

BRIAN SANDOVAL
Governor

STATE OF NEVADA



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MEMBERS
Jan B. Leggett, Chairman
Kevin E. Burke
Margaret Cavin
Mason Gorda
Joe Hernandez
Kent Lay
Guy M. Wells

STATE CONTRACTORS BOARD
MINUTES OF THE MEETING
April 20, 2017

1. CALL TO ORDER:

- a. Chairman Jan Leggett called the meeting of the State Contractors Board to order and led the Pledge of Allegiance at 8:30 a.m., Thursday, April 20, 2017, State Contractors Board Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign in Log.

BOARD MEMBERS PRESENT:

Mr. Jan Leggett, Chairman
Mr. Kevin Burke
Ms. Margaret Cavin
Mr. Joe Hernandez
Mr. Kent Lay
Mr. Guy Wells

BOARD MEMBERS ABSENT:

Mr. Mason Gorda

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Paul Rozario, Director of Investigations
Ms. Deborah Lumbert, Fiscal Service Manager
Ms. Nancy Mathias, Licensing Administrator
Ms. Jennifer Lewis, Public Information Officer
Mr. Brian Hayashi, I.T. Manager

LEGAL COUNSEL PRESENT:

Mr. Noah Allison, Esq.

Ms. Grein stated the agenda was posted in compliance with the Open Meeting Law at Paseo Verde Library, Sawyer State Building, Clark County Library, Reno City Hall, Washoe County Courthouse and Washoe County Library. The agenda was also posted in both offices of the Board, Henderson and Reno, on the Board's Internet Website and the Nevada Public Notice Website.

• **APPROVAL OF AGENDA:**

Ms. Grein noted that there was a typographical error on Agenda Item number 5.f. The agenda item should read "Discussion of FY 16-17 Budget Augmentation" – not FY 17-18.

It was moved and seconded to accept the agenda with the change to Item 5.f. MOTION CARRIED.

• **UNFINISHED BUSINESS:**

There was no unfinished business.

- **FUTURE AGENDAS:**

Ms. Grein informed the Board that another Construction Education event will take place at Ace High School in Reno, Nevada on May 23, 2016. Additionally, Ms. Grein noted that training through the National Judicial College will be scheduled for August this year. Ms. Grein also reminded the Board that the Joint Board meeting with the California State Licensing Board has been scheduled for June 16, 2017.

2. PUBLIC COMMENT:

Ms. Grein welcomed Danica Redman to the Board.

3. APPROVAL OF MINUTES:

It was moved and seconded to approve the minutes of March 23, 2017. MOTION CARRIED.

Ms. Cavin abstained as she was not in attendance for the March 23, 2017 meeting.

4. PRESENTATION OF DRAFT FY 2017-18 STRATEGIC PLAN BY DANIEL IACAFANO:

Mr. Iacafano presented the draft 2017-18 Strategic Plan to the Board.

It was moved and seconded to approve the draft 2017-18 Strategic Plan. MOTION CARRIED.

5. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein reserved her report for discussion during the Quarterly Report and Strategic Plan Update.

- Review of Monthly Department Statistics

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

Licensing Division:

- Received 143 new license applications and 299 change applications;
- Issued 103 new licenses;
- Approved 44 Financial Reviews; and
- Processed 605 inactive and active license renewal applications.

Compliance (CIU) Division:

- Opened 128 complaints and closed 109;
- Issued 8 Administrative Citations;
- Held 10 Disciplinary Hearings; and

Criminal (SIU) Division:

- Opened 106 complaints and closed 103 complaints;
- Issued 1 administrative citation for unlicensed contracting, and 27 court filings; and
- Recorded 20 misdemeanor convictions, 5 gross misdemeanor convictions, and 1 felonies during the period.

Additional Board Activities:

- The Board and executive team held the annual strategic planning meeting at Springs Preserve.
- During the month, Ms. Grein continued to be engaged in meetings regarding the Henderson Office Remodel and the Reno Office Lease. She also worked closely with the Ferraro Group and staff on our legislative strategies and responses, including testifying before the Assembly Labor and Commerce Committee. Ms. Grein spoke at our Construction Education Event at Northwest Career and Technical Academy.
- All departments participated in various outreach initiatives, including presentations to the Cora Coleman Senior Center, Northern Nevada Claims Association, NAMC, and general contractor

groups; as well as participated as a vendor at the Sun City Summerlin Home Expo, the Consumer Fraud Prevention Fair, and two Vegas Voice Elder Empowerment events.

- Media opportunities included an interview with CBS Radio, Univision, and KTNV Channel 13 News.

It was moved and seconded to accept the Monthly Department Statistics. MOTION CARRIED.

- Legislative Discussion including, but not limited to; AB328, AB353, AB359, SB69, SB330

Ms. Grein provided discussion concerning SB69, AB328, AB330, AB359, AB353, AB404, and SB186.

It was moved and seconded to accept the Legislative Report. MOTION CARRIED.

- Executive Officer's Quarterly Report and Strategic Plan Update

It was moved and seconded to accept the Quarterly Report and Strategic Plan Update. MOTION CARRIED.

- Review and Approval of Quarterly Financial Reports for the Period Ending March 31, 2017

It was moved and seconded to approve the Quarterly Financial Reports for the Period Ending March 31, 2017. MOTION CARRIED.

- Discussion and Approval of FY 2016-17 Budget Augmentation for Office Improvements

It was moved and seconded to approve the FY 2016-17 Budget Augmentation for Office Improvements. MOTION CARRIED.

Mr. Wells disclosed a personal relationship with a representative of Machabee Office Environments.

- Legal Report

Mr. Allison reported on pending legal matters.

It was moved and seconded to approve the legal report. MOTION CARRIED.

- Review and Approval of Contract with PSI Services, LLC for Contractor Licensing Examination Services.

It was moved and seconded to approve the contract with PSI Services, LLC for contractor licensing examination services. MOTION CARRIED.

- Subcommittee Reports

There were no Subcommittee Reports.

- Review and Approval of Contract with Allison Law Firm Chtd. for Legal Services

It was moved and seconded to approve the contract with Allison Law Firm Chtd. for legal services. MOTION CARRIED.

Mr. Allison stepped down as Board counsel during the discussion of this item.

- Review and Approval of Lease Agreement with Nevdex Office Park for Reno Office Space

It was moved and seconded to approve the Lease Agreement with Nevdex Office Park for the Reno office space. MOTION CARRIED.

6. APPROVAL OF CONSENT AGENDA:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 417)

Mr. Joe Hernandez made no disclosures.

Mr. Kevin Burke made the following disclosures:

- Item #219-222 (McCarthy Building Companies, Inc.) – Disclosed that the applicant is a competitor.
- Item #281 (Pueblo Electrical Services, Inc.) – Disclosed a past business relationship with the applicant.
- Item #342-343 (Statewide Fire Protection) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #382-383 (Tribble Investments, LLC) – Disclosed a personal relationship with the applicant.
- Item #411-413 (The Whiting Turner Contracting Company) – Disclosed the applicant is a competitor.
- Item #416 (Wulfenstein Construction Co., Inc.) – Disclosed a past business relationship.

Mr. Jan Leggett made the disclosures:

- Item #99 (Custom Painting & Decorating, Inc.) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #139-140 (Geney Gassiot, Inc.) – Disclosed he serves on the Board of AGC with the applicant.
- Item #209-211 (Madole Construction Co., Inc.) – Disclosed a personal relationship with the applicant.

Mr. Guy Wells made the following disclosures:

- Item #17-18 (Ace Asphalt of Arizona, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #219-222 (McCarthy Building Companies, Inc.) – Disclosed a past business relationship with the applicant.
- Item #345 (Strata Mechanical, LLC) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #346 (Sunland Asphalt) – Disclosed and abstained based on a current business relationship.
- Item #347-348 (Sunland Asphalt & Construction, Inc.) – Disclosed and abstained based on a current business relationship.
- Item #349 (Sunland Sports) – Disclosed and abstained based on a current business relationship.
- Item #411-414 (The Whiting Turner Contracting Company) – Disclosed a past business relationship.

Ms. Margaret Cavin made the following disclosures:

- Item #175-177 (J W McClenahan Co.) – Disclosed a personal relationship with the applicant and that the applicant is a competitor.
- Item #209-211 (Madole Construction Co., Inc.) – Disclosed a personal relationship with the applicant.
- Item #300 (Reno Iron Works) – Disclosed a personal relationship with the applicant.

Mr. Kent Lay made the following disclosures:

- Item #167-169 (ISI Design and Installation Solutions, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.

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

7. NEW APPLICATION DENIAL HEARING:

MR COOL DBA THE COOL GUYS LV

Josh E. Bradford, Managing Member

Derek Henry Wallace, Managing Member/Proposed Qualified Individual

Josh Bradford and Derek Wallace were present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

Exhibit A is the Applicant's Answer received April 6, 2017.

It was moved and seconded to approve licensure classification C-21 (Refrigeration & Air Conditioning) with a \$45,000 monetary limit, a \$5,000.00 bond, and a two (2) year period to report any criminal activity or interaction with law enforcement. MOTION CARRIED.

- 8. NEW APPLICATION DENIAL HEARING:**
NUVIA WATER TECHNOLOGIES INC
Kellie Jean Johnson, President
Ronald Wayne Johnson, Secretary/Treasurer/Proposed Qualified Individual

Kellie Johnson and Ronald Johnson were present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to affirm staff's denial of the application. MOTION CARRIED.

- 9. NEW APPLICATION DENIAL HEARING:**
SAMBRANO STEEL LLC
Kyle Robert Sambrano, Managing Member/Proposed Qualified Individual
Tami Marie Sambrano, Managing Member

Kyle Sambrano was present for the hearing. Tami Sambrano was not present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to continue this item for up to one-hundred twenty (120) days. MOTION CARRIED.

- 10. NEW APPLICATION DENIAL HEARING:**
RUSSELL ROBBINS DBA ZWORKS INSULATION
Russell K. Robbins, Owner/Proposed Qualified Individual

Russell Robbins was present for the hearing and represented by Counsel Steven Bus, Esq.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to affirm staff's denial of the application. MOTION CARRIED.

- 11. NEW APPLICATION DENIAL HEARING:**
GOLD COUNTRY BUILDERS INC
John Michael Smales, President/Proposed Qualified Individual

John Smales was not present for the hearing, but was represented by Counsel Melissa Engleby, Esq.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to continue this item for thirty (30) days. Mr. Smales must provide documentation of the family emergency preventing him from attending the hearing. MOTION CARRIED.

- 12. NEW APPLICATION DENIAL HEARING:**
DOUG BOLTONS FLOOR SHOW INCORPORATED
Doug J. Bolton, President/Proposed Qualified Individual

Doug Bolton was present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to approve licensure classification C-16 (Finishing Floors) with a \$10,000.00 monetary limit and a \$2,000.00 bond. MOTION CARRIED.

- 13. NEW APPLICATION DENIAL HEARING:**
P AND G EXCAVATION LLC
Patrick Wendell Frankoski, Manager/Proposed Qualified Individual

Patrick Frankoski was present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to affirm staff's denial of the application. MOTION CARRIED.

14. NEW APPLICATION DENIAL HEARING:

PROGLASS AND MIRROR INC

Gerald Lee Swartz, President/Secretary/Treasurer/Proposed Qualified Individual

Gerald Swartz was present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to continue this item for sixty (60) days. MOTION CARRIED.

15. NEW APPLICATION DENIAL HEARING:

LEX ROOTER LLC

Timothy Eugene Brown, Managing Member/Proposed Qualified Individual

Timothy Brown was present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to affirm staff's denial of the application. MOTION CARRIED.

Mr. Hernandez left the meeting at 12:00 p.m.

16. NEW APPLICATION DENIAL HEARING (Continued from March 23, 2017):

NORTH BAY CONSTRUCTION LLC

Edward Charles Baran Jr., Managing Member/Proposed Qualified Individual

Kathryn Anne Baran, Member

Edward Baran, Jr. and Kathryn Baran were present for the hearing and represented by Counsel Robert Domico, Esq.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to continue this item for thirty (30) days. MOTION CARRIED.

17. PUBLIC COMMENT:

There was no one present to offer public comment.

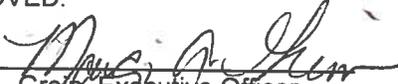
ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Jan Leggett at 12:18 p.m.

Respectfully Submitted,


Crystal Caywood, Recording Secretary

APPROVED:


Margi A. Greff, Executive Officer


Jan Leggett, Chairman