

JOE LOMBARDO
Governor

STATE OF NEVADA



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

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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING January 18, 2024

CALL TO ORDER:

Chairman, Boyd Martin called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, January 18, 2024. 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. Randy Escamilla, Public Information Officer
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

Philip Johnson appeared to provide public comment, but was denied based on the public comments being on a pending compliance case. Ms. Grein introduced new employees Sarah Stolfa, Patrick Peterson, and Randy Escamilla to the Board and congratulated Cameron Sickels for becoming a full time employee.

4. APPROVAL OF AGENDA:

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

Ms. Grein noted that item #10 (Mtn States Mechanical LLC) has been continued.

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

- Recommendations for Agenda Items for Future Board Meetings

Ms. Grein noted that Daniel Iacofano of MIG will be conducting the Board's Strategic Planning Session on March 5, 2024.

5. APPROVAL OF MINUTES

It was moved and seconded to approve the minutes of November 16, 2023 meeting. MOTION CARRIED.

6. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein reported that she participated in mock career interviews for seniors at Central Tech Training Academy to prepare them for post-graduate experiences, attended the Southern Nevada Home Builders Home Aid Installation & Awards Luncheon, and hosted the Interagency Task Force Meeting.

- Review of Monthly Department Statistics:

Ms. Grein provided the following statistics for the months of November and December:

Licensing Department:

- Received 436 new license applications and 456 change applications;
- Issued 216 new licenses;
- Approved 1195 license renewal applications;
- Renewed and issued 53 Certificates of Eligibility to receive preference in bidding; and
- Hosted 2 online Business Assistance Program with 17 participants in attendance.

Investigations Department:

- Held Disciplinary Hearings where 34 cases were heard;
- Opened 23 Recovery Fund claims and held one Recovery Fund meeting where 5 claims were considered and 5 were awarded a total of \$60,793.40.

Compliance Statistics:

- During the months of November and December, Compliance received 248 complaints and closed 320 complaints
- 956 compliance cases open with the average days of 177 days open
- 17 cases are currently pending discipline.
- 40 Citations were issued along with 85 suspensions
- Average number of days pending discipline were 17 days, plus 30-days notice of requirements;

Criminal Statistics:

- During the months of November and December, the Criminal department received 116 complaints and closed 103 complaints
- 361 Criminal Cases open, less than 90 days open
- 39 Administrative Citations were issued;
- No Bench Warrants were reported; however, 6 criminal cases were sent to the District Attorney's Office between November 1st and December 31st of 2023, and
- There are currently 12 Court Cases Pending Adjudication.

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

- Report of Disciplinary Hearing Outcomes for November and December 2023

Ms. Grein reported on the disciplinary hearing outcomes for November and December 2023.

- Report of Application Denial Hearing Outcomes for November and December 2023

Ms. Grein reported on the application denial hearing outcomes for November and December 2023.

- Review and Approval of Quarterly Financial Reports for the Period Ending December 31, 2023

It was moved and seconded to approve the quarterly financial reports for the period ending December 31, 2023. MOTION CARRIED.

- 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.

- Executive Officer's Quarterly Report Pursuant to NAC 624.030 and FY 2023-24 Strategic Plan Second Quarter Activity Update

Ms. Grein and executive staff provided an overview of the quarterly report pursuant to NAC 624.030 and 2023-24 Strategic Plan second quarter activity.

It was moved and seconded to approve the Executive Officer's Quarterly Report Pursuant to NAC 624.030 and FY 2023-24 Strategic Plan Second Quarter Activity Update.

- Review and Discussion Concerning Amendment to NAC 624 Pursuant to AB39

Mr. Allison provided discussion concerning amendments to NAC 624 pursuant to AB39.

It was moved and seconded to approve the Board's continued efforts concerning amendments to NAC 624 Pursuant to AB39.

- Review and Discussion Concerning Addition to NAC 624.590 Regarding Fees and Costs

Ms. Broili Kamesch provided discussion concerning the addition to NAC 624.590 regarding fees and costs.

It was moved and seconded to table this agenda item.

- Legal Report
 - Discussion Concerning Potential or Pending Litigation
 - Discussion and Action Concerning Decision in American Staffing Association v Nevada State Contractors Board Case No. CV21-01597

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.

Ms. Grein noted that a Classification Subcommittee meeting was held on January 10, 2024 regarding the feasibility of amending NAC 624 to provide for clarification of work included in C-3a (Carpentry & Repairs) and C-14e (Metal Doors & Windows).

7. APPROVAL OF CONSENT AGENDA:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 787)

Ms. Margaret Cavin made the following disclosures:

- Item #441 (Taylor Morrison of Nevada LLC) – Disclosed the applicant is a fellow NSCB Board member.
- Item #510-511 (Tholl Fence Inc) – Disclosed and abstained based a current business relationship with the applicant.
- Item #515 (Tungsten Engineering Contractors LLC) – Disclosed a personal relationship with the applicant.

Mr. Joe Hernandez made the following disclosures:

- Item #441 (Taylor Morrison of Nevada LLC) – Disclosed the applicant is a fellow NSCB Board member.

Mr. Boyd Martin made the following disclosures:

- Item #165&521 (Indoff LLC) – Disclosed a past business relationship with the applicant.
- Item #335, 548 & 549 (Tesla Inc) – Disclosed Mr. Martin is the prequalified general contractor with the applicant.
- Item #380 (Jet Civil Construction LLC) – Disclosed a past business relationship with the applicant.
- Item #413 (Jetstream Construction Inc) – Disclosed a past business relationship with the applicant.
- Item #439 (Sunland Asphalt & Construction LLC) – Disclosed a past business relationship with the applicant.
- Item #441 (Taylor Morrison of Nevada LLC) – Disclosed the applicant is a fellow NSCB Board member.
- Item #451 (Western Single Ply) – Disclosed a past business relationship with the applicant.
- Item #453 (A Cutting Edge Glass & Mirror Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #456 (Adams & Smith Inc) – Disclosed a past business relationship with the applicant.
- Item #457-460 (Alcal Specialty Contracting Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #473 (Classic Drywall & Paint LLC) – Disclosed a past business relationship with the applicant.
- Item #495 (Modified Name of Marshall Industries Inc) – Disclosed a past business relationship with the applicant.
- Item #510-511 (Tholl Fence LLC) – Disclosed a past business relationship with the applicant.
- Item #512 (Tiberti Company LLC (THE)) – Disclosed a past business relationship with the applicant.
- Item #520 (American Air Balance Co LLC) – Disclosed a past business relationship with the applicant.
- Item #555 (A D P Lemco Inc) – Disclosed a past business relationship with the applicant.
- Item #652 (Riverwoods Mill Inc) – Disclosed a past business relationship with the applicant.
- Item #709 (Freemans Carpet Service Inc) – Disclosed a past business relationship with the applicant.
- Item #719 (Ace Fire Systems LLC) – Disclosed a past business relationship with the applicant.

Mr. Bryan Cowart made the following disclosures:

- Item #441 (Taylor Morrison of Nevada LLC) – Disclosed the applicant is a fellow NSCB Board member.
- Item #453 (A Cutting Edge Glass & Mirror Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #455 (Absolute Metals LLC) – Disclosed a past business relationship with the applicant.
- Item #653 (Roldan Demolition LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #742-743 (Dynalectric Company) – Disclosed a past business relationship with the applicant.

Mr. Kent Lay made the following disclosures:

- Item #401 (Desert Springs Pools And Spas Inc) – Disclosed a past business relationship with the applicant.
- Item #441 (Taylor Morrison of Nevada LLC) – Disclosed and abstained based on the Mr. Lay being the applicant.
- Item #473 (Classic Drywall & Paint LLC) – Disclosed a past business relationship with the applicant.
- Item #500 (R C Holdings LLC) – Disclosed a past business relationship with the applicant.
- Item #726 & 727 (B M Windows LLC) – Disclosed a past business relationship with the applicant.
- Item #728-731 (Builders Firstsource Asset Holdings LLC) – Mr. Leggett disclosed that the applicant is a fellow AGC Board Member and disclosed a personal relationship with the applicant.

Mr. Jan Leggett made the following disclosures:

- Item #441 (Taylor Morrison of Nevada LLC) – Disclosed a personal relationship with the applicant.
- Item #515 (Tungsten Engineering Contractors LLC) – Disclosed a personal relationship with the applicant.

Mr. Louis Polish made the following disclosures:

- Item #423 (Nevada Leak Detection LLC) – Disclosed a past business relationship with the applicant.
- Item #441 (Taylor Morrison of Nevada LLC) – Disclosed and abstained based on a current business relationship with the applicant, and the applicant is a fellow NSCB board member.
- Item #481 (Home Depot USA Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #501 (R C Willey Home Furnishings) – Disclosed a past business relationship with the applicant.
- Item #512 (Tiberti Company LLC (The)) – Disclosed a past business relationship with the applicant.

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

**8. NEW APPLICATION DENIAL HEARING:
DEARBORN CONSTRUCTION LLC**

Sean Kimton Dearborn, Managing Member/Proposed Qualified Individual
Class B-2 (Residential and Small Commercial)

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

Sean Dearborn was present for the hearing with counsel Laura Sargent, Esq.

It was moved and seconded to approve license classification Class B-2 (Residential and Small Commercial) with a \$1,555,000 monetary limit and a \$30,000 bond. MOTION CARRIED.

**9. NEW APPLICATION DENIAL HEARING:
GREAT BASIN ENTRY INC DBA A+ LOCK AND GLASS**

Cynthia Lee Beck, President/Director
William Marlo Beck, Secretary/Treasurer/Director/Proposed Qualified Individual
Class C-8 (Glass and Glazing)

(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.

William Beck was present for the hearing.

It was moved and seconded to approve license classification Class C-8 (Glass and Glazing) with a \$50,000 monetary limit a \$5,000 bond, and a personal indemnification by William Beck contingent upon the applicant providing compliant financials. MOTION CARRIED.

- 10. NEW APPLICATION DENIAL HEARING:**
MTN STATES MECHANICAL LLC
Donald Allan Foster, Jr., Managing Member/Proposed Qualified Individual
Class C-21B (Air Conditioning)

This matter has been continued to the next meeting.

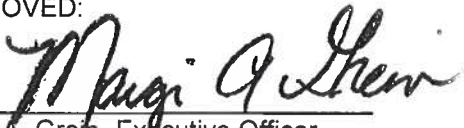
11. PUBLIC COMMENT

There was no one present to offer public comment.

ADJOURNMENT

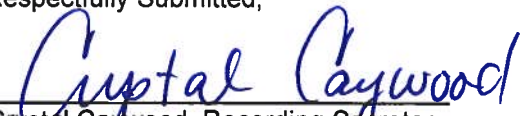
There being no further business to come before the Board, the meeting was adjourned by Chair Boyd Martin at 11:02 a.m.

APPROVED:



Margi A. Grem, Executive Officer

Respectfully Submitted,



Crystal Caywood, Recording Secretary



Boyd Martin, Chair