

STATE OF NEVADA

JOE LOMBARDO
Governor

MEMBERS
Boyd Martin, Chairman
Margaret Cavin
Bryan Cowart
Walter Flores-Aguirre
Kent Lay
Jan B. Leggett
Louis Polish Jr.



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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING January 16, 2025

CALL TO ORDER:

Chair, Boyd Martin called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, January 16, 2025. 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:

Ms. Margaret Cavin
Mr. Walter Flores-Aguirre
Mr. Kent Lay
Mr. Jan Leggett
Mr. Boyd Martin

BOARD MEMBERS ABSENT:

Mr. Bryan Cowart
Mr. Louis Polish, Jr.

STAFF MEMBERS PRESENT:

Mr. Dave Behar, Executive Officer
Mr. Terry Wike, Director of Investigations
Ms. Susan Broili Kamesch, Licensing Administrator

LEGAL COUNSEL PRESENT:

Mr. Noah Allison, Esq.

Mr. Behar 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.

Mr. Martin provided the Oath of Office to new member Walter Flores-Aguirre.

2. **STATEMENT OF THE BOARD'S MISSION**

Mr. Behar 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**

Mr. Behar welcomed new employees, Jason Feeley, Loran McAlister, Holly Lynch to the Board and welcomed new Board member Walter Flores-Aguirre.

4. APPROVAL OF AGENDA:

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

Mr. Behar noted that agenda item 6E, Selection of Legislative Subcommittee Members, has been removed from the agenda.

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

- Recommendations for Agenda Items for Future Board Meetings

Mr. Behar noted that the annual Strategic Plan meeting has been scheduled for March 12, 2025, and that Staff will be hosting three separate in-house strategic planning discussions prior to engaging the Board, in an effort to augment employee input regarding the reduction of obstacles, improvement of industry perceptions, customer service, internal processes, cost saving measures, and innovation. Additionally, Mr. Behar noted that staff will be providing the annual departmental reporting in February during the Board meeting.

5. APPROVAL OF MINUTES

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

6. EXECUTIVE SESSION

a. Executive Officer's Report

Mr. Behar reported that the Board initiated the first annual Tools Drive to provide local high schools in both the north and south with needed construction materials to enhance their educational and hands-on experiences. Mr. Behar also reported that staff received several training opportunities in December. Additionally, the Board hosted an Underground Economy Task Force meeting and hosted members of the Southern Nevada Building Trades Union to include the Sheet Metal Workers 88 to conduct training on contractor compliance. Finally, Mr. Behar welcomed the newest member of our Commission on Construction Education Angelo Iannucci who joins us from Bombard Electric and replaces outgoing member Erin Dustin.

b. Review of Monthly Department Statistics:

Mr. Behar provided the following statistics for the months of November and December:

Licensing Department:

- Received 508 new license applications and 540 change applications;
- Issued 262 new licenses;
- Approved 1,247 license renewal applications;
- Renewed and issued 51 Certificates of Eligibility to receive preference in bidding; and
- Hosted 2 online Business Assistance Program with 20 participants in attendance.
- There are currently 2,381 license applications and 1,363 change applications pending.

Investigations Department:

- Held 19 Disciplinary Hearings, where 41 cases were heard.
- Opened 10 Recovery Fund claims.
- And held one Recovery Fund meeting in November where 11 homeowners were awarded approximately \$259,000 in total.

Compliance Division:

- Received and opened 201 complaints and closed 338 complaints, issuing 14 Administrative Citations.
- As of December 31st, there are 867 compliance complaints open active with an average day open of 195.

Criminal Division:

- Received 90 complaints and closed 182 complaints, issuing 20 Administrative Citations.
- 20 cases were sent to the local District Attorney's office.

- As of December 31st, there are 40 criminal complaints open active with average days opened of 924.
- 11 court cases are currently pending adjudication.

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

- c Report of Disciplinary Hearing Outcomes for November 2024 and December 2024

Mr. Behar reported on the disciplinary hearing outcomes for November 2024 and December 2024.

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

It was moved and seconded to appoint Mr. Flores-Aguirre to serve on the Residential Recovery Fund Subcommittee. MOTION CARRIED.

- e Selection of Legislative Subcommittee Members

This matter has been removed from the agenda.

- f Legislative Discussion
- Delegation of Authority to Executive Officer Concerning Legislative Matters
 - Discussion and Report by the Ferraro Group Concerning the 2025 Legislative Session

It was moved and seconded to approve the delegation of authority to the Executive Officer concerning legislative matters contingent upon prior consultation with the Chairman or the Legislative Subcommittee, which will convene on a weekly basis, either in person, virtually, or via telephone. MOTION CARRIED.

Misty Grimmer from the Ferraro Group provided discussion concerning the 2025 Legislative Session.

It was moved and seconded to approve the report by the Ferraro Group concerning the 2025 legislative session. MOTION CARRIED.

- g Discussion Concerning Potential Legislative Initiatives for the 2025 Legislative Session:
- AB-5 Payment and Performance Bond Requirements for Residential Solar Contractors
 - SB-16 Causes for Disciplinary Action Related to an Investigation of the Board and Penalty for Unlicensed Contractor Who Bids on a Project

Mr. Behar provided discussion concerning Potential Legislative Initiatives for the 2025 Legislative Session.

- h Proposed Bill Draft Request for the 2025 Legislative Session:
- BDR 515 - Revises the Period for Commencing a Prosecution of Certain Offenses Relating to Acting as a Contractor Without a License

Mr. Behar provided discussion concerning BDR 515.

- i 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 table the discussion and action concerning the decision in American Staffing Association v Nevada State Contractors Board Case No. CV21-01597. MOTION CARRIED.

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

j. Subcommittee Reports

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

Mr. Behar reported that the Residential Recovery Fund met on November 21, 2024 where 11 homeowners were awarded \$258,833.07 and noted that the Residential Recovery Fund committee is scheduled to meet following the Board meeting.

It was moved and seconded to approve the Subcommittee Reports. MOTION CARRIED.

7. APPROVAL OF CONSENT AGENDA:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 975)

Mr. Boyd Martin made the following disclosures:

- Item #8 & 943 (A Cutting Edge Specialties) – Disclosed a past business relationship with the applicant.
- Item #44-45 (Aztech Plastering LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #437 (SNVBU LLC) – Disclosed the applicant is a fellow NCA Board member.
- Item #558 (Brians Masterpiece Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #577-578 (Focus Fire Protection LLC) – Disclosed a past business relationship with the applicant.
- Item #581-582 (Focus Plumbing LLC) – Disclosed a past business relationship with the applicant.
- Item #600 (Lakeland Electric Inc) – Disclosed a past business relationship with the applicant.
- Item #610 & 696 (Mueller Striping LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #627, 725 & 726 (Terra Contracting Inc) – Disclosed a past business relationship with the applicant.
- Item #628 & 727 (Tesla Inc) – Mr. Martin disclosed his company is a pre-qualified general contractor with the applicant.
- Item # 631(Tiberti Company LLC (The)) – Disclosed a personal relationship with the applicant.
- Item #670 (Ferguson Enterprises LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #682-683 (Hearth & Home Specialties Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #685 (Henry Contracting LLC) – Disclosed a past business relationship with the applicant.
- Item #711 (Schindler Elevator Corporation) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #719-722 (Sunrise Paving Inc) – Disclosed a past business relationship with the applicant.
- Item #745-746 (Yesco LLC) – Disclosed a past business relationship with the applicant.
- Item #754, 755 & 905 (H T A Plumbing & Mechanical Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #860-861 (Nextgen Fire Protection LLC) – Disclosed a past business relationship with the applicant.
- Item #867 & 861 (Pierros Landscape & Maintenance LLC) – Disclosed a past business relationship with the applicant.
- Item #901 (Xtreme Fire Protection LLC) – Disclosed a past business relationship with the applicant.
- Item #712 (Schneider Electric Buildings Americas Inc) – Disclosed a past business relationship with the applicant.

Mr. Walter Flores-Aguirre made the no disclosures.

Mr. Jan Leggett made the following disclosures:

- Item #573-582 (Focus Concrete LLC) – Disclosed the applicant is a former NSCB Board member.
- Item #585 (Granite Construction Company) – Disclosed the applicant is a fellow AGC Board member.

Ms. Margaret Cavin made the following disclosures:

- Item #698 (Overhead Fire Protection Inc) – Disclosed a past business relationship and personal relationship with the applicant.
- Item #775 (L A Perks Petroleum Specialists) – Disclosed a past business relationship and personal relationship with the applicant.

Mr. Kent Lay made the following disclosures:

- Item #495 (Toll North Reno LLC) – Disclosed and abstained based on the applicant being a competitor.
- Item #496 (Toll NV Holdings LLC) – Disclosed and abstained based on the applicant being a competitor.
- Item #497 (Toll NV Limited Partnership) – Disclosed and abstained based on the applicant being a competitor.
- Item #498 (Toll South Reno LLC) – Disclosed and abstained based on the applicant being a competitor.
- Item #499 (Toll Sparks LLC) – Disclosed a past business relationship with the applicant.
- Item #573-574 (Focus Concrete LLC) – Disclosed a past business relationship with the applicant.
- Item #575-576 (Focus Electric LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #577-578 (Focus Fire Protection LLC) – Disclosed a past business relationship with the applicant.
- Item #579-580 (Focus Framing Door & Trim LLC) – Disclosed a past business relationship with the applicant.
- Item #581-582 (Focus Plumbing LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #725 - 627 (Terra Contracting Inc) – Disclosed a past business relationship with the applicant.
- Item #726 & 682 (Hearth & Home Specialties Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #743 (Westcor Construction) – Disclosed and abstained based on a current business relationship with the applicant.

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

8. REACTIVATION OF INACTIVE LICENSE DENIAL HEARING:

SOLV ENERGY LLC

License #82728 Class AB-General Engineering and General Building

License #89382 Class C-2 Electrical

Swinerton Incorporated, Member

George William Hershman, President

Anna Marie Hertzman, Secretary/Vice President

Brian Allen Ewing, Qualified Individual (License #82728)

Kevin Wade Carlson, Qualified Individual (License #89382)

(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 licensee.)

Exhibit 1 is the Board's Application File

Exhibit A is the Applicant's Answer

It was moved and seconded to approve the reactivation of license numbers 82728 and 89382. MOTION CARRIED.

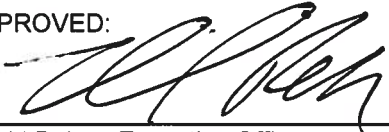
9. PUBLIC COMMENT

There was no one present to offer public comment.

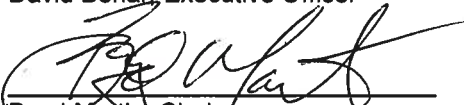
ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Boyd Martin at 10:09 a.m.

APPROVED:



David Behar, Executive Officer


Boyd Martin, Chair

Respectfully Submitted,



Crystal Caywood, Recording Secretary