

JOE LOMBARDO
Governor

STATE OF NEVADA



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

Northern Nevada
5390 Kietzke Lane, Suite 102
Reno, NV 89511
(775) 688-1141
Fax (775) 688-1271
Investigations: (775) 688-1150

www.nscb.nv.gov

Southern Nevada
8400 West Sunset Road, Suite 150
Las Vegas, NV 89113
(702) 486-1100
Fax (702) 486-1190
Investigations: (702) 486-1160

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING August 17, 2023

CALL TO ORDER:

Chairman, Boyd Martin called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, August 17, 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. Noah Allison, 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

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

There were no recommendations for agenda items for future Board meetings.

5. APPROVAL OF MINUTES

It was moved and seconded to approve the minutes of July 20, 2023 meeting. MOTION CARRIED.

6. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein noted that she and Misty Grimmer provided an overview to NAIOP on the 82nd Legislative Session, which highlighted the Board's legislative package and noteworthy bills impacting the industry and regulatory bodies. Ms. Grein also shared some of the Board's efforts being undertaken to combat unlicensed contracting and promote licensure across the state and in partnership with the Attorney General's office and other state and local leaders.

- Review of Monthly Department Statistics:

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

Licensing Department:

- Received 199 new license applications and 248 change applications;
- Issued 96 new licenses;
- Approved 654 license renewal applications;
- Renewed and issued 44 Certificates of Eligibility to receive preference in bidding; and
- Hosted 1 online Business Assistance Program with 17 participants in attendance.

Investigations Department:

- Received 176 compliance complaints and 52 criminal complaints;
- Held 14 Disciplinary Hearings;
- Issued 22 Cease and Desist Orders to unlicensed contractors; and,
- Opened 13 Recovery Fund claims.

July Compliance Statistics:

- 115 complaints were closed, averaging 115 days open;
- 1073 open active cases are currently open, averaging 163 days pending; and
- 111 cases are pending discipline, averaging 304 days pending;

July Criminal Statistics:

- 52 cases were received and 40 cases were closed, averaging 356 days open;
- 312 active criminal cases are currently open, averaging 426 days open;
- 34 Administrative Citation cases are pending, averaging 322 days open;
- 688 Bench Warrants are pending on open cases, averaging one year open; and
- 186 court cases are pending, averaging 1,314 days open.

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

- Report of Disciplinary Hearing Outcomes for July 2023

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

- Report of Application Denial Hearing Outcomes for July 2023

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

- Status Report Concerning Executive Order 2023-003 and 2023-004

Ms. Grein provided discussion concerning the status of Executive Order 2023-003 and 2023-004.

It was moved and seconded to approve staff recommendations to move forward with four rulemaking files in follow-up to Executive Order 2023-003 and 2023-004. MOTION CARRIED.

- Review and Approval of Proposed Rulemaking Initiative to Amend the Following Provisions of NAC 624:

NAC 624.001 Concerning Definitions

NAC 624.003 Concerning "Board" Defined

NAC 624.070 Concerning Election of Officers and Changes in Organization

NAC 624.090 Concerning Vacancies

NAC 624.132 Concerning Definitions Applicable to the Investigation's Office

NAC 624.133 Concerning "Compliance Investigator" Defined

NAC 624.134 Concerning "Criminal Investigator" Defined

NAC 624.135 Concerning Compliance Investigator: Qualifications

NAC 624.136 Concerning Criminal Investigator: Qualifications

NAC 624.137 Concerning Additional Qualifications of Investigators

NAC 624.150 (13) and NAC 624.480 Concerning Wrecking and Moving of Buildings

NAC 624.540 Concerning Solar Water and Space Heating

NAC 624.593 Concerning Financial Statements

NAC 624.620 Concerning Notice of Approval; Security Bond or Cash Deposit

NAC 624.635 Concerning Inactive Status

NAC 624.6952 Concerning "Contract" Defined

NAC 624.6954 Concerning "Contractor" Defined

NAC 624.6957 Relating to "Work Concerning a Residential Pool or Spa" Defined

NAC 624.710 Concerning Address of Applicant or Licensee on File with Board Deemed Correct Address; Notice of Address Change

NAC 624.7259 Concerning Addition of Dismissal of Cause for Disciplinary Action; Amendment or Withdrawal of Complaint

NAC 624.7273 Concerning Motions: Contents; Opposition; Written Reply, Decision by Board

NAC 624.822 Concerning Meetings; Principal Office

NAC 624.826 Concerning Written Communications and Documents to Commission

NAC 624.828 Concerning Filings with Commission

Mr. Martin provided discussion to modify language to NRS 624.593.

It was moved and seconded to approve the proposed rulemaking initiative to amend the above provisions of NAC 624. MOTION CARRIED.

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

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

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

- Approval of Review 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.

- Legal Report
 - Discussion Concerning Potential or Pending Litigation

Mr. Allison 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.

7. APPROVAL OF CONSENT AGENDA:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 450)

Ms. Margaret Cavin made the following disclosures:

- Item #216, 408 & 409 (Northern Nevada Concrete Inc) – Disclosed a personal and past business relationship with the applicant.
- Item #238 (Valley Concrete Company Inc) – Disclosed a personal relationship with the applicant.
- Item #288, 289 & 401(Pellett Construction LLC) – Disclosed a personal relationship with the applicant.

Mr. Joe Hernandez made the following disclosures:

- Item #411 (Amazon Masonry Inc) – Disclosed and abstained based on a current business and personal relationship with the applicant.

Mr. Boyd Martin made the following disclosures:

- Item #189 (Ace Fire Systems LLC) – Disclosed a past business relationship with the applicant.
- Item #193 (Austin Millwork & Cabinetry Inc) – Disclosed a past business relationship with the applicant.
- Item #214 & 264 (M Con Inc) – Disclosed a personal relationship with the applicant.
- Item #226 (Siemens Energy Inc) – Disclosed a past business relationship with the applicant.
- Item #231 (Steel Encounters Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #235 & 277 (Tile Ram Las Vegas Inc) – Disclosed a past business relationship with the applicant.
- Item #240 (Wulfenstein Construction Co Inc) – Disclosed a past business relationship with the applicant.
- Item #301-305 (National Renovations LLC) – Disclosed a past business relationship with the applicant.
- Item #329-331 (C M D Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #402 (Sierra Air Inc) – Disclosed a past business relationship with the applicant.

Mr. Cowart made the following disclosures:

- Item #14 (Anning Johnson Company) – Disclosed a past business relationship with the applicant.
- Item #123 (Prestige Plumbing LLC) – Disclosed a past business relationship with the applicant.
- Item #193 (Austin Millwork & Cabinetry Inc) – Disclosed a past business relationship with the applicant.
- Item #242 - 243 (A M I Mechanical LLC) – Disclosed and abstained based on a current business and personal relationship with the applicant.
- Item #329-331 (C M D Inc) – Disclosed and abstained based on a current business and personal relationship with the applicant.
- Item #357 (GM Construction LLC) – Disclosed a past business relationship with the applicant.

Mr. Polish made the following disclosures:

- Item #240 (Wulfenstein Construction Co Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #249 (Distinctive Exteriors Inc) – Disclosed the applicant is a former employee.
- Item #257 (Home Depot USA Inc) – Disclosed and abstained based on a current business relationship with the applicant.

Mr. Lay made the following disclosures:

- Item #206, 255, & 286 (Harmony Homes Inc) – Disclosed and abstained based on the applicant being a competitor.

Mr. Leggett made the following disclosures:

- Item #378 (R M L Inc) – Disclosed he is the former owner of this company.

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

**8. NEW APPLICATION DENIAL HEARING:
DAVE SCOTT NEWELL**

David Scott Newell, Owner/Proposed Qualified Individual
Class C-15 (Roofing and Siding)

Exhibit 1 is the Board's Application File
Exhibit A is the Applicant's Answer

David Newell was present for the hearing with counsel Laura Sargent, Esq. and witnesses Brad Mills and Jeff McFall.

It was moved and seconded to approve license classification C-15 (Roofing and Siding) with a \$100,000 monetary limit, a \$10,000 bond, and a personal indemnification by Mr. and Mrs. Newell throughout the length of licensure, contingent upon the Residential Recovery Fund being reimbursed in full. MOTION CARRIED.

**9. NEW APPLICATION DENIAL HEARING:
TREELINE ELECTRIC LLC**

Scott Andrew Ward, Manager/Proposed Qualified Individual
Class C-2 (Electrical)

Exhibit 1 is the Board's Application File

Scott Ward was present for the hearing.

It was moved and seconded to approve license classification Class C-2d (Low Voltage Systems) and C-2f (Residential Wiring) with a \$12,000 monetary limit, a \$5,000 bond, and a personal indemnification by Scott Ward with a one year annual business and financial review contingent upon passing the trade exams. MOTION CARRIED.

10. PUBLIC COMMENT

There was no one present to offer public comment.

ADJOURNMENT

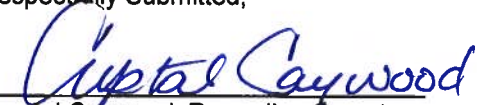
There being no further business to come before the Board, the meeting was adjourned by Chair Boyd Martin at 10:36 a.m.

APPROVED:

Respectfully Submitted,



Margi A. Grein, Executive Officer



Crystal Caywood, Recording Secretary



Boyd Martin, Chair