

**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  
November 19, 2020**

**1. CALL TO ORDER:**

Chairman Kent Lay called the meeting of the State Contractors Board to order at 8:34 a.m., Thursday, November 19, 2020. 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  
Ms. Margaret Cavin  
Mr. Bryan Cowart  
Mr. Joe Hernandez  
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  
Mr. Brian Hayashi, I.T. Manager  
Ms. Jennifer Lewis, Public Information Officer

**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.

The Oath of Office for newly appointed Board members Bryan Cowart and Boyd Martin was taken, and the Oath of Office for reappointed Board members Margaret Cavin and Jan Leggett was also taken.

**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

Ms. Grein noted that Item #16 (J F C Landscape Maintenance LLC) has been withdrawn and the matter vacated.

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

- Recommendations for Agenda Items for Future Board Meetings

Ms. Grein noted that the Board will not be meeting in December, and the annual Christmas luncheon will not be held in light of the COVID-19 pandemic. The Board offices will instead be closed December 24 and 25, 2020.

**5. APPROVAL OF MINUTES**

**It was moved and seconded to approve the minutes of October 15, 2020. MOTION CARRIED.**

**6. BOARD MEMBER ELECTIONS**

- Election of Treasurer

Mr. Steve Menzies was nominated to serve as Board Treasurer

**It was moved and seconded to elect Mr. Steve Menzies as Board Treasurer. MOTION CARRIED.**

- Designation of Member to Serve on the Commission on Construction Education

Mr. Boyd Martin was nominated to serve on the Commission on Construction Education.

**It was moved and seconded to appoint Mr. Boyd Martin to serve on the Commission on Construction Education. MOTION CARRIED.**

- Appointment of Member to Serve on the Residential Recovery Fund Subcommittee

Mr. Steve Menzies was nominated to serve on the Residential Recovery Fund Subcommittee.

**It was moved and seconded to appoint Mr. Steve Menzies to serve on the Residential Recovery Fund Subcommittee. MOTION CARRIED.**

**7. EXECUTIVE SESSION**

- Executive Officer's Report

Ms. Grein reported on her participation in two Occupational Licensing Consortium Learning Network calls, two Occupational Licensing Working Group meetings, her appointment by Governor Sisolak to serve as a member of the Task Force on Employee Misclassification, regular weekly meetings with the Ferraro Group regarding legislative and public relations matters, a meeting with the Southern Nevada Home Builders Association to discuss legislative priorities, a virtual presentation to a local Rotary Group regarding Board services, an interview with The Pahrump Valley Times regarding public protection, and an interview with AIR under the OWINN grant to discuss pandemic affects, licensing rules and regulations, and regional differences for the Board's operation. Ms. Grein also reported on efforts to downsize the Henderson office via relocation.

- Review of Monthly Department Statistics

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

- The Board's monthly department statistics for October include the following:
  - Licensing Department:
    - Received 169 new license applications and 209 change applications;
    - Issued 146 new licenses;
    - Approved 640 license renewal applications;
    - Renewed and issued 37 Certificates of Eligibility to receive preference in bidding;
    - Received 2,553 calls; and
    - Hosted 1 online Business Assistance Program with 12 participants in attendance.
  - Our Investigations Department:
    - Opened a total of 194 complaints, including 98 compliance and 96 criminal complaints;
    - Held 10 Disciplinary Hearings resulting in 7 license revocations, 5 license suspensions and fines and costs totaling over \$26,000;
    - Issued 38 Cease and Desist Orders to respondents; and
    - Opened 12 Recovery Fund claims.

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

- Report of Disciplinary Hearing Outcomes for October 2020

Ms. Grein reported on the disciplinary hearing outcomes for October 2020.

- Report of Application Denial Hearing Outcomes for October 2020

Ms. Grein reported on the application denial hearing outcomes for October 2020.

- Legislative Discussion
- BDR 322 – Related to Disciplinary Actions

**It was moved and seconded to accept the LCB's Revised BDR 322. MOTION CARRIED.**

- BDR 323 – Related to Cease & Desist Orders

**It was moved and seconded to accept the LCB's Revised BDR 323. MOTION CARRIED.**

- BDR 324 – Related to Residential Recovery Fund

**It was moved and seconded to approve revised BDR 324. MOTION CARRIED.**

- Proposed BDR Concerning Employees of Contractors

Mr. Louis Ling provided an overview of a proposed BDR concerning employees of contractors. Mr. William Stanley provided additional context.

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

**It was moved and seconded to approve the Expenditures Conducted in Accordance with NRS 622.234. MOTION CARRIED.**

- Review and Approval of Revenue and Expenditures for October 2020

Ms. Lumbert provided an overview of the Revenue and Expenditures for October 2020.

**It was moved and seconded to approve the Revenue and Expenditures for October 2020. 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 accept the legal report. MOTION CARRIED.**

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

Ms. Grein reported that the Commission on Construction Education held a meeting on November 12, 2020 in which \$52,562 was awarded to approved grant applicants.

#### **8. RECONSIDERATION OF DECISION IN THE MATTER OF LARRY A. THOMAS**

**It was moved and seconded to approve the application of Larry A. Thomas. 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 386)

Mr. Kent Lay made the following disclosures:

- Item #85 (J D Stairs Inc) – Disclosed and abstained based on an ongoing business relationship with the applicant.
- Item #176 (Rightway Drywall & Paint LLC) – Disclosed a past business relationship with the applicant.
- Item #241 (K B Home Las Vegas Inc) – Disclosed and abstained applicant is a competitor.
- Item #242 (K B Home Nevada Inc) - Disclosed and abstained applicant is a competitor.
- Item #259 (Westdeck Concrete Coating LLC) – Disclosed a past business relationship with the applicant.
- Item #272-274 (Hydro Arch) – Disclosed a past business relationship with the applicant.

Mr. Boyd Martin made the following disclosures:

- Item #85 (J D Stairs Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #158 (Tori Contracting LLC) – Disclosed a personal relationship with the applicant.
- Item #187 (Cal Closets Retail Inc) – Disclosed a past business relationship with the applicant.
- Item #259 (Westdeck Concrete Coating LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #267-271 (C G & B Enterprises Inc) – Disclosed a past business relationship with the applicant.
- Item #272-274 (Hydro Arch) – Disclosed a past business relationship with the applicant.
- Item #277, 343-346 (Metcalf Builders Inc) – Disclosed a personal relationship with the applicant.
- Item 291 & 368 (Complete Demo Services) – Disclosed a past business relationship with the applicant.
- Item #301-303 (Kor Building Group LLC) – Disclosed fellow NCA Board Member.
- Item #315 (Monument Construction) – Disclosed personal relationship with the applicant.
- Item #330 (Taylor Made Fencing LLC) Disclosed a past business relationship with the applicant.

- Item #366 (Byrd Underground LLC) – Disclosed and abstained based on a current business relationship with the applicant.

Mr. Joe Hernandez made the following disclosures:

- Item #57 (Design Masonry LLC) – Disclosed and abstained based on a current business relationship.

Ms. Margaret Cavin made the following disclosures:

- Item #182 & 226 (Automated Temperature Controls Inc) – Disclosed a past business relationship with the applicant.
- Item #196 (Harris Las Vegas LLC) – Disclosed a personal relationship with the applicant.
- Item #215 (Sierra Bay Contractors Inc) – Disclosed a past business relationship with the applicant.
- Item #233 & 234 (Granite Construction Company) – Disclosed a personal relationship with the applicant.
- Item #239 (Harris Associates) – Disclosed fellow Board member.
- Item #277, 343 & 346 (Metcalf Builders Inc) – Disclosed a personal relationship with the applicant.
- Item #278, 285, 347 & 348 (Plenium Builders) – Disclosed a personal relationship with the applicant.

Mr. Bryan Cowart made the following disclosures:

- Item #239 (Harris Associates) – Disclosed and abstained Board member is the applicant.
- Item #158 (Tori Contracting LLC) – Disclosed and abstained current business relationship with the applicant.

Mr. Jan Leggett made the following disclosures:

- Item #347-348 (Plenium Builders) – Disclosed a personal relationship with the applicant.

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

#### **10. NEW APPLICATION DENIAL HEARING**

##### **BEYOND CONSTRUCTION LLC**

Dusty Edward Simonian, 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.)

Dusty Edward Simonian was present for the hearing with counsel Bryan Sims, Esq.

Exhibit 1 is the Board's Application File.

Exhibit 2 is the Applicant's Answer received November 9, 2020.

**It was moved and seconded to approve license classification B-2 (Residential and Small Commercial) with a \$2,500,000 monetary limit and a \$50,000 bond, contingent upon applicant passing the trade exam. MOTION CARRIED.**

#### **11. 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 Hunt Healy and Cody Lynn Engebretson were present for the hearing with counsel Bryan Sims, Esq. Witnesses Paris Archie and Bruce Purves were present.

Exhibit 1 is the Board's Application File.

Exhibit 2 is the Applicant's Answer.

**It was moved and seconded to approve license classification C-1 (Plumbing & Heating), with a \$700,000 monetary limit and \$20,000 bond, contingent upon applicant submitting personal indemnification from both Mr. Healy and Mr. Engebretson, and Board notification of any future legal entanglements. Applicant to provide additional references for A classification. MOTION CARRIED.**

**12. NEW APPLICATION DENIAL HEARING**

**BRIGADOON COMMUNICATIONS INC**

Mark Edward Welden, President, Proposed CMS and Trade Qualified Individual

Mark Edward Welden was present for the hearing.

Exhibit 1 is the Board's Application File.

**It was moved and seconded to approve license classification C-2d (Low Voltage), with a \$50,000 monetary limit and a \$5,000 bond. MOTION CARRIED.**

**13. NEW APPLICATION DENIAL HEARING**

**C S T STORAGE AND COVERS INC**

Timothy John Carpenter, President

James R. Hickey, Secretary/Treasurer

Thomas James Dedonder, Proposed CMS and Trade 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.)

James R. Hickey, Thomas Janes Dedonder, and CEO Jeff Mueller were present for the hearing with counsel Mike Kelly, Esq.

Exhibit 1 is the Board's Application File.

Exhibit A is the Applicant's Answer dated November 9, 2020.

Exhibit 3 is the Applicant's Motion for Associate Counsel

**It was moved and seconded to approve license classification C-28 (Fabricating Tanks) with a \$250,000 monetary limit and a \$15,000 bond. MOTION CARRIED.**

**14. NEW APPLICATION DENIAL HEARING**

**NEW VIEW LANDSCAPES LLC**

Michael William Lawrence, Manager/Proposed CMS and Trade Qualified Individual

Cherie Lyn Lawrence, 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.)

Michael William Lawrence and Cherie Lyn Lawrence were present for the hearing.

Exhibit 1 is the Board's Application File

Exhibit A is the Applicant's Answer dated October 27, 2020

**It was moved and seconded to deny the application.**

**15. NEW APPLICATION DENIAL HEARING**

**NEXTGEN ASSOCIATES INC dba SERVICEMASTER RESTORATION BY EMT**

Michael John Demeter, President and Proposed Qualified Individual

Frederick Mark Bower, Secretary

William Roy Elliott III, 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.)

Michael John Demeter and Frederick Mark Bower were present for the hearing.

Exhibit 1 is the Board's Application File

Exhibit A is the Applicant's Answer dated September 8, 2020.

**It was moved and seconded to grant a continuance until January 14, 2021. MOTION CARRIED.**

**16. NEW APPLICATION DENIAL HEARING**  
J F C LANDSCAPE MAINTENANCE LLC  
Roberto Camarena-Gonzalez, Manager  
Jeffrey James Hugo, Proposed Qualified Individual

**This matter was vacated.**

**17. NEW APPLICATION DENIAL HEARING**  
WEST STAR BUILDERS LLC  
Luis Borrego Jr., Manager/Proposed CMS Qualified Individual  
Jason Omar Warfield, Proposed Trade 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.)

Luis Borrego Jr. was present for the hearing.

Exhibit 1 is the Board's Application File  
Exhibit A is the Applicant's Answer dated November 14, 2020.

**It was moved and seconded to approve license classifications B2 (Residential & Small Commercial) and C18 (Masonry), with a \$2,000,000 monetary limit and \$30,000 bond, contingent upon applicant submitting a current financial statement, and personal indemnification from both Mr. Borrego and Mr. Warfield.**

**18. \*\*PUBLIC COMMENT**

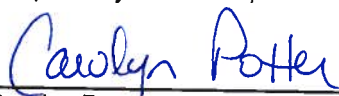
Adjournment – For Possible Action

There were two online public participants who offered public comment. Brian Reeder with Ferrari Public Affairs offered public comment on behalf of the NCA regarding the proposed BDR concerning employment agencies, stating they serve an important function in the construction industry. Alexis Motarex appeared on behalf of the Nevada AGC regarding Item 7E of the agenda, stating cash and 1099 employees are already prohibited, that leasing companies serve an important function, and that enforcement should be addressed by the Labor Commissioner.

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Chairman Kent Lay at 1:17 p.m.

Respectfully Submitted,

  
\_\_\_\_\_  
Carolyn Potter, Recording Secretary

APPROVED:

  
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Margi A. Grein, Executive Officer

  
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Kent Lay, Chairman