

# **MINUTES**

## **MEETING OF THE BOARD OF EXAMINERS**

February 8, 2011

The Board of Examiners met on February 8, 2011, in the Annex on the second floor of the Capitol Building, 101 N. Carson St., Carson City, Nevada, at 10:00 a.m. Present were:

### **Members:**

Governor Brian Sandoval  
Attorney General Catherine Cortez Masto  
Secretary of State Ross Miller  
Clerk Andrew K. Clinger

### **Others Present:**

Timothy Post, Esq., Counsel for Annika Post  
Annika Post, Claimant  
Jennifer Bauer, Department of Public Safety  
Brenda Ford, Department of Employment, Training and Rehabilitation  
Darlene Roullard, Department of Public Safety, Office of Traffic Safety  
John Johansen, Department of Public Safety, Office of Traffic Safety  
Johnean Morrison, Department of Public Safety, Highway Patrol  
Melanie Young, Department of Public Safety, Fire Marshal  
Carrie Schenkhuizen, Department of Public Safety, Records and Technology  
Richard Haskins, Department of Wildlife  
Jason Holm, Department of Health and Human Services, Welfare and Supportive Services  
Nancy Wong, Department of Business and Industry, Industrial Relations  
Hurlee, Thoreson, Department of Business and Industry, Industrial Relations  
Kimberlee Tarter, Department of Administration, Purchasing  
Katie Armstrong, Attorney General's Office  
Clark Leslie, Attorney General's Office  
Bill Anderson, Department of Employment, Training and Rehabilitation  
Tamara Nash, Department of Employment, Training and Rehabilitation  
Cynthia Jones, Department of Employment, Training and Rehabilitation  
Megan Sloan, Public Employees Benefits Program  
Dave Stewart, Department of Health and Human Services, Welfare and Supportive Services  
Lucas Foletti, Governor's Office  
Robert Kolvet, Office of the Military

### **Press**

Andrew Doughman, Nevada News Bureau  
Sean Whaley, Nevada News Bureau

**\*1. APPROVAL OF THE JANUARY 11, 2011 BOARD OF EXAMINERS' MEETING MINUTES**

**Clerk's Recommendation: I recommend approval.**

**Motion By: Secretary of State                      Seconded By: Attorney General                      Vote: 3-0**

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**Comments:**

**Governor:** I would like to call this meeting of the Board of Examiners on February 8, 2011 to order. All of the members are present. We will move to item 1 on the agenda which is the approval of the January 11, 2011 Board of Examiners' meeting minutes. Have the members had an opportunity to review the minutes?

**Secretary of State:** I have and I will move for approval.

**Attorney General:** I will second the motion.

**Governor:** There is a motion for approval and a second. Is there any discussion on the motion? Hearing none, all those in favor of the motion signify by saying aye. The motion passes unanimously.

**\*2. STATE VEHICLE PURCHASE**

**Pursuant to NRS 334.010,** no automobile may be purchased by any department, office, bureau, officer or employee of the State without prior written consent of the State Board of Examiners.

<b>AGENCY NAME</b>	<b># OF VEHICLES</b>	<b>NOT TO EXCEED:</b>
Department of Administration – Buildings and Grounds Division	1	\$1,327
Department of Public Safety – Highway Patrol – Dignitary Protection	2	\$80,820
Department of Wildlife – Administration	1	\$85,219
<b>Total:</b>		<b>\$167,366</b>

**Clerk's Recommendation: I recommend approval.**

**Motion By: Secretary of State                      Seconded By: Attorney General                      Vote: 3-0**

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**Comments:**

**Governor:** Item number 2 on the agenda is State Vehicle Purchase. Prior going into that matter I did want to make a record that there is an item on there with regard to the Department of Public Safety, Highway Patrol, Dignitary Protection which provided for two vehicles for the first family. First of all that was an error it should have only been half of that \$40,410. I have asked for that item to be removed from the agenda. This was an item that was previously approved by

the IFC at the time that it was approved they were missing a vehicle, since that approval we have made use of a vehicle that is within the Motor Pool Division that was turned back in which is suitable for us. So I have asked that this item be removed from the agenda. Mr. Clinger do you have any comments in regards to the other items?

**Clerk:** Thank you Governor. The Division of Buildings and Grounds is asking for one vehicle and the Department of Wildlife is also asking for one vehicle which will reside at the Spring Creek Rearing Station in Baker, Nevada; this is a new vehicle.

**Governor:** Are there any questions or comments with regards to this agenda item?

**Secretary of State:** I will move for approval of agenda item 2 for Vehicle Purchase.

**Attorney General:** I will second the motion.

**Governor:** There was a motion and a second; is there any discussion on the motion? All those in favor signify by saying aye? Motion passes unanimously.

**\*3. REQUEST TO WRITE OFF BAD DEBT**

**NRS 353C.220** allows agencies, with approval of the Board of Examiners, to write off bad debts deemed uncollectible.

**A. Department of Public Safety – Records and Technology Division – \$1,027.50**

The Division is requesting approval to write-off \$1,027.50 in outstanding debts pertaining to the Civil Applicant Background Checks and Brady Point of Sale Accounts which exceed \$50.00.

**Clerk's Recommendation:** I recommend approval.

**Motion By:** Secretary of State                      **Seconded By:** Attorney General                      **Vote:** 3-0

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**Comments:**

**Governor:** We will move to agenda item 3 on the agenda.

**Clerk:** Thank you Governor. Agenda item 3 is a request from the Department of Public Safety, Records and Technology Division. They are requesting to write off a debt in the amount of \$1,027.50 which is related to civil applicant background checks.

**Governor:** Did the Controller's Office already attempt to collect these debts?

**Clerk:** That is correct. All of these with the exception of one with the Nevada Board of Athletic Trainers were turned over to the Controller's Office for collection.

**Governor:** Do any of the members of the Board have any questions with regards to agenda item 3?

**Secretary of State:** Move for approval.

**Attorney General:** Second the motion.

**Governor:** There is a motion and a second for approval on agenda item 3. Is there any discussion on the motion? Hearing none, all those in favor of the motion please say aye. The motion passes unanimously.

**\*4. VICTIMS OF CRIME PROGRAM (VOCP) APPEAL**

**Pursuant to NRS 217.117 Section 3**, the Board may review the case and either render a decision within 15 days of the Board meeting; or, if they would like to hear the case with the appellant present, they can schedule the case to be heard at their next meeting.

**A. Annika Post**

Ms. Post is appealing the denial of her application for VOCP assistance due to an accident she was involved in. Ms. Post submitted her application to the VOCP on March 5, 2010 for injuries she received on January 23, 2010 when she was involved in a shooting. Her application was denied because the police report indicates Ms. Post traveled to the desert to go target shooting and was injured when an acquaintance of hers shot at an oxygen tank in the area. Appeals Officer Lorna Ward upheld the Compensation Officer's decision, finding that a prudent person would have realized that being in area where others are shooting at an oxygen tank presents an extremely dangerous situation.

**Clerk's Recommendation: It is recommended that Annika Post's appeal be denied.**

**Motion By: Secretary of State                      Seconded By: Attorney General                      Vote: 3-0**

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**Comments:**

**Governor:** We will move to item number 4 on the agenda.

**Clerk:** Thank you Governor. Item 4A is a VOC appeal denial based on the fact that this was a non-violent crime. The victim contributed towards the incident.

**Governor:** Thank you Mr. Clinger is Ms. Post or her representative present?

**Timothy Post:** Good Morning, I am here today on behalf of Annika Post and to let you know that she in no way contributed in this act in any way shape or form. This was an act of conviction.

**Governor:** Did they get convicted? I didn't see any record.

**Timothy Post:** Not at that time. If she contributed than she would have been arrested along with the other gentlemen.

**Governor:** At least from my prospective, I don't think that there are sufficient relevant facts. There was a discrepancy in the record with regard to which she had rode to the place where the individual who shot the gun and blew up the tank. They did ride together; there was a statement

that they were friends of friends. What I got was that they rode together and got out and the first shooter shot the tank and the bullet nicked off and they handed the gun to Wes. He shot the gun and the explosion took place at the same time Ms. Post had gone to the back of the car where a gentleman was teaching her how to load the gun. She said that she had never seen the tanks and I don't believe that is in the record. In fact in her statement it says that anyone with common sense would know to stay out of the way. I guess from my perspective I don't know if this is grounds for contributory to deny the claim. The Nevada Victims of Crime Program policy section 8 of paragraph 2C lists the examples of the types of violent crimes that are covered such as murder, assault and battery, robbery, drunk driving and pedestrian hit and run. You also have the issue of the Supreme Court Case that interprets the statute by which those two individuals are being convicted describes them as being negligent with firearms. So those are my two issues.

**Timothy Post:** Negligence can be violent, shrapnel ripping apart her leg that is a very violent act.

**Governor:** I guess the distinction though, this a violent injury or was this a violent crime?

**Timothy Post:** I don't know if there is really a way to comment on that. I just know that an injury of this magnitude has to be satisfied.

**Governor:** In that Supreme Court Case that I am referring to is Holland vs. State which is cited in the decision of the VOC claim which basically is the essence of your argument is that she is the victim of a violent crime and in that case it would be negligent use of firearms. Do any of the members of the Board have any questions for Mr. Post?

**Attorney General:** Governor, I had the same concerns as you as well. I think that my biggest obstacle here is identifying this as a violent crime for purposes of this statute and being covered under statute. No doubt this is tragic for Mr. Post's daughter, but I think that there has been that fine line that has been set by the legislature with respect to the types of crimes that would be covered under this compensation program and as you have already stated if we were to open that door to crimes such as this, than we would be opening it to all types of crimes. I don't think that there is enough money in that Victims of Crime Compensation Program to help compensate all of the victims that would come forward. So I think that there is a reason behind why they identified the violent crimes and I don't think that your incident although tragic satisfies that definition and that is really my concern with accepting this appeal.

**Governor:** Thank you madam Attorney General. Are there any other comments or questions?

**Secretary of State:** I believe whole heartedly that this was a tragic accident. This in essence is not in the category in the findings of NRS chapter 217 as a result of discharging a weapon where a person might be endangered.

**Governor:** Thank you, Mr. Post I do have a couple other questions as a result of their convictions. What were the findings in the case?

**Timothy Post:** They were to pay a small restitution for her injuries.

**Governor:** And I can't find it here but I thought I saw that there was going to be a civil suit against the shooter?

**Timothy Post:** Yes sir.

**Governor:** Are there any other questions from any of the Board members? Hearing none, the chair will accept a motion.

**Secretary of State:** I will move to uphold the Appeals Officers' decision and deny the appeal.

**Attorney General:** I will second the motion.

**Governor:** With regard to agenda 4A the motion was upheld the Appeal Officers' decision to deny the claim and was seconded by the Attorney General. Is there any discussion on the motion? All those in favor of the motion please say aye. The motion passes unanimously.

**B. Kirk Brown**

Mr. Brown is appealing the denial of his application for VOCP assistance due to an assault he was involved in. Mr. Brown submitted his application to the VOCP on May 12, 2010 for injuries he received on May 1, 2010 when he was involved in a fight in a bar. His application was denied because the initial police report did not list Mr. Brown as a victim. A subsequent report did list Mr. Brown as a victim but indicated he was uncooperative and that the incident was gang related. Mr. Brown contends that the basis for the denial is improper; that the police report indicates he was uncooperative because he did not wish to prosecute. However, according to documentation received from the police, Mr. Brown refused to provide any information regarding the incident, where it occurred, who was involved, or how the incident occurred. Therefore, the police report labels Mr. Brown as uncooperative. The fact that he did not wish to prosecute is secondary and is not a basis for denial. The detective on this case further indicates this incident occurred when the motorcycle gang Mr. Brown is associated with initiated a fight with another gang.

**Clerk's Recommendation:** It is recommended that Kirk Brown's appeal be denied.

**Motion By:** Secretary of State                      **Seconded By:** Attorney General                      **Vote:** 3-0

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**Comments:**

**Governor:** The next item on the agenda is 4B, Kirk Brown.

**Clerk:** Thank you Governor. This is again a request to appeal the denial of an application with the Victims of Crime Program. This is a case where Mr. Brown did not qualify for compensation based on his failure to cooperate with law enforcement.

**Governor:** Is Mr. Brown and or his attorney present?

**Attorney General:** There is no one here on behalf of Mr. Brown or his council. There are members here from the Victims of Crime Compensation Program as well as the officers who were involved in this particular reporting incident.

**Governor:** Do any of those individuals wish to make a record with regards to this matter?

**Attorney General:** I think that they would just like to introduce themselves.

**Detective John Woodsman**, from the Las Vegas Metropolitan Police Department, Organized Crime Bureau.

**Detective Joe Gagliardi**, from the Las Vegas Metropolitan Police Department, Organized Crime Bureau.

**Rebecca Salazar**, Program Manager with the Victims of Crime Program.

**Jean Johnson**, Compensation Officer with Victims of Crime.

**Governor:** I do have questions for you. The issue in this case is with regards to Mr. Brown's cooperation with law enforcement. And I do agree with the finding of the Appeals Officer that they later prosecute does not constitute grounds for denial for cooperation. The issue is that there are some vague references in the record with regards to the amount of Mr. Brown's cooperation at the time of the event. My understanding is that he failed to provide information with regards to where he was when the injury occurred and some of the facts and circumstances underlining the events. It does say in his application that he was involved in the bar fight because he tried to pull a couple of people out and he felt something moving in his back. I think Mr. Woodsman has more detail with regards to the interview with Mr. Brown and his cooperation.

**John Woodsman:** Sir I conducted the investigation at the scene and Detective Gagliardi actually spoke to Mr. Brown personally. I can provide information regarding the overall investigation in that the two parties involved in the fight were members of rival motorcycle gangs. Mr. Brown's parties are affiliated with the Devils Own and Hells Angels motorcycle gangs and the other parties were involved with the Mongols motorcycle gangs. It is an ongoing rivalry that dates back more than 30 years which is why that fight started as a mutual bar fight. According to our investigation, Mr. Brown's party got the better of the other three members of the Mongols and they were on the ground at which point the rival motorcycle gang member produced a knife and stabbed Mr. Brown during the may lay. Our investigation indicates that Mr. Brown's party actually started the fight and then it was one upped by the rival motorcycle gang member who produced the knife. Mr. Brown subsequently drove himself to the hospital where Detective Gagliardi had an opportunity to speak to him directly.

**Governor:** Here is my concern and question with regards to this incident. All of those are facts, essentially, whether or not he contributed to his own injury. So basically it occurred after the hearing of the Appellant Officer because it is not in the record. So the basis for the denial per the statute was that he did not provide sufficient information and didn't cooperate enough. I don't know if we can go back because the information that you just stated in not in the record in regards to the appeal so I would like a little bit more fact regarding his cooperation.

**Joe Gagliardi:** I made contact with Kirk Brown at the hospital in Henderson Nevada. Upon contacting Mr. Brown he was completely uncooperative. To talk to you about his level of cooperation, some of the factor that contributed to this was he did not tell the location where the incident occurred, he wouldn't reveal the identity of any other key witnesses regarding this matter, whether it is girlfriends or friends or any witnesses at the bar fight. He wouldn't provide any suspect description or a motive for the attack and he wouldn't provide us with any information whether there was any kind of possible gang involvement as a motive for this attack. Those are the key things when you were talking about the cooperation of the particular witness and the final portion was that he did sign a request for no prosecution which indicates that he did not want to prosecute or cooperate with law enforcement in conducting this investigation against any of the suspects.

**Governor:** My only comment would be based under the statute he has the ability to seek prosecution against the perpetrator in this case but otherwise for the record I am in favor of denial with what you just described regarding his cooperation. Madam Attorney General or Secretary of State do you have any questions?

**Attorney General:** Let me just express my concerns. Going through just the record, not taking into consideration all of the other information that we just heard as well as the information that Mr. Brown's attorney asked us to strike from the record. It is clear that obviously this gentleman was not cooperative and here is why, there is not enough information originally in the original report. If we know that the incident report took place May 1<sup>st</sup> it was on May 12<sup>th</sup> that this individual then went to the Victims of Crime Compensation Program. If you look at that first police report there is no information on there so based on getting that report the Compensation Program dated sometime in May denied it because there was not enough information. It is clear based on this denial knowing that there wasn't enough information from this report; Mr. Brown then apparently went back to the police department to try to create a record. So if you look at the second police report it is dated July 16<sup>th</sup>. And then the actual State of Nevada Victims of Crime Program information that was sent the police report verification is dated August. So it looks likely that he went back to create a report, provide a little bit more information to try to get over that hurdle of being uncooperative. I don't think that still satisfies the burden and I think that at least from what I read from the appellant reports that is probably part of why they denied this. So from my perspective I support the Hearings Officers' decision in this matter.

**Secretary of State:** Other than to point out NRS 217 subsection 1 requires the compensation officer to consider whether the victim has a prior social history of crime or gang involvement. It is cited within the record with significant evidence to show that this was in fact gang related and that the victim does have gang involvement.

**Governor:** Is there anything further from any members of the Board? The chair will accept a motion.

**Secretary of State:** I move to uphold the decision of the Appeals Officer and deny the appeal.

**Attorney General:** I second the motion.

**Governor:** It has been moved to uphold the Appeals Officer's decision for agenda item 4B and a second. Is there any discussion on the motion? Hearing none all those in favor signify by saying aye. The motion passes unanimously.

## **\*5. LEASES**

Five statewide leases were submitted to the Board for review and approval.

**Clerk's Recommendation: I recommend approval.**

**Motion By: Secretary of State                      Seconded By: Attorney General                      Vote: 3-0**

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**Comments:**

**Governor:** We move on to agenda item 5. Thank you Gentleman, for appearing today. Mr. Clinger.

**Clerk:** Thank you Governor. Item 5 is a request to approve five leases. All of these leases are extensions and also we have renegotiated the terms on all five of these.

**Governor:** I have reviewed all of these and I am happy to report that with renegotiating we are saving the state approximately \$50,000.

**Clerk:** That is correct Governor.

**Governor:** Any members of the Board have any questions with regards to item 5 on the agenda?

**Secretary of State:** Move for approval of the leases.

**Attorney General:** I will second the motion.

**Governor:** There is a motion to move item number 5 on the agenda. Is there any discussion on the motion? Hearing none all in favor of the motion please say aye. The motion passes unanimously.

## **\*6. CONTRACTS**

Twenty-eight independent contracts were submitted to the Board for review and approval.

**Clerk's Recommendation: I recommend approval.**

**Motion By: Secretary of State                      Seconded By: Attorney General                      Vote: 3-0**

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**Comments:**

**Governor:** Item 6 on the agenda.

**Clerk:** Thank you Governor. Item 6 of the agenda is the approval of contracts. There are twenty-eight contracts submitted for the Boards review and approval.

**Governor:** Do either members of the Board have any contracts that they would like to pull for questions? I have several. First is contract number three with Buildings and Grounds.

**Clerk:** Governor, I would ask Cindy Edwards, Administrator for the Buildings and Grounds Division to come forward and answer any questions you may have.

**Governor:** This is just a question for me; I see that the majority of these contracts have a short term but we are increasing the amount. Is that because we have that many buildings to inspect? What is the purpose for the increase?

**Cindy Edwards:** We are increasing the contract so that they can do more inspections and any repairs that they may need for various State buildings.

**Governor:** Repairs on?

**Cindy Edwards:** On the actual fire systems. Not just the fire extinguishers but the actual fire systems.

**Governor:** So the extra \$45,000 is for additional services as well as do all of the repairs.

**Cindy Edwards:** Yes.

**Governor:** In the future, so that I don't have to call everybody up, we can put more in the description as to what the contractor will be doing, because it wasn't clear to me what the \$45,000 was for so if you can identify what the funding is. The next one I had a question on is for Capital Glass, I am wondering what the extra \$100,000 is for?

**Cindy Edwards:** We have three contractors on file and we use them for bids and we are increasing the maintenance and repairs to the buildings and also for tenant improvements and with the mergers we are adding maintenance to our contracts.

**Governor:** So these are anticipated costs that you are preparing for?

**Cindy Edwards:** Yes.

**Governor:** Next is the contract with KFC Building Concepts.

**Cindy Edwards:** That is the same thing with this vendor. We are doing our building renovation projects.

**Governor:** So none of this was contemplated when we entered into this contract?

**Cindy Edwards:** No, if a tenant comes in and they want something changed or fixed that is what all of these contractors will do.

**Governor:** What types of improvements are you looking to do?

**Cindy Edwards:** We are looking at the merger and all of the walls that are going to need to be put up and any repairs to any buildings and general contracting.

**Governor:** Same question with Otis Elevator.

**Cindy Edwards:** We had to make repairs to some of the elevators with that contract.

**Governor:** That is all I have with Buildings and Grounds. Do any of the members have any questions? The next item that I have is with the Public Works Board which is contract number 10. My question is this; we have a contract for \$250,000 for construction and inspection services - is that something that your department outsources?

**Gus Nunez:** Typically for these types of services, no. We used to keep a full time inspector on staff but a little over a year ago we let him go due to not enough sufficient work. Since then we have been handling building inspections only here in Carson City. We do have a project coming up that will require one man to travel for that one project; I would doubt that we would even need that much, it would probably be well under \$250,000. Before this individual firm does any work we would give them a letter saying that we want you to do the following scope of work with the following location on an as needed basis not to exceed this amount. The \$250,000 I doubt very seriously that we would come anywhere near that amount, it is just a standard figure that we ask for and we usually try to overestimate the project.

**Governor:** It says with regard to the funding, it says other funding?

**Gus Nunez:** This is from the actual project funds.

**Governor:** If we don't spend that money, where does it go?

**Clerk:** Governor, these projects in the upcoming 2011 CIP projects are primarily funded with general obligation bond proceeds. In this case if the funds are not used they will revert back to the bond proceeds.

**Governor:** What other things do we spend those bond proceeds on?

**Clerk:** Typically what we do is if the funds are not used we allocate those funds to other projects for improvement.

**Governor:** The next is contract is for Welfare and Supportive Services which is contract number 12. My question on this is we have gone from \$259,840 and we are adding \$609,000 to this contract and the purpose states that we are extending this by two years. Is this the cause for the increase?

**Jason Holm:** The original contract was a sole source for the design of the Childcare System. Once the system was up and running we are in need of enhancements to the system. With HCL designing the system this contract amendment will provide the maintenance needed for the enhancements to the system.

**Governor:** The next contract that I have is number 13. Is someone here from the Department of Mental Health and Developmental Services? I don't want to hold this up but I have some questions perhaps I could get answered later?

**Clerk:** Governor, I can bring the answers to your questions back to the next Board of Examiners meeting as an information item, unless you would like to pull this contract?

**Governor:** No, I don't want to hold this up; I just have a few questions. My question is this it is a pretty large number to provide locum tenens services and I don't even know what that means. I am just wondering why we have to spend that much money on temporary services instead of hiring permanent staff. Next is the Child and Family Services Division is there someone here with regards to this contract? I don't want to hold this contract up either and this is actually money flowing to the State. It is the renegotiating contract to sublease office space and I was just wondering how much of a reduction is it?

**Clerk:** We can bring this contract back as an information item as well to the next Board meeting.

**Governor:** The next item is item number 17 for the Office of Military; is there someone here for that? My question is for my purposes so that I understand the contracts that are approved. It says that the purpose is to perform professional engineering services and Geographic Information System (GIS) tool development for the Facilities and Maintenance Office Charrettes program.

**Robert Kolvet:** That is correct Governor. What that is for is part of our Blue Ribbon Panel for future planning and growth of the Guard. What we are doing is mapping out our existing land that we own to put that towards our future 52 plans and the goal of the Adjutant General.

**Governor:** So this is long term planning?

**Robert:** Exactly.

**Governor:** Do any of the members of the Board have any questions? Thank you. Next is the Department of Public Safety for Agate Software Inc. Is there someone here from DPS? My question is this; this is a grant to purchase a web-based grants management program to manage a program? It states that it is a sole source contract, here is my question on the solicitation waiver request form in that packet it says that we are getting a \$75,000 credit for contracting with them but you would have to forfeit if it goes to a competitive bid. I am happy to get the credit but why is that stated in there?

**Darlene Roullard:** This particular type of contract will ensure the compliance with tracking of state and federal funds for audit purposes.

**Governor:** Does this open the door to allow us to find more grants or is this going to enable us to just the ones that we have now?

**John Johansen:** It will basically allow us to manage the ones we have now. We currently run about 60 to 70 grants. What the future holds we don't know. But it will enable us to keep track of the grants we have and any more that we receive.

**Governor:** I understand that this is federally funded, so if we didn't use this \$574,000 for this, that money would go away?

**John Johansen:** Yes. This money was a one-time award.

**Governor:** Thank you. We will move on to agenda item number 23. I was a little confused regarding the purpose of the contract. This is an interlocal agreement to provide State Health Care Workforce Development grant funds to assist in the development of Nevada's health care workforce to meet the anticipated demand for health care services throughout Nevada. It is a little vague and I would like a little more explicitly on what exactly we are getting for this contract.

**Dennis Priea:** Yes sir, this was actually a two part grant that the initial grant was a planning grant and there is a second grant that is an implementation grant. In the grant the Workforce Connections was listed as a mandatory partner in the grant, but the role that DETR is playing in this is we are using our research and analysis bureau to provide information on the health care history. Workforce Connections is working with University of Nevada, Reno and different agencies to actually plan what kind of training programs are going to actually be needed for future employment in health care.

**Governor:** So we are paying \$140,000 for them to study which health care sector we need to develop.

**Dennis Priea:** And work with the community colleges in developing curriculum and a structure to actually when we do get the implementation grant to implement training in the health care sector.

**Governor:** So why wouldn't we contract directly with the University?

**Dennis Priea:** The grant itself did list the local Workforce Investment Board as a mandatory partner on this. The local Workforce Investment Board had established a relationship with the health care industry and that took place before the state actually the Governor's Workforce Investment Board established a sector council. So they were more involved with the health care sector at that point and it was better for them to take the lead on it.

**Governor:** Just so that I can get my arms around it. Who is getting paid here, is it Workforce Connections?

**Dennis Priea:** Correct.

**Governor:** So we are paying them to study these things?

**Dennis Priea:** Correct. The State of Nevada did hold back some funds for the time and use that we were going to use our Research and Analysis Bureau, but it was a small part of the grant.

**Governor:** Would you be the individual on the contract with Council for Community and Economic Research dba C2ER. I have a question with regards to the purpose is says that this is a new contract to provide project management and subject matter expertise to the Projections Managing Partnership in the development of “green” jobs labor market information. Could you interpret that?

**Bill Anderson:** Nevada is a member of a multi state Consortium called Projections Managing Partnership. It is in several states that manage the employment projections activities of all States. As part of the consortium Nevada serves as the fiscal agent. We receive monies from the Employment and Training Administration, U.S Department of Labor and then as directed by the Partnership we distribute those monies to various other states that do work on behalf of all fifty states within the Consortium. So the purpose of this contract is simply to upgrade our training and capabilities to the evolving economy.

**Governor:** I would love to get a copy of your report when you are done.

**Bill Anderson:** I will be sure to get you one sir.

**Governor:** Thank you very much. Are there any questions from any member of the Board? Hearing none, the chair will accept a motion.

Secretary of State: I will move for approval of all contracts under agenda item 6.

Attorney General: I will second the motion.

Governor: We have a motion by the Secretary of State and a second by the Attorney General to approve the contracts on the agenda. All in favor of the motion please say aye. The motion passes.

## **7. INFORMATION ITEM**

### **A. Department of Conservation and Natural Resources – Division of State Lands**

Pursuant to NRS Chapters 111, Statutes of the Nevada, 1989 at page 263, the Division of State Lands is required to provide the Board of Examiners quarterly reports regarding lands or

interests in lands transferred, sold, exchanged or leased under the Tahoe Basin Act program. Also, pursuant to Chapter 355, Statutes of Nevada, 1993, at page 1153 the agency is to report quarterly on the status of real property or interests in real property transferred under the Lake Tahoe Mitigation Program. This submittal reports on program activities for the fiscal quarter ending December 31, 2010 (reference NRS 321.5954).

**Comments:**

**Governor:** Item 7 on the agenda is an information item.

**Clerk:** Thank you Governor, item 7 is an information item related to the Tahoe Basin Act and the Lake Tahoe Mitigation Program. For the Tahoe Basin Act the agency reports that there were no transfers of lands or interests in lands during the quarter. And there were no acquisitions of lands or interest in lands during this quarter. For the Lake Tahoe Mitigation Program the agency reports that there was one of interest in land under this program for the quarter. The Nevada land Bank purchased 29,010 square feet of restored Class 6 land coverage from the Incline Village General Improvement District for \$230,000.

**Governor:** Do any members of the Board have any questions with regards to agenda item 7?

**8. BOARD MEMBERS' COMMENTS/PUBLIC COMMENT**

**Comments:**

**Governor:** Are there any board member comments? Public Comments? Hearing none we will move on.

**\*9. ADJOURNMENT**

**Clerk's Recommendation:** I recommend approval.

**Motion By:** Secretary of State                      **Seconded By:** Attorney General                      **Vote:** 3-0

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**Comments:**

**Governor:** Is there a motion for adjournment?

**Secretary of State:** So moved.

**Attorney General:** Second.

**Governor:** It has been moved by the Secretary of State and second by the Attorney General for adjournment. All those in favor of the motion please say aye. The motion passes.

**Respectfully submitted,**

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ANDREW K. CLINGER, CLERK

**APPROVED:**

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GOVERNOR BRIAN SANDOVAL, CHAIRMAN

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ATTORNEY GENERAL CATHERINE CORTEZ MASTO

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SECRETARY OF STATE ROSS MILLER