

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
May 16, 2019**

1. CALL TO ORDER:

Chair Margaret Cavin called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, May 16, 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. Jan Leggett
Ms. Melissa Maguire

BOARD MEMBERS ABSENT:

Mr. Kent Lay
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 Board Investigators, Chris Smith and Steven Edwards, and Administrative Assistant, Liliana Heidtman to the Board.

4. APPROVAL OF AGENDA:

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

Ms. Grein noted that Item #9 Set N Stone Tile and Marble, LLC has been continued at the request of the applicant.

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 the joint meeting with the California Contractors State Licensing Board is scheduled for June 7, 2019. Ms. Grein also informed the Board of several upcoming training sessions.

5. APPROVAL OF MINUTES

Mr. Burke and Mr. Hernandez recused themselves as they were not in attendance at the April 11, 2019 Board meeting.

It was moved and seconded to approve the minutes of April 11, 2019. MOTION CARRIED.

It was moved and seconded to approve the minutes of April 18, 2019. MOTION CARRIED.

6. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein noted that the Commission on Construction Education met on May 13, 2019 to review and approve its Strategic Plan for 2019-2020.

- Review of Monthly Department Statistics

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

- Licensing Department:
 - Received 171 new license applications and 275 change applications;
 - Issued 125 new licenses;
 - Approved 46 Financial Reviews;
 - Approved 581 inactive and active license renewal applications;
 - Issued or renewed 31 Certificates of Eligibility;
 - Initiated 4 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 41 participants.
- Investigations Department:
 - Opened a total of 207 complaints, including 129 compliance and 78 criminal complaints;
 - Held 13 Disciplinary Hearings, where 3 licenses were revoked.
 - A total of \$22,000 in fines and \$10,107 in investigative costs were assessed, and \$6,593 in restitution was ordered by the Board; and
 - 23 court filings were issued seeking prosecution for 17 misdemeanor charges, 4 Gross Misdemeanor charges, and 6 felony charges against the alleged suspects.
- Other Activities:
 - Ms. Grein continued to work closely with our lobbyists, members of the Legislature, and interested parties on various legislative matters, including testifying before the Senate Commerce and Labor Committee on the Board's legislative package.

- Ms. Grein gave a presentation to the Nevada Association of Pool and Spa Professionals regarding the Board's efforts in the 2019 Legislative Session.
- Ms. Grein participated in two FARB Super Strategic Action Team planning meetings.
- Representatives from Morrissey Insurance provided all staff with an update on changes being made to the Board's insurance plans.
- Ms. Grein participated in a webinar put on by the Council of State Governments that focused on navigating the anti-regulatory environment and the responsibility and liability of Board members.
- Lastly, Board staff participated in a Buddy Bench event at Bailey Elementary School in Reno; attended a home show event at Sun City MacDonald Ranch; joined members of the industry for another construction workforce development panel at Canyon Springs High School, and conducted an interview with Channel 13 highlighting tips for homeowners purchasing a new home.

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

- Discussion Concerning the Board's Disposition of Administrative Fines

Ms. Grein and Mr. Geswein provided legal research concerning the Board's Disposition of Administrative Fines and confirmed compliance with statutory requirements.

- Legislative Discussion

Ms. Grein provided an update to the Board's bill drafts, and reported that all of the Board's bills have been signed by the Governor with the exception of Assembly Bill 25.

- 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))

It was moved and seconded to enter into closed session. MOTION CARRIED.

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

It was moved and seconded to direct Mr. Geswein to continue working on a response concerning the Tom v. Innovative Home Services matter. MOTION CARRIED.

It was moved and seconded to direct Mr. Geswein to continue working on the D&D Roofing and Sheet Metal case as discussed. 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 409)

Mr. Jan Leggett made the following disclosures.

- Item #161 (Construction Development Services, Inc.) – Disclosed that he sits on the NSCB Board with the applicant.
- Item #304 (Reno Rock Transport, LLC) – Disclosed and abstained based on a current business relationship.

Ms. Margaret Cavin made the following disclosures.

- Item #161 (Construction Development Services, Inc.) – Disclosed and abstained based on a personal relationship with the applicants.
- Item #174 & 225 (Nelson Electric Co., Inc.) – Disclosed a past business relationship with the applicant.

Mr. Joe Hernandez made the following disclosure:

- Item #161 (Construction Development Services, Inc.) – Disclosed that he sits on the NSCB Board with the applicant.
- Item #406-408 (Thor Construction, Inc.) – Disclosed a personal relationship with the applicant, Richard Copeland.

Mr. Kevin Burke made the following disclosures:

- Item #15 (Berg Electric-Helix JV II) – Disclosed and abstained based on a current relationship with the applicant.
- Item #148 (The Original Roofing Company, LLC) – Disclosed that the applicant is a competitor.
- Item #161 (Construction Development Services, Inc.) – Disclosed that he sits on the NSCB Board with the applicant.
- Item #169 (McCarthy Building Companies, Inc.) – Disclosed that the applicant is a competitor and he sits on the NCA Board with the applicant.
- Item #200 & 235 (X L Fire Protection Co.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #318 (Civil Werx, LLC) – Disclosed that he sits on the NCA Board with the applicant.
- Item #324 (Ferraro Marble Companies, LLC) – Disclosed a past business relationship with the applicant.

Ms. Melissa Maguire made the following disclosures:

- Item #15 (Berg Electric-Helix JV II) – Disclosed and abstained based on the applicant being a competitor.
- Item #161 (Construction Development Services, Inc.) – Disclosed that she sits on the NSCB Board with the applicant.

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

8. NEW APPLICATION DENIAL HEARING

D N I CONSTRUCTION INC.

David Gabriel Navarro, President/Secretary/Treasurer/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.)

David Navarro was present for the hearing. Witnesses for the applicant, Michael Turner and William Frasier were present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

Exhibit A is the Applicants Answer dated May 1, 2019.

It was moved and seconded to approve licensure classification B (General Building) with a \$250,000.00 monetary limit, a \$15,000.00 bond, and a personal indemnification by David Navarro. MOTION CARRIED.

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

SET N STONE TILE & MARBLE LLC.

Ryan Blake Jones, Manager/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.)

This agenda item was continued at the request of the applicant.

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 10:31 a.m.

Respectfully Submitted,


Crystal Caywood, Recording Secretary

APPROVED:


Margi A. Greff, Executive Officer


Margaret Cavin, Chair