

Governor Steve Sisolak
Chairman

Susan Brown
Clerk of the Board



Attorney General Aaron D. Ford
Member

Secretary of State Barbara K. Cegavske
Member

STATE OF NEVADA BOARD OF EXAMINERS

209 E. Musser Street, Room 200 / Carson City, NV 89701-4298
Phone: (775) 684-0222 / Fax: (775) 684-0260
<http://budget.nv.gov/Meetings>

MEETING MINUTES

Date and Time: June 13, 2019, 10:00 AM

Location: Old Assembly Chambers of the Capitol Building
101 N. Carson Street
Carson City, Nevada 89701

Video Conference Location: Grant Sawyer Building
555 E. Washington Avenue, Ste. 5100
Las Vegas, Nevada 89101

MEMBERS PRESENT:

Governor Steve Sisolak
Attorney General Aaron Ford – Present in Las Vegas
Secretary of State Barbara Cegavske – Present in Las Vegas

STAFF PRESENT:

Susan Brown, Clerk of the Board
Rosalie Bordelove, Board Counsel, Deputy Attorney General
Dale Ann Luzzi, Board Secretary

OTHERS PRESENT:

Douglas Beatty, Administrative Services Officer, Colorado River Commission
Sandra Morgan, Chairwoman, Gaming Control Board
Rachel Anderson, General Counsel, Office of the Attorney General
Christian Schonlau, Chief Financial Officer, Office of the Attorney General

1. Call to Order / Roll Call

Governor: Good morning. I would like to call today's meeting of the State of Nevada Board of Examiners to order for Thursday, June 13, 2019 at 10:00 AM.

Board Secretary: Let the record reflect we do have a quorum.

Governor: Right, thank you.

2. Public Comment (The first public comment is limited to comments on items on the agenda. No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. The Chair of the Board will impose a time limit of three minutes).

Governor: Item 2, *Public Comment*. This is the first time set aside for public comment. Anyone wishing to address the Board on any item on today's agenda, that's items on the agenda, please step forward, identify yourself for the record and comments will be limited to three minutes. Do we have anybody in Carson City? Seeing none. Do we have anybody in Las Vegas?

Attorney General: No one in Las Vegas.

Governor: Seeing and hearing no one for public comment.

3. Approval of the May 14, 2019 Minutes (For possible action)

Governor: Move on to agenda item number 3, *Approval of the May 14, 2019 Minutes*. Do I have a motion regarding the minutes?

Clerk: Good morning, Governor, Members of the Board. Governor, I would just note that there are a couple of minor changes that need to be made on the minutes before they're posted.

Governor: Yes, please.

Clerk: On the first page, on Page 18 and Page 21 there are some minor edits that will need to be made.

Governor: Okay, nothing substantive?

Clerk: Correct, nothing substantive.

Attorney General: Move for approval.

Governor: We have a motion on the floor to approve the minutes with corrections from General Ford. Is there any discussion? Seeing and hearing none, all in favor signify by saying aye. Any opposed? Motion passes.

4. Review and Consideration of Victims of Crime Appeal (For possible action)

Pursuant to Nevada Revised Statute (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. The Board may affirm, modify or reverse the decision of the Appeals Officer. The Board will hear the appeal of Mr. James Patterson.

Governor: Item 4, Review and Consideration of Victims of Crime Appeal.

Clerk: Item 4 is a Victims of Crime Appeal. NRS 217 regulates the compensation for certain victims of criminal acts. Victims apply to the Program and a determination is made as to whether or not the victim is entitled to compensation from the Program. A victim whose claims are denied can appeal to a Hearings Officer to have their claims reconsidered. The victim or the Clerk of the Board of Examiners may appeal the decision of the Hearings Officer to an Appeals Officer. Both the Hearings Officer and Appeals Officer process is under the jurisdiction of the Department of Administration.

Upon the Appeals Officer's decision, NRS 217.117(3) allows the applicant or the Clerk of the Board of Examiners to appeal the decision made by the Appeals Officer to the Board of Examiners. The Board of Examiners can render a decision in the case or hold a hearing on the matter.

The item for consideration today is a review of the record of an Appeals Officer decision of an appeal by applicant James Patterson. Mr. Patterson has been notified of the meeting today.

Within 15 days of today's hearing, the Board shall render its decision on the case. The Board may affirm, modify or reverse the decision of the Appeals Officer or it can decide to hold a hearing on the matter within 30 days in which case it would reconsider the evidence provided by both the applicant and the Victims of Crime Program.

Representatives from the Victims of Crime Program are available to answer any questions Board Members may have.

Governor: Thank you. At this time, is Mr. Patterson or his representative here, in Carson City? Is Mr. Patterson or his representative in Las Vegas?

Attorney General: No Governor.

Governor: Okay. I know that my colleagues have reviewed this item, as have I. Without the Appellant being here, do we have a motion?

Attorney General: Mr. Governor, I move to approve the decision of the panel.

Governor: So, to uphold the decision.

Attorney General: Yes.

Governor: We have a motion to uphold the decision. Is there any discussion on that motion? Hearing and seeing none, all in favor signify by saying aye. Any opposed? Motion passes.

5. State Vehicle Purchases (For possible action)

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.

AGENCY NAME	# OF VEHICLES	NOT TO EXCEED:
Colorado River Commission	1	\$51,933
Total	1	\$51,933

Governor: Next item, Item 5, State Vehicle Purchases.

Clerk: There is one request for one vehicle in this agenda item. The request is from the Colorado River Commission to purchase one replacement vehicle for \$51,933. The vehicle being replaced has met the age and mileage requirements in the State Administrative Manual. An amount of \$30,002 was funded in the agency's legislatively approved budget. The remaining amount will be paid for using reserves.

Representatives from the Department are available to answer any questions the Board may have.

Governor: I have a question. Could I have the representative come forward, please?

Attorney General: They're here, down here in Vegas, yes, sir.

Governor: Okay. So, it's my understanding now, gentlemen, that there is a relationship between the dealership and the one that's doing the customizing or the upgrades, is that correct?

Douglas Beatty: Good morning, to answer your question, Governor, there is no relationship between the dealership, Jones West Ford and Sierra, the proposed modification vendor. The request at the last meeting requested the vehicle and the

modifications are coordinated through Jones West and Jones West was going to use a different vendor. So, we've modified our approach. We are going to do the modifications with a local vendor.

Governor: Okay. So, it will now be a Nevada vendor?

Douglas Beatty: That's correct.

Governor: A business located in the State of Nevada?

Douglas Beatty: That's correct. Actually, just down the street from our offices.

Governor: I think we made our point. Thank you very much. Do we have any questions on this item?

Attorney General: None down here. We do note that pursuant to your inquiry here, the State has saved \$2,500 or so?

Secretary of State: Yes, \$2,529.

Attorney General: So, great work, Governor.

Governor: It all adds up, right, General Ford? We appreciate it. Do we have a motion?

Attorney General: Move approval.

Governor: Thank you. Any discussion? All in favor, signify by saying aye. Any opposed? Motion passes. Thank you very much.

6. Authorization to Contract with a Current and/or Former State Employee
(For possible action)

Board action under this item only grants permission to the employing agency. Current and former employees are still subject to all ethical requirement of NRS chapter 281A, specifically including subsection 550 which restricts certain former employees and State agencies.

Department of Transportation

Pursuant to NRS 333.705, subsection 1, the Department requests to contract with a former employee, Edvaldo Martins. Henningson Durham and Richardson, Inc. is proposing to utilize Mr. Martins to fill the position of Inspector, a key role in overseeing the construction in the Full Administration of District II Betterment projects agreement P614-17-040.

Governor: Item number 6, *Authorization to Contract with a Current and/or Former State Employee.*

Clerk: Item 6 includes one request to contract with a former employee pursuant to NRS 333.705(1). The request is from the Department of Transportation to contract with a former employee. Henningson, Durham and Richardson Inc. has hired the former employee and plans to utilize this individual on District II Betterment Projects as an Inspector. Representatives from the Department are available to answer any questions.

Governor: Alright. It's my understanding the reason this comes to us is a person is currently retired and currently collecting benefits from Public Employees' Retirement System, correct?

Clerk: That is correct.

Governor: Do you have any questions on this one?

Attorney General: We don't, Mr. Governor.

Governor: Do I have a motion.

Attorney General: Move approval.

Governor: We have a motion on the floor. Any discussion? All in favor, signify by saying aye. Any opposed? Motion passes. Thank you.

7. Request for Designations of Bad Debts (For possible action)

Pursuant to NRS 463.123(2), the Nevada Gaming Control Board requests the approval to remove delinquent debt from the Nevada Gaming Commission's records.

The amount requested to be deemed as bad debt is \$8,040.55. A listing of the debt is included in the attached schedule.

Governor: Item 7, *Request for Designations of Bad Debts.*

Clerk: Item number 7 is a request for a designation of bad debt from the Gaming Control Board. Most State agencies turn their uncollectable debt over to the State Controller, who has the authority to request the Board of Examiners write off bad debt that has become impossible or impractical to collect. Bad debt under the purview of the State Controller cannot be removed from the State's books unless the Board of Examiners designates the bad debt as uncollectable.

Prior to the passage and approval of Assembly Bill 14 from the 2015 Legislative Session, the Nevada Gaming Commission, by the affirmative vote of a majority of their respective

members, could remove from their records the name of a debtor and the amount of tax, penalty or interest owed by a debtor, if, after a period of five years, they remained impossible or impractical to collect. Assembly Bill 14 amended NRS 463.123 and requires the Gaming Commission to report the debt determined to be impossible or impractical to collect to the Board of Examiners for the designation of bad debt. Upon such designation, the Clerk shall notify the State Controller to remove the debt from the State's Books.

This item includes one request to designate debts as bad debts under the provisions of NRS 463.123. The request is from the Nevada Gaming Control Board to designate \$8,040.55 as bad debt for the purpose of removing the three debts from the State's books. Representatives from the agency are available to answer any questions the Board Members may have.

Governor: Thank you. Good morning, Ms. Morgan, welcome, thank you. I only have one question. I know that you're bringing this one back, this one we had before. Do we keep track of this in case these individuals ever apply for a license in the future?

Sandra Morgan: Mr. Governor, absolutely, so if the licensees or their principles ever were to come back and request a gaming license, we would have it flagged that they had debt because they didn't pay their annual slot tax in the amount of \$8,040.55.

Governor: What would happen in that case, hypothetically? Would they then be asked to pay that before they applied, or would that be a mitigating factor?

Sandra Morgan: Yes, absolutely. I don't even think the application for licensure would get to me until that debt was repaid.

Governor: Okay, thank you. We appreciate it. I sincerely, on behalf of the State, appreciate your stepping in and all the great work you're doing on the Gaming Control Board. Thank you very much.

Sandra Morgan: Thank you, Governor.

Attorney General: Me as well.

Move for approval.

Governor: We have a motion on the floor. Any discussion? All in favor, signify by saying aye. Motion passes. Thank you very much.

8. Requests for Approval to Pay a Cash Settlement (For possible action)

A. The Department of Conservation and Natural Resources – Division of Forestry and University of Nevada, Reno

Pursuant to Article 5, Section 21 of the Nevada Constitution, the State Board of Examiners may approve, settle or deny any claim or action against the

State, any of its agencies or any of its present or former officers, employees, immune contractors or State Legislators.

The Division of Forestry, in conjunction with the University of Nevada, Reno request the Board of Examiners approve a settlement agreement between 105 Nevada property owners and the State of Nevada, Division of Forestry and UNR where the State of Nevada agrees to pay, as its share of the settlement, a total of \$10 million.

B. The Office of the Nevada Attorney General

Pursuant to Article 5, Section 21 of the Nevada Constitution, the State Board of Examiners may approve, settle or deny any claim or action against the State, any of its agencies or any of its present or former officers, employees, immune contractors or State Legislators.

The Office of the Attorney General requests the Board of Examiners approve a settlement agreement between the estate of Julio Cesar Montes and the State of Nevada, Health and Human Services, Desert Regional Center for acceptance and approval of the agreement where the State of Nevada will pay \$600,000 to the estate of Julio Cesar Montes.

Governor: *Item 8, Requests for Approval to Pay a Cash Settlement, 8-A, the Department of Conservation and Natural Resources, Division of Forestry and University of Nevada, Reno.*

Clerk: The first request is from the Office of the Attorney General. It is requesting the Board of Examiners to approve a settlement agreement between the State of Nevada, Department of Conservation and Natural Resources, Division of Forestry and the University of Nevada, Reno and the Little Valley Fire subrogated insurers and individual plaintiffs for acceptance and approval of the agreement where the State of Nevada agrees to pay \$10 million from the Statutory Contingency Account. The total amount of the settlement is \$25 million with the balance paid by the excess insurer.

The second request is from the Office of the Attorney General. The Office of the Attorney General requests the Board of Examiners approve a settlement agreement between the estate of Julio Cesar Montes and the State of Nevada, Department of Health and Human Services, Desert Regional Center for acceptance and approval of the agreement where the State of Nevada will pay \$600,000 to the estate of Julio Cesar Montes.

Representatives from the agencies are available to answer any questions.

Governor: General Ford, did you want to make any comments, or did you have any questions?

Attorney General: Mr. Governor, I have no questions.

I do have my general counsel here in the event one of the other Board Members has questions about this. I can say that I obviously support both 8-A and 8-B but again, my

general counsel, as well as another, is here to answer questions, to the extent you or Secretary Cegavske has questions.

Governor: Thank you, I appreciate it. I have been briefed, thoroughly, on these two, so I don't have any questions. I do want to, in particular on the first one, 8-A, give praise to your office for the work you've done. Our potential exposure on that item was significantly higher than the settlement and could've caused financial hardship. I think you did 'yeoman work' to get to that point. So, congratulations to you and your staff, as it relates to that negotiated settlement.

Governor: Yes, Secretary Cegavske, please go ahead.

Secretary of State: Thank you, Governor. I just wondered how much would be remaining in these funds after the settlement if anybody knows the answer to that, once this is paid. Do we know how much would be the remaining in the accounts?

Christian Schonlau: I don't have exact figures for you but I can tell you that our balance has approximately \$4.4 million in the reserve, going forward into Fiscal Year 2020.

Secretary of State: Okay and we're settling for \$25 million so, we drained it quite extensively? Is that correct?

Governor: Well, the funds came from different sources.

Secretary of State: Right, there were different sources, I understand that, but I'm just looking at what was given to me, so how much is out of which account? Maybe that would be a better question. If you could tell me what's remaining in each account and then, I know the insurance took care of the homes and they've been redone already. That's already taken place. So, this is for the landscaping, outside? What exactly is the State paying for from the Division of Forestry?

Governor: Okay. My understanding and I'll turn it over to staff is, on the memo here is, \$18 million of it goes to the Claimants; \$7 million will go to reimburse the insurance company, so some of the claims are already paid, but please go ahead, do we have a more detailed explanation than mine?

Attorney General: Mr. Chair, if I may.

Governor: Please.

Attorney General: The \$25 million amount is bifurcated between different payments – \$15 million is coming from our insurance policy but \$10 million is coming from our Statutory Contingency Account.

Secretary of State: What would be left in that account?

Governor: I suppose what the Secretary is asking is, it's showing \$7 million as coming from the Contingency Fund and \$3 million coming from the Tort Fund. Secretary, if I understand your question, you'd like to know what's remaining in the Contingency Fund and what's remaining in the Tort Fund, correct?

Secretary of State: Yes, thank you, Governor. Sorry I wasn't clear.

Governor: No, that's okay. Do we know those figures?

Clerk: Yes. The remaining amount in the Statutory Contingency Account will be about \$4 million. An amount of \$10 million was placed by the Legislature into the Statutory Contingency Account specifically for this purpose. The remaining \$4 million is sufficient at this time to fund that account for the biennium. The Tort Claim Account will have about \$4.4 million remaining and that account is replenished through payments over the biennium by State agencies.

Governor: So, \$4 million will be left in the Statutory Contingency Fund and \$4.4 million will be left in the Tort Fund after these claims.

Secretary of State: Okay. And then the Division of Forestry, did they have any insurance at all? Did they have any liability in this, or is it just the State?

Attorney General: Mr. Chair, if I may, with the Division of Insurance being part of the State that is incorporated into the payment in its entirety.

Secretary of State: So, nothing separate.

Attorney General: Nothing separate from the Division of Forestry.

Secretary of State: Okay. Governor, thank you for allowing me to ask those questions and thank you for your assistance.

Governor: Absolutely.

Do we have any other questions? Do we have a motion on the item?

Secretary of State: I'll move to pay it. It doesn't look like we have any other choice.

Attorney General: I'll second.

Governor: We have a choice but I think the other way could be a lot more costly.

So, we have a motion on the floor for 8-A, any further discussion? All in favor signify by saying aye. Any opposed? Motion passes.

Do we have questions or a motion on 8-B?

Secretary of State: Yes, the other question would be, which account is this one coming from, this \$600,000? Which fund is the settlement coming from?

Attorney General: That's going to come from our Tort Fund, which is contained in the Office of the Attorney General.

Secretary of State: Alright, that's all I wanted to know. I'll move for approval.

Governor: We have a motion on the floor for 8-B, any discussion? Hearing and seeing none. All in favor, signify by saying aye. Any opposed? Motion passes. Thank you very much.

9. Requests for the Allocation and Disbursement of Funds for Salary Adjustments (For possible action)

The 2017 Legislature, through Assembly Bill 517 and Senate Bill 368, made appropriations from the General Fund and the Highway Fund to the Board of Examiners to meet salary deficiencies that may be created between the appropriated money of the State's respective departments, commissions and agencies and the salary requirements for the personnel of those departments, commissions and agencies. The Board of Examiners, upon recommendation of the Director of the Governor's Finance Office, may allocate and disburse amounts from the appropriate fund to the departments, commissions and agencies of the State for the purpose of paying personnel salary deficiencies.

The following department, commission and agency requests for allocations from the General Fund and/or Highway Fund salary adjustment accounts are recommended by the Director of the Governor's Finance Office:

BA#	BUDGET ACCOUNT NAME	GENERAL FUND ADJUSTMENT	HWY FUND ADJUSTMENT
2691	Department of Agriculture – Nutrition Education Programs	\$8,990	
	Total	\$8,990	
4150	Department of Conservation and Natural Resources - Administration	\$27,761	
	Total	\$27,761	
2941	Department of Tourism and Cultural Affairs – Museums and History Division	\$7,786	
	Total	\$7,786	
4729	Department of Public Safety – State Emergency Response Commission		\$7,704
	Total		\$7,704

4204	Tahoe Regional Planning Agency	\$36,795	
	Total	\$36,795	

Governor: Now moving on to 9. *Requests for the Allocation and Disbursement of Funds for Salary Adjustments.*

Clerk: Salary adjustments are pursuant to Assembly Bill 517 and Senate Bill 368 from the 2017 Legislative Session where funds were appropriated for this purpose to the Board of Examiners to cover vacancy savings built into agency budgets as well as the 3% cost-of-living adjustments (COLAs) that were effective on July 1, 2017 and July 1, 2018 that were not included in agency salary budgets.

An agency whose actual salaries exceed their budgeted amount due to the vacancy savings or the COLAs is allowed to request salary adjustment dollars from the Board of Examiners.

This item requests access to those funds by the Department of Agriculture, Nutritional Education Programs to cover the cost of the COLAs in the amount of \$8,990 in General Funds; the Department of Conservation and Natural Resources, Administration to cover the costs of the COLAs in the amount of \$27,761 in General Funds; the Department of Tourism and Cultural Affairs, Division of Museums and History to cover the cost of the COLAs in the amount of \$7,786 in General Funds; the Tahoe Regional Planning Agency (TRPA) to cover the costs of COLAs pursuant to Section 13 of Assembly Bill 517 and Section 9 of Senate Bill 368 in the amount of \$36,795 in General Funds; and finally, the Department of Public Safety, State Emergency Response Commission to cover the costs of COLAs in the amount of \$7,704 in Highway Funds. The total General Fund request today is \$81,332 and the total Highway Fund Request is \$7,704.

Representatives from the agencies are available to answer any questions the Board may have.

Governor: Is there a reason the TRPA is so high? Is it just because their payroll is so high?

Clerk: This is 100% of the amount that they're eligible for.

Governor: As opposed to the other ones aren't 100% what they're eligible for?

Clerk: They may or may not be, depending on any salary savings they may have had in their budgets. The TRPA has a different provision in the law that allows them to request the full amount. So, they can either do a COLA, if that's been granted by both states, Nevada and California, or they can use it as a one-time bonus but I believe, in this case, they're using it for the 3% COLAs.

Governor: Got it. So, California has to put in a like amount.

Clerk: Correct.

Governor: Got it, okay. Do we have any further questions on Item 9?

Attorney General: No questions here.

Governor: Do I have a motion on Item 9?

Attorney General: Move approval.

Governor: We have a motion on the floor, any discussion? Hearing and seeing none, all in favor signify by saying aye. Any opposed, motion passes.

10. Approval of Proposed Leases (For possible action)

Governor: Item 10, *Approval of Proposed Leases*.

Clerk: There are two leases in agenda item 10 for approval by the Board this morning. No additional information has been requested by the Members.

Governor: Okay. Do we have any questions on this item?

Attorney General: None here Governor.

Governor: Did we add the one part I had asked for about the arm's length transaction? Where is it on here? Oh, okay, I'm on Page 2 of 2 of both of these documents. I've never seen it just termed *is this an arm's length transaction* and I don't know if everybody knows what that really means? I've got my legal representation here, does that suffice? Normally, it would say something about *is this within the third-degree of consanguinity* type of thing.

Rosalie Bordelove: I would hope that these have been reviewed by counsel for both the parties and to the extent that they were, I would say that that question would be sufficient. I don't know the background that you're referring to of wanting that added on there.

Governor: The background is that, at previous meetings, I brought up that I wanted to make sure that for General Ford and Secretary Cegavske when we're voting on these, we wanted to make sure that there is no relationship that is known or unknown to any of the folks.

Clerk: Governor, it's my understanding that there is a document behind this and it is *within the third degree of consanguinity*. Those were the discussions that were had.

Governor: Oh, so there's something behind this that are not shown.

Clerk: Correct.

Governor: Okay, I didn't know that. Okay.

Do we have further questions or a motion on Item 10? Yes, Secretary Cegavske.

Secretary of State: Yes, on this, I'm a little confused Governor. On the question that you're asking, that you're asking of us, does this look like just a relocation or a location, the terms of the lease, am I looking at it wrong?

Governor: Well, the first one is for the Office of the Attorney General. The second one is for Clark County.

Secretary of State: Right.

Attorney General: The only question that, as I understand your question, Governor, you just wanted to ensure that this is an arm's length transaction between our Officers and the people leasing us the buildings, is that right?

Governor: That is correct.

Attorney General: So the answer to that is, yes – these are arm's length transactions as I understand.

Secretary of State: Alright, I just wanted to clarify your question and make sure that I understood. There's nothing with us and there's nothing for the Attorney General.

Governor: No, apparently there is a back-up document that deals with the third-degree of consanguinity that's not attached here, to make sure they are arm's lengths transactions.

Secretary of State: I don't see that, so.

Attorney General: It's not attached.

Governor: They've got it on file.

Secretary of State: Okay, thank you.

Governor: Thank you. Do we have a motion?

Secretary of State: Move for approval.

Governor: We have a motion on the floor, any discussion? All in favor, signify by saying aye. Any opposed, motion passes.

11. Approval of Proposed Contracts (For possible action)

Governor: Item number 11, *Approval of Proposed Contracts*.

Clerk: There are 155 contracts in agenda item 11 for approval by the Board this morning. Contract 21689 with the Law Offices of Charles Zeh has been requested to be withdrawn from the agenda by the agency. On your agenda, this is #147. Are there any contracts that Board Members would like to call for further discussion?

Governor: Are there any questions on any of these items?

Attorney General: I don't have any.

Secretary of State: I don't see anything else. No, I think we're fine but Contract 100 was pulled, right? Is that correct?

Clerk: That is correct.

Secretary of State: Okay. I just want to make sure, whenever anybody makes a motion, we have the correct numbers in.

Clerk: That item that was pulled, Contract #100, is no longer on this agenda.

Secretary of State: Okay, it's still on mine, that's why I just asked but alright.

Attorney General: They've been renumbered.

Governor: I've got #100 as the Board of Regents Psychological Extern. That's the issue, Secretary Cegavske – it was number 100 before but was removed and what was previously 101 has become 100.

Secretary of State: Right, I just want to make sure when we make the motion we say the numbers correctly.

Governor: So, I'm confident I'm going to get the motion correctly because I will call on you to make this motion.

So you want to move to approve all the contracts with the exception of Contract #147 being pulled.

Secretary of State: That's correct.

Governor: Alright, that is the motion. Is there any discussion on the motion?

Governor: Hearing and seeing none, all in favor, signify by saying aye. Motion passes. Thank you.

12. Approval of Proposed Master Service Agreements (For possible action)

Governor: Item number 12, *Approval of Master Service Agreements*.

Clerk: There are 13 master service agreements in agenda item 12 for approval by the Board this morning. No additional information has been requested by the Members.

Governor: Do I have a motion as it relates to item number 12?

Attorney General: I move approval.

Governor: We have a motion on the floor, any discussion on the motion? All in favor, signify by saying aye. Any opposition? Motion passes.

13. Approval of Work Plan (For possible action)

Governor: Item number 13, *Approval of Work Plan*.

Clerk: There are two work plans for approval by the Board this morning. No additional information has been requested by the Members.

Governor: Do I have a motion on the floor for item number 13?

Attorney General: I have no questions, do you?

Secretary of State: No, I don't have any.

Attorney General: Move approval, Mr. Governor.

Governor: We have a motion on the floor for approval. Is there any discussion on the motion? Hearing and seeing none. All in favor, please signify by saying aye. Any opposed? Motion passes.

14. Clerk of the Board Contracts (Informational only)

Pursuant to NRS 333.700, the Clerk of the Board may approve all contract transactions for amounts less than \$50,000. Per direction from the August 13, 2013 meeting of the Board of Examiners, the Board wished to receive an informational item listing all approvals applicable to the new threshold (\$10,000 - \$49,999). Attached is a list of all applicable approvals for contracts and amendments approved from April 23, 2019 through May 20, 2019.

Governor: Item number 14, Clerk of Board Contracts.

Clerk: There were 49 contracts under the \$50,000 threshold approved by the Clerk between April 23, 2019 and May 20, 2019. No additional information has been requested by the Members.

Governor: I have a question on this one and I apologize, I thought you got the question. It came to my attention during the legislative session that a tremendous amount of our boards and commissions have outside lobbyists retained. Do we have a list of those or are we going to get one every meeting for the next two years? How does that work?

Clerk: We can do a query and see how many contracts there are out there with the boards and commissions for that type of service and get that information to you.

Governor: If we could. I don't know if anybody else has a concern. I would like to know how many of our agencies and pseudo agencies pay outside lobbying representatives or they call them consulting, so, outside consulting services and/or these investigative types of contracts, if you could come up with a list for that.

Clerk: Sure, we can do that.

Governor: Are you okay with that down South?

Attorney General: I am.

Secretary of State: Yes.

Governor: Good, thank you.

15. Reports (Informational only)

Statewide Quarterly Overtime Report – Fiscal Year 2019 3rd Quarter

Pursuant to NRS 284.180, the Department of Administration, Division of Human Resource Management must prepare and submit quarterly to the Budget Division of the Office of Finance a report regarding all overtime worked by employees of the Executive Department during the quarter. The Budget Division shall transmit quarterly to the Board of Examiners the report and the analysis of the Budget Division regarding the report. The Budget Division submits the 3rd Quarter Overtime Report and analysis for Fiscal Year 2019.

Governor: Item number 15, *Statewide Quarterly Overtime Report, Fiscal Year 2019, Third Quarter.*

Clerk: There is one information report under this agenda item. The report is on overtime and accrued compensatory leave for the third quarter of Fiscal Year 2019. My staff summarized the report into a two-page summary, so I will not read the details but will hit a couple of highlights. For the first nine months of fiscal year 2019, overtime pay and compensatory leave accounted for a total of approximately \$35.55 million, or 4.47% of total pay, this is a 5.6% decrease from Fiscal Year 2018.

The Department of Health and Human Services had the highest amount of overtime and comp time at \$3.15 million or 4.31% of their base pay for the 3rd quarter, followed by the Department of Corrections at \$3.01 million or 8.32% of base pay. Those two agencies accounted for 54% of the overtime for the quarter, down from 65% of overtime last quarter.

Year-to-date, the Department of Corrections has incurred \$9.08 million in overtime and comp time or 7.9% of base pay while Department of Health and Human Services has incurred \$9.16 million of overtime and comp time or 4.0% of base pay. Those two agencies account for 51% of the overtime and comp time through the first three quarters of 2019.

At the Department of Corrections, overtime and comp time decreased by \$213,000, or 6.6% from the prior quarter, and overtime and comp time at the seven locations on Page 2 accounted for 86.6% of the total overtime for the Department.

By event code, the highest four causes on page 2 accounted for 87% of the overtime at the Department of Corrections. At the Department of Health and Human Services, the four event codes on the bottom of page 2 accounted for 72.1% of their overtime.

Governor: Hopefully we've solved some of the Department of Corrections overtime issues with some new staffing provided by the Legislature that will take effect. Do we have any questions on the overtime report?

Attorney General: None down here, Governor.

Governor: Alright, thank you very much for the report.

16. Public Comment (This public comment period is for any matter that is within the jurisdiction of the public body. No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. The Chair of the Board will impose a time limit of three minutes.)

Governor: This is item number 16, *Public Comment*. This is the second time set aside for public comment. Anyone wishing to address the Board on any item, please step forward, identify yourself for the record. Comments will be limited to three minutes. Do we have anybody in Carson City? Seeing none. Do we have anybody in Southern Nevada?

Attorney General: No sir.

Governor: We have no public comment.

17. Adjournment (For possible action)

Governor: Do I have a motion to adjourn?

Attorney General: So moved.

Governor: We have a motion on the floor. Any discussion? All in favor, signify by saying aye. Motion passes. Thank you. We are adjourned, thank you all for coming today, we appreciate it, everybody, thanks.