

MEMBERS
Kent Lay, Chairman
Kevin Burke
Margaret Cavin
Joe Hernandez
Jan B. Leggett
Melissa Maguire
Guy M. Wells



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**STATE CONTRACTORS BOARD
MINUTES OF THE MEETING
November 21, 2019**

1. CALL TO ORDER:

Chairman Kent Lay called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, November 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. Kent Lay
Ms. Margaret Cavin
Mr. Joe Hernandez
Mr. Jan Leggett
Ms. Melissa Maguire
Mr. Guy Wells

BOARD MEMBERS ABSENT:

Mr. Kevin Burke

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

None.

5. APPROVAL OF MINUTES

It was moved and seconded to approve the minutes of October 17, 2019. MOTION CARRIED.

6. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein shared information on the establishment of an Interagency Labor Alliance with the Office of the Labor Commissioner to combat illegal construction activities and promote messages of compliance for contractors. Ms. Grein also provided an update on the Board's involvement in the Nevada Construction Industry Relations Committee (NCIRC) to update the Nevada Blue Book, as well as the Board's participation in the November 7, 2019 Nevada Organization of Building Officials (NOBO) meeting. Details of the grants awarded at the November 14th Commission on Construction Education meeting were shared. Lastly, Ms. Grein provided information on the recent Executive Branch Audit Committee meeting, the final In-State National Occupational Licensing Learning Consortium Core Team meeting, and her participation in a Construction Industry Panel Discussion at Canyon Springs High School.

- Review of Monthly Department Statistics

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

- Licensing Department
 - Received 205 new license applications and 225 change applications;
 - Issued 107 new licenses;
 - Approved 10 Financial Reviews;
 - Approved 514 inactive and active license renewal applications;
 - Issued or renewed 29 Certificates of Eligibility;
 - Initiated 6 Actions Related to lapse in Workers' Compensation Insurance provided by the Department of Education, Training, and Rehabilitation;
 - Held 5 new application denial hearings; and
 - Held 2 Business Assistance Programs with 46 participants.
- Investigations Department:
 - Opened a total of 201 complaints, including 116 compliance and 85 criminal complaints;
 - Held 8 Disciplinary Hearings, where 4 licenses were revoked and a total of \$28,300 in fines and \$17,361 in investigative costs were assessed by the Board;
 - Opened 7 Recovery Fund claims;
 - Issued 6 court filings seeking prosecution for 5 misdemeanor charges, 1 gross misdemeanor charge, and 1 felony charge against the alleged suspects; and
 - Issued 21 cease and desist orders.
- Additional Board Activities
 - Ms. Grein and Mr. Rozario participated in separate panel discussions at FARB's Annual Regulatory Law Seminar in St. Louis. Ms. Grein also attended other forums focused on Smart Regulation, antitrust and other legal issues related to the use of names, First Amendment issues, jurisdiction, probation, public participation at Board meetings, new legislation, immunity, and legal issues relating to regulatory boards.
 - Ms. Grein attended the Executive Branch Audit Committee meeting during the month and met with Labor Commissioner Shannon Chambers and Director of Business and Industry Michael Brown to discuss collaborative opportunities to address contractor-related issues.
 - The Board was presented with a proclamation from the Clark County Commission naming October 15th as Nevada State Contractors Day, in addition to the proclamation from Governor Sisolak recognizing the 20th Anniversary of the Residential Recovery Fund.

- Investigations staff received training on turf installation as part of their annual training requirements.
- The Board participated in an Engaging with Aging event and Construction Career Days in southern and northern Nevada.

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

- Report of Disciplinary Hearing Outcomes for October 2019

Ms. Grein reported on the disciplinary hearing outcomes for October 2019.

- Report of Application Denial Hearing Outcomes for October 2019

Ms. Grein reported on the application denial hearing outcomes for October 2019.

- Discussion and Status Report Concerning Governor's Office of Finance, Division of Internal Audits, Audit Report #18-05 and #19-03

Ms. Grein provided an update to the Board concerning the Governor's Office of Finance, Division of Internal Audits, Audit Report #18-05 and #19-03.

- Review and Approval of Contract for Legal Services with Jill Greiner

It was moved and seconded to approve the contract for legal services with Jill Greiner. MOTION CARRIED.

- Legal Report – For Possible Action
 - Discussion Concerning Potential or Pending Litigation (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.

It was moved and approved to appoint attorney Jack Juan, Esq. to represent the Board in the M+S Electric litigation. MOTION CARRIED.

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

There were no Subcommittee Reports.

- Status Report of the In-State Occupational Licensing Consortium Final Meeting

Ms. Grein provided an update concerning the In-State Occupational Licensing Consortium Final Meeting.

7. APPROVAL OF CONSENT AGENDA:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 394)

Mr. Guy Wells made the following disclosures:

- Item #150 (American Civil Constructors West Coast, LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #169 (Meadow Valley Contractors, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #174 (National Barricade, LLC) – Disclosed a past business relationship with the applicant.

- Item #218 (Meadow Valley Contractors, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #275 (Christensen Construction, LLC) – Disclosed a past business relationship with the applicant.

Ms. Margaret Cavin made the following disclosures:

- Item #149 (Agate, Inc.) – Disclosed a personal relationship with the applicant.
- Item #158 (D Double G, LLC) – Disclosed personal relationship with the applicant.
- Item #175 (Nelson Electric Co., Inc.) – Disclosed a personal and past business relationship with the applicant.
- Item #197-199 (D&D Roofing and Sheet Metal, Inc.) – Disclosed a personal and past business relationship with the applicant.
- Item #308-310 (Northern Nevada Concrete, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #385 (Leon James Construction Company, Inc.) – Disclosed a past business relationship with the applicant.

Mr. Joe Hernandez made the following disclosure.

- Item #365 (Amazon Masonry, Inc.) – Disclosed and abstained based on a past business relationship with the applicant.

Mr. Kent Lay made the following disclosures:

- Item #180 (Ryland Homes Nevada, LLC) – Disclosed and abstained based on the applicant being a competitor.
- Item #211-212 (Kaiser Garage Doors & Gates, Inc.) – Disclosed and abstained based on an ongoing business relationship.
- Item #231 (William Lyon Homes, Inc.) – Disclosed and abstained based on the applicant being a competitor.
- Item #241-243 (Creative Design Interiors of Nevada, Inc.) – Disclosed a past business relationship with the applicant.

Mr. Jan Leggett made the following disclosure:

- Item #197-199 (D&D Roofing and Sheet Metal, Inc.) – Disclosed and abstained based on personal and past business relationship.
- Item #205-206 (Gail Willey Landscaping, Inc.) – Disclosed that the applicant is a competitor.

Ms. Melissa Maguire made the following disclosures.

- Item #175 (Nelson Electric Co., Inc.) – Disclosed and abstained based on the applicant being a competitor.
- Item #176 (NVision Glass, Inc.) – Disclosed a past business relationship with the applicant.
- Items#205-206 (Gail Willey Landscaping, Inc.) – Disclosed a past business relationship with the applicant.
- Item #229 & 390 (Tanamera Construction, LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #294 (Innovative Communications Systems, LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #340 (Triumph Electric) – 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 LIT UP LIGHTING FANS AND DESIGN LLC

Chad Gerben Fessler, 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.)

Chad Fessler and witness Cory Fessler were present for the hearing.

Exhibit 1 is the Board's Application File.

Exhibit A is the Applicant's Answer received November 7, 2019.

Mr. Wells disclosed and abstained based on a past business relationship with the applicant.

It was moved and seconded to approve license classification C-2 (Electrical) with a \$10,000.00 monetary limit, a \$2,000.00 bond, a personal indemnification from Chad Fessler, an annual business and financial review for two (2) years, and the applicant must submit proof that his debt with the Department of Education, Training, and Rehabilitation (DETR) has been resolved. MOTION CARRIED.

9. NEW APPLICATION DENIAL HEARING

CONSOLIDATED RESOURCES INTERNATIONAL LLC

Matthew Steffin Konopisos, 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.)

Matthew Konopisos was present for the hearing.

Exhibit 1 is the Board's Application File.

Exhibit A is the Applicant's Answer and Documents received November 5, 2019, and November 9, 2019.

It was moved and seconded to approve license classification B (General Building) with an unlimited monetary license limit, a \$50,000.00 bond, and a personal indemnification from Matthew Konopisos. The approval of the license is contingent upon Mr. Konopisos' demonstrating to the Board that his personal assets support the unlimited license limit. Mr. Konopisos must also provide the Board documentation confirming the settlement of judgement is resolved by end of year 2020. MOTION CARRIED.

10. NEW APPLICATION DENIAL HEARING

KARAKI PAINTING LLC

Jehad Nasser Elkaraki, Managing Member/Proposed Trade Qualified Individual

Alijah Lee Elkaraki, Managing Member/Proposed CMS 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.)

Jehad Elkaraki and Alijah Elkaraki were present for the hearing.

Exhibit 1 is the Board's Application File.

Exhibit A is the Applicant's Emailed Document received November 20, 2019.

It was moved and seconded to approve license classification C-4 (Painting & Decorating) with a \$45,000.00 monetary limit, \$5,000.00 bond, personal indemnification from Jehad Elkaraki, and an annual business review for two (2) years. MOTION CARRIED.

11. NEW APPLICATION DENIAL HEARING

M J MORROW CONSTRUCTION LLC

Michael Joseph Morrow, Manager/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.)

Michael Morrow was present with witness Leland Hernandez for the hearing.

Exhibit 1 is the Board's Application File.

It was moved and seconded to accept the applicant's request to withdraw his application and to abate the application fees for up to twenty-four (24) months. MOTION CARRIED.

12. NEW APPLICATION DENIAL HEARING

NORTHERN CALIFORNIA TILE AND STONE INC.

Roger Wayne Leasure III, President/Proposed Trade Qualified Individual

Salena Rose Leasure, Proposed CMS 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.)

Roger Leasure III and Salena Leasure were present for the hearing with Counsel John Gallagher, Esq.

Exhibit 1 is the Board's Application File.

Exhibit A is the Applicant's binders.

It was moved and seconded to approve license classification C-18 (Masonry), C-19B (Marble), and C-19C (Artificial or Cultured Marble) with a \$10,000,000 monetary limit, and a \$50,000 bond. MOTION CARRIED.

13. NEW APPLICATION DENIAL HEARING

T SQUARED ELECTRIC LLC

Troy Andrew Thomas, 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.)

Troy Thomas and Lisa Thomas were present for the hearing.

Exhibit 1 is the Board's Application File.

Exhibit A is the Applicant's Answer received November 5, 2019.

Ms. Maguire disclosed and abstained based on a past business relationship with the applicant.

It was moved and seconded to approve license classification C-2 (Electrical) with a \$10,000.00 monetary limit, a \$2,000.00 bond, with the understanding that the applicant must immediately report any legal activity to the Board during the first two years of licensure. MOTION CARRIED.

14. NEW APPLICATION DENIAL HEARING

CARDINAL CONSTRUCTION CORPORATION DBA CARDINAL MANAGEMENT COMPANY

Will Cannon, President/Proposed CMS Qualified Individual

Jeffery Scott Lyon, 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.)

Will Cannon and Glen Cannon were present for the hearing. Jeffrey Lyon was not present.

Exhibit 1 is the Board's Application File.

It was moved and seconded to table this matter for ninety (90) days. MOTION CARRIED.

15. 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 Chairman Kent Lay at 11:29 a.m.

Respectfully Submitted,


Crystal Caywood, Recording Secretary

APPROVED:


Margi A. Grefn, Executive Officer


Kent Lay, Chairman