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STATE OF NEVADA

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MEMBERS
Margaret Cavin, Chair
Kevin Burke
Joe Hernandez
Kent Lay
Jan B. Leggett
Melissa Maguire
Guy M. Wells



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**STATE CONTRACTORS BOARD
MINUTES OF THE MEETING
February 21, 2019**

1. CALL TO ORDER:

Chairman Guy Wells called the meeting of the State Contractors Board to order at 8:30 a.m., Thursday, February 21, 2019, 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. Joe Hernandez
Mr. Kent Lay
Mr. Jan Leggett
Ms. Melissa Maguire
Mr. Guy Wells

BOARD MEMBERS ABSENT:

Mr. Kevin Burke
Ms. Margaret Cavin

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Paul Rozario, Director of Investigations
Ms. Nancy Mathias, Licensing Administrator

LEGAL COUNSEL PRESENT:

Mr. Tim Geswein, 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.

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 promoting public confidence and trust in the competence and integrity of licensees and to protect the health, safety, and welfare of the public."

3. PUBLIC COMMENT

Ms. Grein introduced Board Investigator Kevin McDonald to the Board.

4. APPROVAL OF AGENDA:

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

Ms. Grein noted that Item #8 (CAM Construction, LLC) has been vacated.

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

- Recommendations for Agenda Items for Future Board Meetings

Ms. Grein reminded the Board that the Strategic Planning Session is scheduled for February 26, 2019 at Springs Preserve and the Regulation Hearing is scheduled for February 22, 2019. Ms. Grein also noted that the Commission on Construction Education is scheduled to hold their Strategic Planning session on March 19, 2019.

5. APPROVAL OF MINUTES

Mr. Leggett noted that Mr. Rozario was not present for the January 24, 2019 Board meeting.

It was moved and seconded to approve the amended minutes of January 24, 2019. MOTION CARRIED.

6. EXECUTIVE SESSION

- Executive Officer's Report

Ms. Grein noted that the Board's mobile application is now available for download.

- Review of Monthly Department Statistics

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

- Licensing Department:
 - Received 154 new license applications and 222 change applications;
 - Issued 137 new licenses;
 - Approved 55 Financial Reviews;
 - Approved 613 inactive and active license renewal applications;
 - Issued or renewed 32 Certificates of Eligibility;
 - Initiated 3 Actions Related to lapse in Workers' Compensation Insurance provided by the Department of Education, Training, and Rehabilitation;
 - Held five new application denial hearings;
 - Held 2 Business Assistance Programs with 57 participants.
- Investigations Department:
 - Opened a total of 196 complaints, including 135 compliance and 71 criminal complaints;
 - Held 17 Disciplinary Hearings, where 5 licenses were revoked;
 - A total of \$33,300 in fines and \$25,204 in investigative costs were assessed, and \$7,860 in restitution was ordered by the Board; and
 - 17 court filings were issued seeking prosecution for 21 misdemeanor charges and 1 Gross Misdemeanor charges, and 8 felony charges against the alleged suspects.
 - Also during the month, 7 Recovery Fund claims were opened. One Recovery Fund meeting was held where 33 claims were heard and awarded a total of \$394,509.20.
- Other Activities:
 - Ms. Grein attended a state Occupational Licensing Consortium meeting.
 - Ms. Grein participated in a call with FARB to discuss her involvement in their strategic planning initiatives, and attended the Board of Examiners meeting where the Board's contracts for professional services with The Ferraro Group were approved.

- At the end of the month, the Board held an all-staff meeting to update employees on the Board's accomplishments and provide an overview of the upcoming strategic initiatives and legislative session.
 - The Board also hosted the quarterly NOBO meeting.
 - Additionally, the Board welcomed the Commission on Construction Education for a joint meeting, which included trainings by the Attorney General's office and the Ethics Commission on Open Meeting and Ethics Laws.
 - Lastly, Board staff presented to individuals at the Howard Lieburn Senior Center, and the Board participated in a construction workforce panel discussion for the students at Desert Rose High School.
- Discussion and Approval of Contract with Louis Ling for Professional Services Related to Legal Representation

It was moved and seconded to approve the contract with Louis Ling for professional services related to legal representation.

- Discussion and Approval of Examination Endorsement Agreement with the State of Louisiana

It was moved and seconded to approve the Examination Endorsement Agreement with the State of Louisiana. MOTION CARRIED.

It was moved and seconded to authorize Ms. Grein to execute the agreement. MOTION CARRIED.

- Legislative Discussion

Ms. Grein gave an update on the Board's legislative package, which also included proposed amendments to Assembly Bill 25 and Assembly Bill 29. Ms. Grein noted that the bills were introduced in the Assembly Commerce and Labor Committee on February 13, 2019 and that discussions with select Committee members and representatives with the industry were ongoing to address concerns.

It was moved and seconded to approve the proposed amendments to Assembly Bill 25 and Assembly Bill 29. MOTION CARRIED.

- Legal Report (A public body may interrupt the open meeting and exclude the public for the purpose of having an attorney-client discussion of potential and existing litigation pursuant to NRS 241.015(3)(b)(2))

Mr. Geswein reported on pending legal matters.

It was moved and seconded to approve the Legal Report.

- Subcommittee Reports

Ms. Grein noted the Residential Recovery Fund Committee meeting was held on January 30, 2019 where thirty-three claims were heard and awarded a total amount of \$394,509.20, for an average amount of \$11,955.00.

7. APPROVAL OF CONSENT AGENDA:

- Ratification of Staff Approved License Applications, Changes of Licensure, Reinstatement of Licensure, Voluntary Surrenders (List Attached, Items 1 to 407)

Mr. Joe Hernandez made the following disclosure:

- Item #330 (Construction Development Services, Inc.) – Disclosed that he served on the Nevada State Contractors Board with the applicant's spouse.

Mr. Jan Leggett made the following disclosures.

- Item #330 (Construction Development Services, Inc.) – Disclosed and abstained based on a personal relationship with the applicant.

Ms. Melissa Maguire made no disclosures:

- Item #199 (L&H Concrete, LLC) – Disclosed a past business relationship with the applicant.
- Item #209 (Summit Fire Protection of Minnesota Co.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #342 (K 7 Construction, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #376 (Construction M D, LLC) – Disclosed and abstained based on the fact that she sits on a Board with the applicant.

Mr. Guy Wells made the following disclosures:

- Item #91 (Keiwit Mining Group) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #197-198 (K B Home Las Vegas, Inc.) – Disclosed a past business relationship with the applicant.
- Item #200 (Mel Clark, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #215 (Aggregate Industries SWR, Inc.) – Disclosed and abstained based on the applicant being a competitor.
- Item #216 & #311 (Alphaturf NV, Inc.) – Disclosed a personal relationship with the applicant.
- Item #248 (D R Horton, Inc.) – Disclosed and abstained based on a current business relationship with the applicant.
- Item #253-254 (Ideal Mechanical, Inc.) – Disclosed and abstained based on a personal relationship with the applicant.
- Item #330 (Construction Development Services, Inc.) – Disclosed the he served on the Nevada State Contractors Board with the applicant's spouse.

Mr. Kent Lay made the following disclosures:

- Item #197-198 (K B Home Las Vegas, Inc.) – Disclosed and abstained based on the applicant being a competitor.
- Item #231 (Milgard Manufacturing, Inc.) – Disclosed a past business relationship with the applicant.
- Item #248 (D R Horton, Inc.) – Disclosed and abstained based on the applicant being a competitor.
- Item #330 (Construction Development Services, Inc.) – Disclosed the he served on the Nevada State Contractors Board with the applicant's spouse.

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

8. NEW APPLICATION DENIAL HEARING

CAM CONSTRUCTION LLC

Cheryl Lynn Kypreos, Managing Member/Proposed CMS Qualified Individual

Michael Paul Aguilar, Managing Member/Proposed Trade Qualified Individual

(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 applicant.)

This agenda item was vacated.

9. NEW APPLICATION DENIAL HEARING (Continued from 08/23/2018)

T 4 ENGINEER LLC

Aaron Ray Tippetts Jr, Manager/Proposed Qualified Individual

(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 applicant.)

Aaron Tippetts, Jr. was present for the hearing with Counsel Kevin Diamond, Esq.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to accept the applicant's request to withdraw his application. MOTION CARRIED.

10. NEW APPLICATION DENIAL HEARING

ALL SEASONS GUTTERS LLC

Gary Joseph Wetzel, Managing Member/Proposed Qualified Individual

(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 applicant.)

Gary Wetzel was present for the hearing with Counsel Matthew Curti, Esq.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to approve licensure classification C-13 (Using Sheet Metal – Limited to Seamless Rain Gutters) with a \$10,000.00 monetary limit, a \$2,000.00 bond, a personal indemnification by Gary Wetzel, and a one (1) year business review. MOTION CARRIED.**11. NEW APPLICATION DENIAL HEARING**

STONECO INC.

Michael J. Simonelli, President/Secretary/Treasurer/Proposed Qualified Individual

(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 applicant.)

Michael Simonelli was present for the hearing with Counsel Brett Miech, Esq.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to approve licensure classification C-19 (Installing Terrazzo and Marble) with a \$10,000.00 monetary limit, a \$2,000.00 bond, a personal indemnification by Michael Simonelli, and a one (1) year business review. MOTION CARRIED.**12. NEW APPLICATION DENIAL HEARING (Continued from January 24, 2019)**

G & A CONCRETE LLC

Alejandro Martines, Managing Member/Proposed CMS Qualified Individual

Guillermo Ibaibarriga, Proposed Trade Qualified Individual

(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 applicant.)

Alejandro Martines and Guillermo Ibaibarriga were not 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.**13. NEW APPLICATION DENIAL HEARING (Continued from January 24, 2019)**

ACCENT PRODUCTS INC.

Peter A. Knight, President/Proposed Qualified Individual

(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 applicant.)

Peter Knight was present for the hearing.

Exhibit 1 is the Board Notice of Hearing.

It was moved and seconded to approve licensure classification C-8 (Glass and Glazing) with a \$10,000.00 monetary limit, a \$2,000.00 bond, a personal indemnification by Peter Knight, and a one (1) year business review. MOTION CARRIED.**Mr. Wells opposed the motion.**

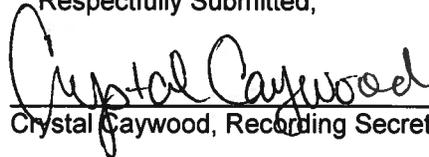
14. PUBLIC COMMENT:

No one was present to offer public comment.

ADJOURNMENT

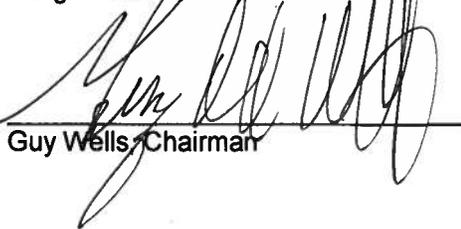
There being no further business to come before the Board, the meeting was adjourned by Acting Chair Guy Wells at 10:36 a.m.

Respectfully Submitted,


Crystal Caywood, Recording Secretary

APPROVED:


Margi A. Grein, Executive Officer


Guy Wells, Chairman