending March 31, 2023

It was moved and seconded to approve the cash disbursements and transfer journals for the period ending March 31, 2023. MOTION CARRIED.

- Executive Officer's Quarterly Report Pursuant to NAC 624.030 and FY 2022-23 Strategic Plan Third Quarter Activity Update

Ms. Grein and executive staff provided an overview of the quarterly report pursuant to NAC 624.030 and 2022-23 Strategic Plan third quarter activity.

It was moved and seconded to approve Executive Officer's Quarterly Report pursuant to NAC 624.030 and 2022-23 Strategic Plan third quarter activity update. MOTION CARRIED.

- Legal Report
 - Discussion Concerning Potential or Pending Litigation
 - Discussion and Action Concerning Decision in American Staffing Association v Nevada State Contractors Board Case No. CV21-01597 – For Possible Action
(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. Scotti 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.

There were no subcommittee reports.

8. **APPROVAL OF CONSENT AGENDA:**

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 459)

Ms. Margaret Cavin made the following disclosures:

- Item #183 (Focus Concrete LLC) – Disclosed a personal relationship and the applicant is a former NSCB board member.
- Item #184 (Focus Framing Door & Trim) – Disclosed a personal relationship and the applicant is a former NSCB board member.
- Item #185 (Focus Plumbing LLC) – Disclosed a personal relationship and the applicant is a former NSCB board member.
- Item #205 (Pellett Construction LLC) – Disclosed a personal relationship with the applicant.
- Item #240 (Focus Fire Protection LLC) – Disclosed a personal relationship and the applicant is a former NSCB board member.
- Item #276 (William Lyon Homes Inc) – Disclosed the applicant is a fellow NSCB board member.

Mr. Jan Leggett made the following disclosures:

- Item #183 (Focus Concrete LLC) – Disclosed the applicant is a former NSCB board member.
- Item #184 (Focus Framing Door & Trim) – Disclosed the applicant is a former NSCB board member.
- Item #185 (Focus Plumbing LLC) – Disclosed the applicant is a former NSCB board member.
- Item #225 (B & C Cabinet & Millwork Inc) – Disclosed the applicant is a fellow AGC board member.
- Item #240 (Focus Fire Protection LLC) – Disclosed the applicant is a former NSCB board member.
- Item #276 (William Lyon Homes Inc) – Disclosed the applicant is a fellow NSCB board member.

Mr. Joe Hernandez made the disclosure:

- Item #183 (Focus Concrete LLC) – Disclosed the applicant is a former NSCB board member.
- Item #184 (Focus Framing Door & Trim) – Disclosed the applicant is a former NSCB board member.
- Item #185 (Focus Plumbing LLC) – Disclosed the applicant is a former NSCB board member.
- Item #240 (Focus Fire Protection LLC) – Disclosed the applicant is a former NSCB board member.
- Item #276 (William Lyon Homes Inc) – Disclosed the applicant is a fellow NSCB board member.

Mr. Kent Lay made the following disclosures:

- Item #183 (Focus Concrete LLC) – Disclosed and abstained based on a current business relationship and the applicant.
- Item #184 (Focus Framing, Door & Trim) – Disclosed and abstained based on a current business relationship and the applicant.
- Item #185 (Focus Plumbing LLC) – Disclosed and abstained based on a current business relationship and the applicant.
- Item #228 (D H I Communities Construction of Nevada LLC) – Disclosed and abstained based on the applicant being a competitor.
- Item #240 (Focus Fire Protection LLC) – Disclosed and abstained based on a current business relationship and the applicant.
- Item #248 (L G I Homes Nevada LLC) – Disclosed and abstained based on the applicant being a competitor.
- Item #276 (William Lyon Homes Inc.) – Disclosed and abstained based on the applicant being Mr. Lay's employer.
- Item #357 ((Pete King Corp) – Disclosed a past business relationship with the applicant.

Mr. Boyd Martin made the following disclosures:

- Item #183 (Focus Concrete LLC) – Disclosed a personal relationship and the applicant is a former NSCB Board member.
- Item #185 (Focus Plumbing LLC) – Disclosed a past business relationship with the applicant.
- Item #194 (L & R Integrity LLC) – Disclosed a past relationship and the applicant.
- Item #240 (Focus Fire Protection LLC) – Disclosed a past business relationship and the applicant

is a former NSCB Board member.

- Item #276 (William Lyon Homes Inc.) – Disclosed the applicant is a fellow NSCB Board member.
- Item #288 (Southwest Specialty Contractors LLC) – Disclosed a past business relationship with the applicant.
- Item #291, 383, &386 (A M C Concrete Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #320 (Cozzens Cabinets LLC)– Disclosed and abstained based on a current business relationship with the applicant.
- Item #357 (Pete King Corp) – Disclosed a past business relationship with the applicant.
- Item #422 (F B N Construction Inc) – Disclosed a past business relationship with the applicant.
- Item #456 (Vegas Valley Demo) – Disclosed a past business relationship and the applicant is a former employee.

Mr. Cowart made the following disclosures:

- Item # 15 (Anning Johnson Company) – Disclosed a past business relationship with the applicant.
- Item #183 (Focus Concrete LLC) – Disclosed the applicant is a former NSCB board member.
- Item #184 (Focus Framing Door & Trim) – Disclosed the applicant is a former NSCB board member.
- Item #185 (Focus Plumbing LLC) – Disclosed the applicant is a former NSCB board member.
- Item #240 (Focus Fire Protection LLC) – Disclosed the applicant is a former NSCB board member.
- Item #188 (Generations Millwork LLC) – Disclosed a past business relationship with the applicant.
- Item #264 &288 (Southwest Specialty Contractors LLC) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #271 & 290 (Tutor Perini Building Corp) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #368-372 (Thomason Construction Inc) – Disclosed and abstained based on a personal relationship with the applicant.

Mr. Polish made the following disclosures:

- Item #183 (Focus Concrete LLC) – Disclosed a personal relationship with the applicant.
- Item #184 (Focus Framing LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #185 (Focus Plumbing LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #232-237 (Distinctive Exteriors, Inc.) – Disclosed the applicant is a former employee.
- Item #240 (Focus Fire Protection LLC) – Disclosed a personal relationship with the applicant.
- Item #276 (William Lyno Homes, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #324 (Desert Steel LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #357 (Pete King Corp) – Disclosed a personal relationship with the applicant.

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

ADJOURNMENT

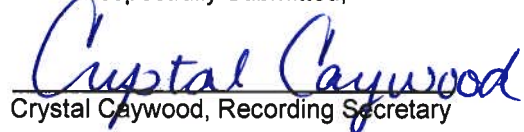
There being no further business to come before the Board, the meeting was adjourned by Chair Boyd Martin at 10:11 a.m.

APPROVED:



Margi A. Grein, Executive Officer

Respectfully Submitted,



Crystal Caywood, Recording Secretary



Boyd Martin, Chair