

STEVE SISOLAK
Governor

STATE OF NEVADA



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

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

**STATE CONTRACTORS BOARD
DRAFT MINUTES OF THE MEETING
November 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, November 18, 2021, State Contractors Board Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign in Log.

BOARD MEMBERS PRESENT:

Ms. Margaret Cavin
Mr. Bryan Cowart
Mr. Joe Hernandez
Mr. Kent Lay
Mr. Jan Leggett
Mr. Boyd Martin

BOARD MEMBERS ABSENT:

Mr. Steve Menzies

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.
Mr. Louis Ling, 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. 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

Ms. Grein welcomed Terry Wike 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 #127(Greystone Nevada LLC) has been removed from the consent agenda pending resolution of a complaint.

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 Disciplinary Hearing scheduled for December 15, 2021 has been rescheduled to January 2022. Ms. Grein also noted that the January 20, 2022 Board meeting will be held via Zoom, and the meeting for the Proposed Residential Remodel Subcommittee will be rescheduled.

5. APPROVAL OF MINUTES

It was moved and seconded to approve the minutes of October 21, 2021. MOTION CARRIED.

6. PROPOSED REGULATION LCB FILE NO. R030-21

Mr. Geswein provided an overview of the comments received during the public workshop and hearing concerning R030-21 regarding standards for advertisement used by contractors for residential photovoltaic systems.

Mr. Geswein recommended adoption with modifications recommended by the Attorney General's Office.

It was moved and seconded to adopt proposed regulation LCB File Number R030-21 as recommended by Mr. Geswein. MOTION CARRIED.

7. PROPOSED REGULATION LCB FILE NO. R022-21

Mr. Geswein provided an overview of the proposed changes to NAC 624.7251 to create fine ranges for new disciplinary violations created or amended during the 2021 legislative session and conforming changes to NAC 624.6932.

No written or oral comments were received during the public workshop and hearing.

It was moved and seconded to adopt proposed regulation LCB File Number R022-21 as written. MOTION CARRIED.

8. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein stated she continues meetings related to progress of the southern Nevada office relocation and weekly meetings with the Ferraro Group to discuss ongoing priorities. Ms. Grein also noted that Board supervisors and managers participated in a training session with attorney Jeff Winchester from Fisher & Phillips on harassment in the workplace, and Board staff participated in training presented by Deputy Attorney General, Rosalie Bordelove concerning Nevada's open meeting law and other relevant Board and Commission topics. Ms. Grein also noted that she will be participating in a virtual Construction Workforce Panel for Desert Oasis High School students on December 8, 2021. Ms. Grein informed the Board that the Commission on Construction Education meeting has been scheduled for November 30, 2021. Finally, Ms. Grein reported that the Board had a very successful Veteran's Day luncheon on November 10, 2021.

- Review of Monthly Department Statistics

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

- Our Licensing Department:
 - Received 188 new license applications and 215 change applications;
 - Issued 92 new licenses;
 - Approved 564 license renewal applications;
 - Conducted 1 financial reviews

- Renewed and issued 28 Certificates of Eligibility to receive preference in bidding;
- Hosted 1 online Business Assistance Programs with 9 participants in attendance.
- Our Investigations Department:
 - Opened a total of 140 complaints, including 89 compliance and 51 criminal complaints;
 - 16 Disciplinary Hearings were held in the month of October.
 - Issued 16 Cease and Desist Orders to unlicensed contractors; and
 - Opened 5 Recovery Fund claims; no Recovery Fund meetings were held in the month of October.

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

- Report of Disciplinary Hearing Outcomes for October 2021

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

- Report of Application Denial Hearing Outcomes for October 2021

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

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

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

- Review and Approval of Tentative Board Meeting and Hearing Schedule for 2022

It was moved and seconded to approve the tentative board meeting and hearing schedule for 2022. 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**

There were no subcommittee reports.

- **Discussion Concerning Consideration of Amending NAC 624.135 and NAC 624.136 Regarding Investigator Qualifications**

Mr. Grein provided discussion concerning consideration of amending NAC 624.135 and NAC 624.136 regarding investigator qualification.

It was moved and seconded to direct Board staff to draft proposed language concerning amending NAC 624.135 and NAC 624.136 regarding investigator qualifications. MOTION CARRIED.

9. **APPROVAL OF CONSENT AGENDA:**

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 275)

Mr. Joe Hernandez made no disclosures.

Mr. Kent Lay made the following disclosures.

- Item #137 (Shaw Industries) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #142 (Toll South LV LLC) – Disclosed and abstained based on the applicant being a competitor.

Ms. Margaret Cavin made the following disclosures.

- Item #22 (Corbett Merlino Construction LLC) – Disclosed a personal relationship with the applicant.
- Item #169 (Q&D Construction) – Disclosed a personal and a past business relationship with the applicant.
- Item #196 (Construction Development Services, Inc.) – Disclosed and abstained based on the fact with Ms. Cavin is the applicant.
- Item #250 (Pinnacle Heating and Air Conditioning) – Disclosed a past business relationship with the applicant.

Mr. Boyd Martin made the following disclosures:

- Item #68 (M Con, Inc.) – Disclosed a personal relationship with the applicant.
- Item #115 (Minero LLC) – Disclosed and abstained based on the applicant being a competitor.
- Item #118 (A Cutting Edge Glass) – Disclosed and abstained based on a current business relationship.
- Item #166 (Morreill & Machabee) – Disclosed Machabee has a business relationship with the Nevada State Contractors Board.
- Item #170 (Ryan Mechanical) – Disclosed a past business relationship with the applicant.
- Item #186 (Solid State Electric) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #192-194 (Byrd Underground) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #197 (Crown Painting) – Disclosed a past business relationship with the applicant.
- Item #203 (Gallagher Plumbing) – Disclosed a past business relationship with the applicant.
- Item #219 (Ozzie Kraft Enterprises) – Disclosed a past business relationship with the applicant.
- Item #246 (Indoff, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.

Mr. Bryan Cowart made the following disclosure:

- Item #29 (G&C Flooring Pros LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #118 (Cutting Edge Glass & Mirror, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #245 (Generation Millwork LLC) – Disclosed and abstained based on a current business relationship with the applicant.

Mr. Jan Leggett made the following disclosures.

- Item #150-175 (B&C Cabinet & Millwork, Inc.) – Disclosed a personal relationship with the applicant.
- Item #169 (Q&D Construction) – Disclosed a personal and past business relationship with the applicant.
- Item #196 (Construction Development Services, Inc.) – Disclosed and abstained based on a personal relationship with the applicant.

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

10. NEW APPLICATION DENIAL HEARING

My Electrician, LLC

Aristo Gil Aguilera, Manager/Proposed Qualified Individual

Theresa Rose Aguilera, Manager

(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.)

Exhibit 1 is the Board's Application File.

Exhibit A is the Applicant's Answer.

Aristo Aguilera and Theresa Aguilera were present for the hearing with Counsel Shemilly Briscoe, Esq.

Mr. Louis Ling acted as Board counsel in this matter.

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

11. NEW APPLICATION DENIAL HEARING

Frankful Flooring LLC

Charles Leonard Frank, 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.)

Exhibit 1 is the Board's Application File.

Exhibit A is the Applicant's Document received November 18, 2021.

Charles Frank was present for the hearing with witnesses Jaime Sharenbrock, and Eddie Lorton.

It was moved and seconded to approve license classification C-16A (Covering Floors) and C-16C (Plastic Tile and Wallboard) with a \$10,000 monetary limit, a \$2,000 bond, a personal indemnification from Charles Frank, and an annual financial and background review for two (2) years. MOTION CARRIED.

12. NEW APPLICATION DENIAL HEARING

Decorative Design Patio Covers LLC

Jacob Paul Hoffman, Managing Member/Proposed Qualified Individual

Jamie Nikole Woods, 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.)

Exhibit 1 is the Board's Application File.

Exhibit A is the Applicant's Answer and Reference Letters received November 8, 2021.

Jacob Hoffman and Jamie Woods were present for the hearing with Counsel Lyn Beggs, Esq.

It was moved and seconded to approve license classification C-14H (Awnings and Louvres) with a \$25,000 monetary limit, and a \$5,000 bond. MOTION CARRIED.

Mr. Hernandez opposed.

13. NEW APPLICATION DENIAL HEARING

Tyler Wayne Spriet dba Alpha Construction and Excavation

Tyler Wayne Spriet, Owner/Proposed Qualified Individual/CMS

Frank Wayne Spriet, Proposed Qualified Individual/Trade

(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.)

Exhibit 1 is the Board's Application File.

Tyler Spriet and Frank Spriet were present for the hearing.

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

14. NEW APPLICATION DENIAL HEARING**J & J Robinson Plumbing LLC**

Jacob Lee Robinson, Other/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.)

Exhibit 1 is the Board's Application File.

Exhibit A is the Applicant's Reference Letters.

Jacob Robinson was present for the hearing.

It was moved and seconded to approve license classification C-1D (Plumbing) with a \$45,000 monetary limit, a \$5,000 bond, a personal indemnification from Jacob Robinson, and an annual financial and background review for two (2) years. MOTION CARRIED.

15. NEW APPLICATION DENIAL HEARING**Patriot Enterprises, Inc.**

Michele Rocco Dorsi, President/Proposed CMS and Trade (A) Qualified Individual

Kevin Michael Stoehr, CMS and Trade (B, C-5 and C-11) 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.)

Exhibit 1 is the Board's Application File.

Exhibit A is the Applicant's Answer.

Exhibit 2 are Documents submitted by Patriot Contractors.

Michele Dorsi, and Kevin Stoehr were present for the hearing. Martin Cook with Patriot Contractors was present.

Mr. Lay and Mr. Martin disclosed a past business relationship with Patriot Contractors.

It was moved and seconded to approve license classifications A (General Engineering), B (General Building), C-5 (Concrete Contracting) and C-11 (Spraying Mixtures Containing Cement) contingent upon the applicant implementing a name change for license number 86876. The request for licensure by endorsement was denied. MOTION CARRIED.

MOTION CARRIED.**16. PUBLIC COMMENT**

There was no one present to offer public comment.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chair Kent Lay at 12:39 p.m.

Respectfully Submitted,


Crystal Caywood, Recording Secretary

APPROVED:


Margi A. Grein, Executive Officer
Kent Lay, Chair