

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.



STATE CONTRACTORS BOARD

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

MINUTES OF THE MEETING February 20, 2025

CALL TO ORDER:

Acting Chair, Margaret Cavin called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, February 20, 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. Bryan Cowart
Mr. Louis Polish, Jr.

BOARD MEMBERS ABSENT:

Mr. Boyd Martin

STAFF MEMBERS PRESENT:

Mr. Dave Behar, Executive Officer
Mr. Terry Roberts, Acting Interim Director of Investigations
Ms. Susan Broili Kamesch, Licensing Administrator
Ms. Jennifer Lewis, Public Information Officer
Mr. Brian Hiyashi, IT Manager

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.

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

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

Mr. Behar noted that the annual Strategic Plan meeting has been scheduled for March 12, 2025.

5. APPROVAL OF MINUTES

It was moved and seconded to approve the minutes of January 16, 2025 meeting. MOTION CARRIED.

6. EXECUTIVE SESSION**a. Executive Officer's Report**

Mr. Behar reported that he met with legislators, provided testimony on Senate Bill 16 concerning unlicensed contractors, and gave a presentation to both the Assembly and Senate Commerce Committees regarding the Board's role, operations and current trends. Mr. Behar noted that he also interviewed with the Las Vegas Sun, who ran a complimentary article highlighting the Board's efforts to combat unlicensed contracting as it relates to Senate Bill 16. Mr. Behar participated in the monthly Underground Economy Task Force meeting, held an all-staff meeting to discuss the strategic plan, attended an Interim Finance Committee, conducted a workforce development panel at Cheyenne High School, held a licensing application and denial hearing, attended the Nevada Contractors Association luncheon, had several discussions with members of the Nevada Solar Association, Southern Nevada Homebuilders Association, NCA, ACG, Latin Chamber of Commerce and other stakeholders regarding legislative matters and important industry issues throughout our state, and conducted a joint operation with the AG's office which culminated in the arrest of Jon Banning, owner of JTB Landscaping on nine different charges stemming from \$300k he took from seniors and other harmed homeowners. Finally, Mr. Behar reported that he has hired Luis Quesada as the Director of Investigations who will start on March 10, 2025, and welcomed new Commission on Construction Education member Angelo Iannucci.

b. Review of Monthly Department Statistics:

Mr. Behar provided the following statistics for the month of January:

Licensing Department:

- Received 262 new license applications and 252 change applications;
- Issued 149 new licenses;
- Approved 648 license renewal applications;
- Renewed and issued 27 Certificates of Eligibility to receive preference in bidding; and
- Hosted 1 online Business Assistance Program with 17 participants in attendance.
- There are currently 1,213 license applications and 682 change applications pending.

Investigations Department:

- Held 9 Disciplinary Hearings, where 25 cases were heard.
- 4 Recovery Fund claims were opened and one Recovery Fund meeting was held where 9 cases were awarded a total of \$191,728.

Compliance Division:

- Received and opened 149 complaints and closed 170 complaints, issuing 13 Administrative Citations.
- As of January 31st, there are 798 compliance complaints open active with the average days open being 200.

Criminal Division:

- Received 44 complaints and closed 39 complaints, issuing 23 Administrative Citations.
- 3 Criminal cases were sent to the local District Attorney's office.
- 29 Criminal complaints are open-active with the average days open being 51.
- There were no court cases pending adjudication in the month of January.

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

- c Report of Disciplinary Hearing Outcomes for January 2025

Mr. Behar reported on the disciplinary hearing outcomes for January 2025.

- d. Report of Application Denial Hearing Outcomes for January 2025

Mr. Behar reported on the application denial hearing outcomes for January 2025.

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

Ms. Lumbert provided an overview of the quarterly financial reports and cash disbursements and transfer journals for the period ending December 31, 2024.

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

- f. Approval of Review of Expenditures Conducted in Accordance with NRS 622.234

Ms. Lumbert provided an overview of the 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.

- g. Executive Officer's Quarterly Report Pursuant to NAC 624.030 and FY 2024-25 Strategic Plan Second Quarter Activity Update

Mr. Behar and executive staff provided an overview of the quarterly report pursuant to NAC 624.030 and FY 2024-25 Strategic Plan.

It was moved and seconded to approve the Executive Officer's Quarterly Report pursuant to NAC 624.030 and FY 2024-25 Strategic Plan Second Quarter and Annual Activity Update. MOTION CARRIED.

- h. Legislative Discussion:

- Delegation of authority to the Legislative Subcommittee Concerning Legislative Matters

Mr. Behar provided discussion concerning the delegation of authority to the Legislative Subcommittee concerning legislative matters.

- i. Discussion Concerning Potential Legislative Initiatives for the 2025 Legislative Session

Mr. Behar provided discussion concerning potential legislative initiatives for the 2025 legislative session related to AB 5, SB 3, SB 16, SB 78, SB 129, SB 130, and SB 158.

- j. Proposed Bill Draft Request for the 2025 Legislative Session:

Mr. Behar provided discussion concerning proposed bill draft requests 388 and 515.

k. Discussion Concerning Proposed Changes to Wall Certificates and Pocket Cards

Mr. Behar presented an overview of the recommendation to make wall certificates and pocket cards available in electronic format, with the option for a physical copy upon request.

It was moved and seconded to approve the proposed changes regarding the format of wall certificates and pocket cards. MOTION CARRIED.

l. 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.

m. Subcommittee Reports

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

Mr. Behar reported that the Residential Recovery Fund meeting was held on January 16, 2025 where \$191,728 was awarded to harmed homeowners. Mr. Behar also reported that the Board also held two Legislative Subcommittee meetings on February 3, 2025 and February 13, 2025 where bills posted on the Legislative Subcommittee agenda were discussed.

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 673)

Mr. Walter Flores-Aguirre made no disclosures.

Mr. Jan Leggett made the following disclosures:

- Item #466 (Burke Special Projects LLC) – Disclosed the applicant in a former NSCB Board member.
- Item #503 (Miles Construction) – Disclosed a past business relationship with the applicant.
- Item #531 (Frank Lepori Construction LLC) – Disclosed and abstained based on a past business relationship with the applicant.

Ms. Margaret Cavin made the following disclosures:

- Item #139-140 (Heavy Civil Constructors LLC) – Disclosed a personal relationship with the applicant.
- Item #466 (Burke Special Projects LLC) – Disclosed the applicant is a personal friend and a former Board member.
- Item #529 (D & D Plumbing LLC) – Disclosed a personal relationship with the applicant.
- Item #532 (Northern Nevada Concrete LLC) – Disclosed a personal relationship and a past business relationship with the applicant
- Item #531 (Frank Lepori Construction LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #533 (Powercomm Solutions LLC) – Disclosed a past business relationship with the applicant.

Mr. Kent Lay made the following disclosures:

- Item #39 (Builders Firstsource Group Of Nevada LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #318 (Stephen Cooper Concrete LLC) – Disclosed a past business relationship with the applicant.
- Item #419 (K B Home Las Vegas Inc) – Disclosed and abstained based on the applicant being a competitor.
- Item #438 (Sunrise Carpentry Inc) – Disclosed and abstained based on a current business relationship with the applicant.

- Item #471 (Canyon Plumbing LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #476 (D R Horton Inc N NV) – Disclosed and abstained based on the applicant being a competitor.
- Item #500 (Mammoth Underground LLC) – Disclosed a past business relationship with the applicant.
- Item #516 (Stonescape Pavers LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #525-527 (Yesco LLC) – Disclosed a past business relationship with the applicant.
- Item #538 (Stonescape Pavers LLC) – Disclosed and abstained based on a current business relationship with the applicant.

Mr. Bryan Cowart made the following disclosures:

- Item #4 (A Cutting Edge Specialties) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #446-447 (Trimark Raygal LLC) – Disclosed a past business relationship with the applicant.
- Item #455-456 (Anning Johnson Company) – Disclosed a past business relationship with the applicant.
- Item #466 (Burke Special Projects LLC) – Disclosed a personal relationship and the applicant is a former NSCB Board member.
- Item #486 (Generations Millwork LLC) – Disclosed a past business relationship with the applicant.
- Item #505 (Par 3 Landscape & Maintenance Inc) – Disclosed a past business relationship with the applicant.
- Item #525-527 (Yesco LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #531 (Frank Lepori Construction LLC) – Disclosed and abstained based on a current business relationship with the applicant.

Mr. Louis Polish Jr. made the following disclosures:

- Item #218 (Moon Sun Landscapes LLC) – Disclosed the applicant is a competitor.
- Item #276-278 (Reliabull Trades LLC) – Disclosed the applicant is a competitor.
- Item #373 (D B R Plumbing LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #378 (Newton Construction LLC) – Disclosed a past business relationship with the applicant.
- Item #398-399 (Costco Wholesale Corporation) – Disclosed and abstained based on a past business relationship with the applicant.
- Item #407-408 (Fieldturf USA Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #419 (K B Home Las Vegas Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #438 (Sunrise Carpentry Inc) – Disclosed a personal relationship with the applicant.
- Item #443-444 (Tiberti Company LLC (The)) – Disclosed a past business relationship with the applicant.
- Item #466 (Burke Special Projects LLC) – Disclosed and abstained based on a past business relationship with the applicant.
- Item #471 (Canyon Plumbing LLC) – Disclosed a personal relationship with the applicant.
- Item #475 (D B R Plumbing LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #500 (Mammoth Underground LLC) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #505 (Par 3 Landscape & Maintenance Inc) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #666 (South Bay Construction LLC) – Disclosed a past business relationship with the applicant.

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

8. **REACTIVATION OF INACTIVE LICENSE DENIAL HEARING:**
WESTCOAT ROOF SYSTEMS LLC
Scott Lajoie Mallory, Managing Member/Proposed Qualified Individual
(C 15D Waterproofing)

(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

Scott Mallory was not present for the hearing. It was moved and seconded to affirm staff's recommendation for denial.

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 Acting Chair Cavin at 9:55 a.m.

APPROVED:



David Behar, Executive Officer



Margaret Cavin, Acting Chair

Respectfully Submitted,



Crystal Caywood, Recording Secretary