

STATE OF NEVADA

JOE LOMBARDO
Governor

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 April 18, 2024

CALL TO ORDER:

Chair, Boyd Martin called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, April 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. Jan Leggett
Mr. Louis Polish, Jr.

BOARD MEMBERS ABSENT:

Mr. Kent Lay

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Dave Behar, Deputy Executive Officer
Ms. Susan Broili Kamesch, Licensing Administrator
Mr. Brian Hayashi, IT Manager
Mr. Randy Escamilla, Public Information Officer

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

Ms. Grein noted that Dave Behar has been promoted to Deputy Executive Officer, Terry Wike is serving as Director of Investigations, and Damien Bilyeu is the Compliance Supervisor.

4. APPROVAL OF AGENDA:

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

Ms. Grein noted that Board staff has removed from discussion the matter relating to the Submittal of Proposed Bill Draft Request Regarding Residential Consumer Protection Bond Requirements for Solar Contractors, and requested that the item related to Grounds for a Misdemeanor Related to an Unlicensed Person be amended to read "Denial of a Licensed to an Unlicensed Entity or Person or Not Properly Licensed Bids over \$1,000."

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

- Recommendations for Agenda Items for Future Board Meetings

Ms. Grein reported that the Commission on Construction Education will be holding their next meeting on May 9, 2024, Daniel Iacafano will be presenting the draft Strategic Plan for FY 2024-25 at the May 16, 2024 Board meeting, and following the meeting, the annual ethics training put on by the Nevada Commission on Ethics will take place. Ms. Grein also noted that the joint Board meeting with the California State Contractors Board has been scheduled for June 13-14, 2024, and Board training with Dale Atkinson has been scheduled for June 20, 2024. Finally, Ms. Grein noted that the annual training with Rosalie Bordelove of the Attorney General's office will be held on July 18, 2024.

5. APPROVAL OF MINUTES

It was moved and seconded to approve the minutes of March 21, 2024 meeting. MOTION CARRIED.

6. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein reported that she and Dave provided a presentation to the Standing Committee on Commerce and Labor, attended the Legislative Subcommittee meeting, met with Channel 8 reporter, Kyle Paine, regarding a collaborative opportunity to work with him, and attended the NASCLA State Member meeting. Ms. Grein also noted that the Legislative Commission will be meeting today at 2:00 p.m. to review multiple regulatory items submitted by the Board that address changes related to the Governor's Executive Orders, financial statement requirements for small businesses, and the consolidation of duplicate classifications in the wrecking trade.

- Review of Monthly Department Statistics:

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

- Our Licensing Department:
 - Received 290 new license applications and 306 change applications;
 - Issued 149 new licenses;
 - Approved 756 license renewal applications;
 - Renewed and issued 41 Certificates of Eligibility to receive preference in bidding; and
 - Hosted 1 online Business Assistance Program with 23 participants in attendance.
- Our Investigations Department:
 - Held 13 Disciplinary Hearings where 17 cases were heard;
 - Opened 11 Recovery Fund claims and held one Recovery Fund meeting where 18 cases were heard and 15 were awarded a total of \$290,383.13.
- Our Compliance Division:
 - Received and opened 134 complaints and closed 154 complaints.
 - As of March 31st, there are 878 compliance complaints open active with average days open of 169.
- Our Criminal Division:
 - Received 61 complaints and closed 41 complaints;

- Issued 24 Administrative Citations;
- Sent 2 criminal cases to local District Attorney's offices, with 1 new bench warrant issued in March.
- As of March 31st, 1 court case is pending adjudication in Southern Nevada and 1 in Northern Nevada.
- 44 criminal complaints are open active with the average days open being 37.

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

- Report of Disciplinary Hearing Outcomes for March 2024

Ms. Grein reported on the disciplinary hearing outcomes for March 2024.

- Report of Application Denial Hearing Outcomes for March 2024

Ms. Grein reported on the application denial hearing outcomes for March 2024.

- Review and Approval of Quarterly Financial Reports and Cash Disbursements and Transfer Journals for the Period Ending March 31, 2024

It was moved and seconded to approve the quarterly financial reports and cash disbursements and transfer journals for the period ending March 31, 2024. 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. MOTION CARRIED.

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

Ms. Grein and executive staff provided an overview of the quarterly report pursuant to NAC 624.030 and FY 2023-24 Strategic Plan third 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 Third Quarter Activity Update. MOTION CARRIED.

- Review and Approval of Contract with Peel Brimley for Legal Services

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

- Discussion Regarding Legislative Proposals for the 2025 Legislative Session
 - Discussion Concerning Submittal of Proposed Bill Draft Request Regarding Payment and Performance Bond Requirements for Solar Contractors
 - Discussion Concerning Submittal of Proposed Bill Draft Request Regarding Grounds for Disciplinary Action Related to an Investigation of the Board
 - Discussion Concerning Submittal of Proposed Bill Draft Request Regarding Denial of a License to an Unlicensed Entity or Person or Not Properly Licensed for Bids over \$1,000

Ms. Grein provided discussion concerning the legislative proposals for the 2025 legislative session.

It was moved and seconded to approve the proposed bill draft request regarding payment and performance bond requirements for solar contractors. MOTION CARRIED.

It was moved and seconded to approve the proposed bill draft request regarding grounds for disciplinary action related to an investigation of the Board. MOTION CARRIED.

It was moved and seconded to approve the proposed bill draft request regarding denial of a license to an unlicensed entity or person or not properly licensed for bids over \$1,000. MOTION CARRIED.

- Review and Approval of Rulemaking Proceedings on the Following Initiatives
 - LCB File No. R029-24 Amend NAC 624 to Define Project of New Work and the Term Repairs – For Possible Action
 - LCB File No. R030-24 Amend NAC 624.210(a) C-3a to Include Door and Window Frames Made of Certain Materials and NAC 624.310(e) C-14e to Include Door and Window Frames Made of Metal or Wood – For Possible Action
 - LCB File No. R031-24 Amend NAC 624.590 to Require an Applicant to Include Payment of Unpaid Fines, Costs and Recovery Fund Reimbursement with an Application – For Possible Action
 - LCB File No. R032-24 Amend NAC 624.693 and NAC 624.6932 Related to the Informational Form Regarding Mechanics' and Materialmen's Liens – For Possible Action

Ms. Grein provided discussion concerning Rulemaking Proceedings on LCB File No. R029-24, LCB File No. R030-24, LCB File No. R031-24, and LCB File No. R032-24.

It was moved and seconded to approve rulemaking proceedings on LCB file number R029-24. MOTION CARRIED

It was moved and seconded to approve rulemaking proceedings on LCB file number R030-24. MOTION CARRIED

It was moved and seconded to approve rulemaking proceedings on LCB file number R031-24. MOTION CARRIED.

It was moved and seconded to approve rulemaking proceedings on LCB file number R032-24. MOTION CARRIED.

- 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 reported that on March 21, 2024, a Residential Recovery Fund meeting was held where 15 homeowners were awarded a total of just over \$290,000. Ms. Grein also reported that a Legislative Subcommittee meeting was held on April 12, 2024.

7. APPROVAL OF CONSENT AGENDA:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 442)

Mr. Boyd Martin made the following disclosures:

- Item #28 (B & S Drywall Inc) – Disclosed a past business relationship with the applicant.
- Item #38 (Built by Grid LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #63-65 (Division 09) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #229 (Jenson Total Services Incorporated) – Disclosed a past business relationship with the applicant.

- Item #235 (M M C Contractors West Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #236 (Marshall Industries Inc) – Disclosed a past business relationship with the applicant.
- Item #239 (N P L Construction Co) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #252 (Silver State Glass & Mirror Co Inc) – Disclosed a past business relationship with the applicant.
- Item #263 (Wulfenstein Construction Co Inc) – Disclosed a past business relationship with the applicant.
- Item #272-274 (Brightview Landscape Development Inc) – Disclosed a past business relationship with the applicant.
- Item #278 (D & L Roofing LLC) – Disclosed a past business relationship with the applicant.
- Item #300 (Shaw Lundquist Associates Inc) – Disclosed a past business relationship with the applicant.
- Item #316 & 421 (Anthonys Glass Inc) – Disclosed a past business relationship with the applicant.
- Item #328 (Helix Electric LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #350 (Desert Home Electric Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #378 (Patrick's Signs Inc) – Disclosed a past business relationship with the applicant.
- Item #386 (Riverwoods Mill Inc) – Disclosed and abstained based a current business relationship with the applicant.
- Item #428 (Kittrell Jensen Contractors LLC) – Disclosed the applicant is a fellow Nevada Contractors Association Board member.
- Item #439-440 (W G D L Inc) – Disclosed a past business relationship with the applicant.

Ms. Margaret Cavin made the following disclosures:

- Item #218 (Dynalectric Company Of Nevada) – Disclosed a personal relationship with the applicant.
- Item #287 (Intermountain Electric, Inc) – Disclosed a personal relationship with the applicant.

Mr. Bryan Cowart made the following disclosures:

- Item #181-182 (Vegas Civil LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #263 (Wulfenstein Construction Co Inc) – Disclosed a past business relationship with the applicant.
- Item #304 (Tori Contracting LLC) – Disclosed a past business relationship with the applicant.
- Item #328 (Helix Electric LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #369 (Larocca Electric LLC) – Disclosed a past business relationship with the applicant.
- Item #419 (Ahern Development Company LLC) – Disclosed a personal relationship with the applicant.

Mr. Joe Hernandez made no disclosures.

Mr. Jan Leggett made no disclosures.

Mr. Louis Polish made the following disclosures:

- Item #226 (Interior Specialists Inc) – Disclosed a past business relationship with the applicant.
- Item #256 (Summer Systems Inc) – Disclosed the applicant is a competitor.
- Item #263 (Wulfenstein Construction Co Inc) – Disclosed and abstained based a current business relationship with the applicant.
- Item #269 (Beazer Homes Holdings LLC) – Disclosed a past business relationship with the applicant.
- Item #305 (TRI Pointe Homes Nevada Inc) – Disclosed and abstained based a current business relationship with the applicant.

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

**8. NEW APPLICATION DENIAL HEARING:
BRAVO PLUMBING SERVICES LLC**

Juan Antonio Bravo, Managing Member/Proposed Qualified Individual,
Class C-1d (Plumbing)

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

Juan Bravo was present for the hearing.

It was moved and seconded to continue this matter to the next scheduled Board meeting. MOTION CARRIED.

9. PUBLIC COMMENT

Jordan Thomas of Battle Born Pools provided public comment concerning his request for a license limit increase.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Boyd Martin at 10:24a.m.

APPROVED:



Margi A. Grein, Executive Officer

Respectfully Submitted,



Crystal Caywood, Recording Secretary



Boyd Martin, Chair