

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
August 24, 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, August 24, 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. Mason Gorda
Mr. Joe Hernandez
Mr. Kent Lay

BOARD MEMBERS ABSENT:

Mr. Guy Wells

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Ms. Nancy Mathias, Licensing Administrator

LEGAL COUNSEL PRESENT:

Mr. Noah Allison, Esq.
Mr. Jack Juan, 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 the following changes to the agenda:

Item #401 & 402 (Priority 1 Electrical, LLC) are being removed from the consent agenda after information was received warranting further investigation.

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

• **UNFINISHED BUSINESS:**

There was no unfinished business.

- **FUTURE AGENDAS:**

Ms. Grein noted that the 2018 Board Meeting and Hearing schedules will be sent to the Board members.

2. PUBLIC COMMENT:

There was no one present to offer public comment.

3. APPROVAL OF MINUTES:

It was moved and seconded to approve the minutes of July 20, 2017. MOTION CARRIED.

It was moved and seconded to approve the minutes of July 26, 2017. MOTION CARRIED.

4. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein reminded the Board that the Judicial College Training has been scheduled for Wednesday, September 27, 2017 from 9:00 a.m. to 3:00 p.m. at the Board's office. Ms. Grein provided the Board updates on recent Board activities.

- Review of Monthly Department Statistics

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

Licensing Division:

- Received 118 new license applications and 261 change applications;
- Issued 102 new licenses;
- Approved 48 Financial Reviews; and
- Processed 567 inactive and active license renewal applications.

Compliance Division:

- Opened 300 complaints and closed 245;
- Issued 36 Administrative Citations;
- Held 7 Disciplinary Hearings; and
- Opened 4 Recovery Fund claims. One Recovery Fund meeting was held where 10 claims were considered. Of those, the Committee denied two claims, continued one, and awarded \$73,550 collectively to the remaining seven claimants. The average claim award was \$10,500.

Criminal Division:

- Opened 227 complaints and closed 152 complaints;
- Issued 35 court filings; and
- Recorded 11 misdemeanor convictions.

Additionally, the Board's outreach activities included presentations to Kiwanis, Lions Club, and Rotary groups, participation in the PHCC Contractors Night Event and luncheon meeting, presenting to the Nevada Builders Association, touring the studios of Telemundo, and taping the fifth segment with Univision.

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

- Legal Report
 - Report by Board Counsel Concerning Potential and Existing Litigation

Mr. Allison provided discussion concerning the Open Meeting Law.

It was moved and seconded to go into closed session at 8:49 a.m. MOTION CARRIED.

- Ener-Tech/Kaplan v. NSCB - Discussion and Case Status Report by Jack Juan, Esq

Mr. Juan provided discussion concerning Ener-Tech/Kaplan v. NSCB.

It was moved and seconded to go into open session at 9:03 a.m. MOTION CARRIED.

- Discussion Regarding Withdrawal of Proposed Regulation R028-17 to Amend NAC 624.136(1) Concerning Investigator Qualifications

Ms. Grein provided discussion concerning the withdrawal of Proposed Regulation R028-17 to amend NAC 624.136(1) concerning investigator qualifications.

It was moved and seconded to approve the withdrawal of proposed regulation R028-17 to amend NAC 624.136(1) concerning investigator qualifications. MOTION CARRIED.

- Review and Approval of Audited Financial Statement for the Period Ending June 30, 2017

Mr. Ryan Weber of J.A. Solari & Partners provided an overview of the Audited Financial Statement for the Period Ending June 30, 2017.

It was moved and seconded to approve the Audited Financial Statement for the Period Ending June 30, 2017. MOTION CARRIED.

- Discussion Concerning Policy Academy on Occupational Licensing Applications

Ms. Grein provided discussion concerning the Board's participation in the Occupational Licensing Policy Learning Consortium.

It was moved and seconded to approve Ms. Grein's participation in the Occupational Licensing Policy Learning Consortium concerning occupational licensing applications. MOTION CARRIED.

- Subcommittee Reports

There were no Subcommittee Reports.

5. APPROVAL OF CONSENT AGENDA:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 559)

Mr. Joe Hernandez made the following disclosures:

- Item #115-118 (Circus Circus Casinos, Inc.) – Disclosed and abstained based on an ongoing business relationship with the applicant.

Mr. Mason Gorda made the following disclosures:

- Item #7 (ACCO Development Group, LLC) – Disclosed that he served on a Board with the applicant.
- Item #99 (CC Construction of Nevada, LLC) – Disclosed a past business relationship with the applicant.
- Item #137 (Contri Construction Company) – Disclosed and abstained based on a past relationship with the applicant.
- Item #200-201 (Gale Building Products) – Disclosed a past business relationship with the applicant.
- Item #276 (LF Harris and Company, Inc.) – Disclosed a past business relationship with the applicant.
- Item #290 (Lindells Painting Service) – Disclosed a past business relationship with the applicant.
- Item #301-302 (MMC Contractors West, Inc.) – Disclosed a past business relationship with the applicant.
- Item #328-329 (Mojave Electric) – Disclosed and abstained based on a past and current business relationship with the applicant.
- Item #337 (NDL Group, Inc.) – Disclosed a past business relationship with the applicant.
- Item #471-472 (Silverado Construction, LLC) – Disclosed a past business relationship with the applicant.
- Item #541 (Victory Woodworks, Inc.) – Disclosed and abstained based on a past and current

business relationship with the applicant.

- Item #550 (Webcor Builders) – Disclosed the applicant is a competitor.

Mr. Kent Lay made the following disclosures:

- Item #123 (Classic Drywall & Paint, LLC) – Disclosed a past business relationship with the applicant.
- Item #200-201 (Gale Building Products) – Disclosed a past business relationship with the applicant.
- Item #384-385 (Pinnacle Homes, Inc.) – Disclosed and abstained based on the applicant being a competitor and personal friend.
- Item #419 (Red Rock Insulation) – Disclosed and abstained based on an ongoing business relationship.

Mr. Jan Leggett made the following disclosures:

- Item #254 (JP and Son Lawn & Landscaping) – Disclosed he has purchased equipment from applicant.

Ms. Margaret Cavin made the following disclosures:

- Item #7 (ACCO Development Group, LLC) – Disclosed a personal relationship with the applicant.
- Item #193 (Floorco Flooring, LLC) – Disclosed a past business relationship with the applicant.
- Item #276 (LF Harris and Company, Inc.) – Disclosed a personal relationship with the applicant.
- Item #290 (Lindells Painting Service) – Disclosed a past business relationship with the applicant.
- Item # 301-302 (MMC Contractors West, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #328-329 (Mojave Electric) – Disclosed a personal relationship with the applicant.
- Item #366 (Omega Landscape Solutions, LLC) – Disclosed a personal relationship with the applicant.
- Item #544 (Vision Design Painting, Inc.) – Disclosed a past business relationship with the applicant.

Mr. Kevin Burke made the following disclosures:

- Item #162 (Dimick Development Co.) – Disclosed a past business relationship with the applicant.
- Item #176 (EDS Electronics, Inc.) – Disclosed a past business relationship with the applicant.
- Item #207 (Gerdau Reinforcing Steel) – Disclosed a past business relationship with the applicant.
- Item #276 (LF Harris and Company, Inc.) – Disclosed that he served on the AGC Board with the applicant.
- Item #317 (Master Built Construction, LLC) – Disclosed and abstained based on a current business relationship.
- Item #328-329 (Mojave Electric) – Disclosed a current business and personal relationship with the applicant.
- Item #363 (Northwest Construction & Consulting, LLC) – Disclosed a past business relationship with the applicant.
- Item #381 (Payless Gutters & Sidings, Inc.) – Disclosed a past business relationship with the applicant.
- Item #517 (Thyssenkrupp Sy, Inc.) – Disclosed a past business relationship with the applicant.
- Item #555 (Williams Scotsman, Inc.) – Disclosed a current business relationship with the applicant.
- Item #557 (Won-Door Corporation) – Disclosed a past business relationship with the applicant.

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

6. NEW APPLICATION DENIAL HEARING:

ALL AROUND TOWN LAWN AND LANDSCAPE MAINTENANCE

Perry Joseph Gilmartin, President/Proposed Qualified Individual

Perry Gilmartin was present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to approve licensure classification C-10 (Landscape Contracting) with a \$10,000.00 monetary limit, a \$2,000.00 bond, and a personal indemnification by Perry Gilmartin. MOTION CARRIED.

7. NEW APPLICATION DENIAL HEARING:

G & O BUILDERS LLC

Spencer Thomas Bitz, Jr., Managing Member/Proposed Qualified Individual

Spencer Bitz, Jr. was present for the hearing, and was represented by Steven Bus, Esq.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to continue this agenda item for ninety (90) days. MOTION CARRIED.

8. NEW APPLICATION DENIAL HEARING:

SAMBRANO STEEL LLC

Kyle Robert Sambrano, Managing Member/Proposed Qualified Individual

Tami Marie Sambrano, Managing Member

Kyle Sambrano and Tami Sambrano were present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to approve licensure classification C-14 (Steel Reinforcing & Erection) with a \$10,000.00 monetary limit, a \$2,000.00 bond, a personal indemnification by Kyle Sambrano and Tami Sambrano, and an annual business review for two (2) years. MOTION CARRIED.

Mr. Hernandez and Mr. Burke opposed the motion.

9. PUBLIC COMMENT:

There was no one present to offer public comment.

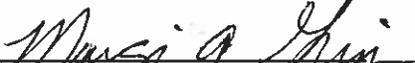
ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Chairman Jan Leggett at 10:45 a.m.

Respectfully Submitted,


Crystal Caywood, Recording Secretary

APPROVED:


Margi A. Grein, Executive Officer


Jan Leggett, Chairman