

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 14, 2022, 10:00 AM

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

Video Conference Location: Grant Sawyer Building
555 East Washington Avenue, Suite 5100
Las Vegas, Nevada 89101

MEMBERS PRESENT:

Governor Steve Sisolak
Secretary of State Barbara Cegavske – On the phone
Attorney General Aaron Ford – On the phone

STAFF PRESENT:

Melanie Young, Clerk of the Board
Rosalie Bordelove, Board Counsel
Dale Ann Luzzi, Board Secretary

OTHERS PRESENT:

Cole Mortensen, Deputy Director, Department of Transportation
Sherri McGee, Chief IT Manager, Department of Transportation
Tara Hagan, Chief Deputy, State Treasurer's Office
Kevin Benson, General Counsel, Governor's Office
Kim Peterson, Education Programs Professional, Department of Corrections
Adrienne Monroe, Administrative Services Officer, Department of Corrections
Bill Quenga, Deputy Director, Department of Corrections
Jennifer Idema, Administrative Services Officer, Department of Conservation and Natural Resources

1. Call to Order / Roll Call

Governor: I'd like to call to order today's meeting of the State of Nevada, Board of Examiners for Tuesday, June 14, 2022, Election Day, to order. Could I ask the Clerk to take the roll, please?

Board Secretary: Yes, good morning. Governor Sisolak.

Governor: Here.

Board Secretary: Secretary of State Cegavske.

Secretary of State: I'm here.

Board Secretary: Attorney General Ford.

Attorney General: Here.

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

2. Public Comment

The first public comment period is limited to comments on items on the agenda. No action may be taken upon a matter raised under this public comment period unless the matter itself has been specifically included on the agenda as an action item. The Chair of the Board has imposed a time limit of three minutes. Public comment may be provided in person or via telephone. To provide public comment on an item on the agenda via telephone, dial 775-321-6111. When prompted to provide the meeting ID, please enter 316 240 28#. When the Chair opens the public comment period, dial *5 to request to be unmuted. To resolve any issues related to dialing in to provide public comment for this meeting, please call (775) 684-0222.

Governor: Moving on to item number two, *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, please step forward, identify yourself for the record and comments will be limited to three minutes. Do we have anybody in Las Vegas? No. Do we have anybody in Carson City?

Clerk of the Board: We do not.

Governor: Do we have any electronic or written public comments?

Clerk of the Board: We did not receive any.

Governor: I'll close public comment.

3. Approval of the May 10, 2022 Meeting Minutes (For possible action)

Governor: Moving on to item number three, *Approval of the May 10, 2022 Meeting Minutes*. Do we have a motion to approve the minutes?

Attorney General: I'll move for approval.

Governor: We have a motion for approval from General Ford. Is there any discussion? Hearing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

4. 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:
Department of Public Safety - Nevada Highway Patrol Division	2	\$126,337
Total	2	\$126,337

Governor: Item number four, *State Vehicle Purchases*.

Clerk of the Board: Good morning. There is one request to purchase vehicles under this agenda item. This request is from the Department of Public Safety, Highway Patrol Division to purchase two replacement vehicles for an amount not to exceed \$126,377. The vehicles being replaced were totaled in accidents and are being funded with insurance recoveries. Are there any questions on this item?

Governor: These are electric vehicles, right?

Clerk of the Board: Yes, that is correct.

Governor: Do we have any questions on this item? Do we have a motion?

Attorney General: None here, move approval.

Governor: We have a motion for approval from General Ford. Is there any discussion on the motion? Hearing and seeing none. All in favor, signify by saying aye. Is anybody opposed? The motion passes.

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

A. Department of Administration – Purchasing Division

Pursuant to NRS 333.705, subsection 1, the Department of Administration, Purchasing Division requests authority to contract with former employee Lleta Brown to provide technical assistance to registered apprenticeship programs for the Department of Businesses and Industry through Master Service Agreement #23928 with HAT Limited Partnership, dba Manpower.

B. Department of Administration – Purchasing Division

Pursuant to NRS 333.705, subsection 1, the Department of Administration, Purchasing Division requests authority to contract with former employee William Steves to act as an audit subject matter expert for the requirement gathering and request for the proposed phase of Project MYNT for the Department of Taxation through Master Service Agreement #23928 with HAT Limited Partnership, dba Manpower.

C. Department of Administration - Purchasing Division

Pursuant to NRS 333.705, subsection 1, the Department of Administration, Purchasing Division requests authority to contract with former employee Michelle Dobbs to assist with fiscal operations and to provide back-up as a Finance Section Chief during State Emergency Operations Center activations for the Division of Emergency Management through Master Service Agreement #23927 with Marathon Staffing Group, Inc.

D. Department of Administration – Purchasing Division

Pursuant to NRS 333.705, subsection 1, the Department of Administration, Purchasing Division requests authority to contract with former employee Christian LaPrairie to perform training on body-worn cameras and equipment for various agencies through Axon Enterprise, Inc.

E. Department of Administration – Purchasing Division

Pursuant to NRS 333.705, subsection 1, the Department of Administration, Purchasing Division requests authority to contract with former employee David Wooldridge to work as a Project Manager for the Multi-Application Geographic Information Center project for the Nevada Department of Transportation through Master Service Agreement #21167 with Guidesoft, Inc. dba Knowledge Services.

F. Department of Transportation

Pursuant to NRS 333.705, subsection 1, the Nevada Department of Transportation requests authority to contract with former employee Dave Schwartz to provide contract administration services on contract 3907, I-80 Button Point highway project, in Humboldt County.

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

Clerk of the Board: There are six requests under this agenda item to contract with former employees. I'll present these individually as there were revisions and responses to questions we received late last night to item 5-E and the agency is here today to add additional information.

Governor: Great, go ahead.

Clerk of the Board: Agenda item 5-A is from the Department of Administration, Purchasing Division to contract with a former employee to provide technical assistance to registered apprenticeship programs for the Department of Business and Industry. This individual will be employed on a part-time basis through HAT Limited Partnership, doing business as Manpower, through June 30, 2023.

Item 5-B is also for the Department of Administration, Purchasing Division to contract with a former employee to provide subject matter expert assistance for the requirements gathering for the modernization of the Unified Tax System for the Department of Taxation. This individual will be employed on a full-time basis, also through Manpower, through June 30, 2023.

Item 5-C is also for the Department of Administration, Purchasing Division to contract with a former employee to provide fiscal support for the Office of the Military, Division of Emergency Management. This individual will be employed on a part-time basis through Marathon Staffing Group through July 31, 2024.

Item 5-D for the Department of Administration, Purchasing Division to contract with a former employee to perform training on body-worn cameras and equipment through Axion Enterprises through a contract with the National Association of State Procurement Officials.

Then, Governor, I'll go on to agenda item 5-F, if you'd like to take a vote on those matters and then, we can hear from the agency for 5-E separately.

Governor: We'll take them all together except for 5-E.

Clerk of the Board: Item under 5-F is from the Department of Transportation to contract with a former employee to provide contract administration services on the I-80 Button Point Highway Project through HDR Engineering through June of 2023.

Are there any questions on these items?

Governor: No, do I have a motion on 5-A, B, C, D and F?

Attorney General: Move for approval.

Governor: We have a motion for approval from General Ford on items 5-A, 5-B, 5-C, 5-D and 5-F. Is there any discussion on the motion? Hearing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

Clerk of the Board: Item 5-E is for the Department of Administration, Purchasing Division to contract with a former employee to provide project manager duties for the Multi-Application Geographic Information Center project for the Department of Transportation

through Guidesoft Incorporated, doing business as Knowledge Services. The agency has some revisions to make to this if they could please come forward.

Cole Mortensen: Good morning, Governor and members of the Board. This is Cole Mortensen, Deputy Director for the Nevada Department of Transportation. I understand there were questions but the largest revision we have is that we reduced the agreement length from four years to two years. We had originally anticipated the project taking approximately four years which is why we had started with that but with the understanding that that might be a contract that's a little longer than what we'd like and we'd like to do a two-year agreement here and extend if necessary.

Governor: Well, I'm a little concerned that you're already talking about extending it if necessary when you're doing two years. I mean, four-and-a-half years, to me, is extreme, which is what you had asked for originally.

Cole Mortensen: It was my understanding that was the anticipated schedule for the project itself. With the amount of data that we anticipate utilizing our geographic information system (GIS) and we're really in the early stages of getting all that on similar platforms so that we have better access to the data that we have out there.

Governor: Alright and I'll reiterate my statement that the initial request is for four-and-a-half years and I'm opposed to a four-and-a-half-year item with this extension with somebody that just qualified for their pension. It's two years to when, June 2024?

Cole Mortensen: That would be my understanding, sorry. I have staff on the line that will correct me if I am mistaken.

Governor: Well could I get an affirmative answer to what it is?

Sherri McGee: This is Sherri McGee. So, Governor and Board Members, this is a multi-million dollar, multi-year Request for Proposal (RFP) that was just released and the time frame we were estimating was what we had initially put in for support for this project. This large multi-million dollar, phased projects take a long time to implement and that was our estimate but we won't know until we get the actual RFP proposals in. We're thinking it could probably be a shorter timeframe. So, we were just estimating and it could come in at two years but we know for sure, that it will probably be at least two years and that's why we revised the timeframe. We had the worst-case scenario in the estimation. We won't know for sure until the RFP comes back and we need this person on-site to be part of the RFP process as well.

Governor: Then, why don't I do this – why don't I give you six months and then when you have a project, you have the RFP finalized, you can come back and ask for more. How's that?

Sherri McGee: That would be great. Then we'd have the exact timelines for you. Thank you, Governor.

Governor: I move approval on item number 5-E, expiring on January 1, 2023.

Attorney General: I'll second.

Governor: Is there any discussion on the motion? All in favor, signify by saying aye. The motion passes.

6. Request for a Recommendation of Approval to the Interim Finance Committee for an Allocation Amount from the Contingency Account

(For possible action)

A. Department of Conservation & Natural Resources – Division of Water Resources

Pursuant to NRS 353.268, the Division requests the Board's recommendation to the Interim Finance Committee an allocation of \$102,029 from the Interim Finance Committee Contingency Account to cover costs associated with the repair and maintenance of the South Fork Dam.

B. Department of Conservation & Natural Resources – Division of Forestry

Pursuant to NRS 353.268, the Division requests the Board's recommendation to the Interim Finance Committee for an allocation of \$5,935,293 from the Interim Finance Committee Contingency Account to cover costs associated with the emergency response expenses within the Nevada Division of Forestry fire suppression account.

C. Department of Indigent Defense Services

Pursuant to NRS 353.268, the Department requests the Board's recommendation to the Interim Finance Committee for an allocation of \$136,268 from the Interim Finance Contingency Account to reimburse Douglas, Lincoln, Nye, Carson City, Elko, Humboldt, and Pershing counties for costs associated with case-related expenses for indigent defense services.

Governor: Item number six, *Request for Recommendation of Approval to the Interim Finance Committee for an Allocation Amount from the Contingency Account.*

Clerk of the Board: Thank you. There are three requests under this agenda item for a positive recommendation to the Interim Finance Committee, pursuant to NRS 353.268, for an allocation from the Interim Finance Committee Contingency Account. The current balance in the account is approximately \$18.4 million. If all of these items were approved the remaining balance would be \$12.2 million.

The first request is from the Department of Conservation and Natural Resources, Division of Water Resources for an allocation of \$102,029 to cover anticipated costs for the repairs of the South Fork Dam.

The second request is from the Department of Conservation and Natural Resources, Division of Forestry for an allocation of \$5,935,293 to cover emergency response expenses with the Forestry Fire Suppression Account.

The third request is from the Department of Indigent Defense Services for an allocation of \$136,268 to reimburse counties for the costs associated with case-related expenses for Indigent Defense Services.

Are there any questions on these items?

Governor: Appreciate that. Do we have any questions on item numbers 6-A, 6-B or 6-C?

Attorney General: None here, move approval.

Governor: We have a motion on the floor for approval from General Ford. Is there any discussion? All in favor, signify by saying aye. Are any opposed? The motion passes.

7. Request for Approval to Pay a Tort Claim Pursuant to NRS 41.036 (For possible action)

Pursuant to NRS 41.036, the Office of the Attorney General submits the following Tort Claim requests for approval:

Claimant: Jazmin Melgar
Claim No: TC20094
Settlement Amount: \$95,000
Date of Loss: November 9, 2013

Claimant: Douglas Melgar
Claim No: TC20095
Settlement Amount: \$91,152.18
Date of Loss: November 9, 2013

Claimant: Estate of Helen Liu
Claim No: TC20096
Settlement Amount: \$25,489.27
Date of Loss: November 9, 2013

Claimant: Hui Liu
Claim No: TC20097
Settlement Amount: \$95,000
Date of Loss: November 9, 2013

Claimant: Lianfen Xu
Claim No: TC20098
Settlement Amount: \$95,000
Date of Loss: November 9, 2013

Governor: Item number seven, *Request for Approval to Pay a Tort Claim.*

Clerk of the Board: There is one request under this agenda item. This represents a \$401,641.45 claim for which the Office of the Attorney General recommends payment from the Tort Claim Account. This includes a settlement agreement of \$95,000 for three of the claimants, another is \$91,152.18 and the last one is \$25,489.27. Are there any questions on this item?

Governor: Do we have any questions on item number seven? Do we have a motion?

Attorney General: None here, move approval.

Governor: We have a motion for approval on item number seven. Is there any discussion? Hearing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

8. Approval of Proposed Joinders (For possible action)

A. Department of Education

Pursuant to NRS 333.475, the Department requests approval to enter into a Joinder Contract to utilize the Nevada Association of School Administrators contract with EDU2000 to provide a program for students to transition from pre-algebra to algebra 1.

B. Department of Employment, Training and Rehabilitation – Employment Security Division

Pursuant to NRS 333.475, the Department requests approval to enter into a Joinder Contract to utilize the Department of Health and Human Services, Division of Welfare and Supportive Services contract with CSG Government Solutions to provide project management services.

Governor: Item number eight, *Approval of Proposed Joinders.*

Clerk of the Board: There are two joinder contracts under this agenda item. The first is a request from the Department of Education to utilize the Nevada Association of School Administrators Contract with EDU 2000 to provide a program for students in the form of pre-algebra and algebra.

The second item is from the Department of Employment Training and Rehabilitation to utilize a contract with the Department of Health and Human Services, Division of Welfare and Support Services and CSG Government Solutions to provide project management services. Are there any questions on these items?

Governor: No questions. Do we have any questions on item number eight, the two joinders? Do we have a motion?

Attorney General: Move approval.

Governor: We have a motion from General Ford for approval on item numbers 8-A and 8-B. Is there any discussion? Hearing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

9. Approval of Proposed Leases (For possible action)

Governor: Item number nine, *Approval Proposed Leases*.

Clerk of the Board: There are eight leases under this agenda item for approval by the Board. These are extensions of existing leases. Are there any questions on these items?

Governor: Do we have any discussion or any questions on the leases? Do I have a motion on item number nine?

Attorney General: Move approval.

Governor: We have a motion for approval from General Ford. Is there any discussion? Hearing and seeing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

10. Approval of Proposed Contracts (For possible action)

Governor: Item number 10, *Approval of Proposed Contracts*.

Clerk of the Board: There are 84 contracts under this agenda item. I would note contract numbers 23, 36, 46, 54 and 72 are contingent upon approval at the June 21, 2022 Interim Finance Committee meeting. Are there any questions on these items?

Governor: I have a couple of questions. On contract numbers 10 through 17, all of these for \$4 million – do we have somebody available from the Treasurer's Office?

Tara Hagan: Good morning, Governor, Members of the Board. Tara Hagan with the Treasurer's Office. These are contracts for our Unclaimed Property Division and what they are, they're audits and what these audits do is, they're nationwide audits and these various auditors go out and some have different specialties, such as financial services, et cetera, but the main thing is, they don't get paid unless money is returned to the Nevada Unclaimed Property Division and then, dispersed out to Nevada residents.

Governor: My question is since we have so many of them on here, eight of them, did every vendor who applied just get put on the list?

Tara Hagan: Thanks, Governor. Yes, I think the evaluation committee decided to enter into contracts with every vendor that submitted a proposal.

Governor: What was the term? There was, in my briefing and my counsel brought this up and I don't know, Kevin, if you're on the phone, that it says that they were the highest scoring, is that correct?

Tara Hagan: I believe so. I was not on the committee but I recollect that the committee decided to hire every single auditor that submitted a proposal.

Governor: I guess the concern is that if we say that they're the highest-scoring for eight of them and then they don't get any work, can they not have some recourse at the State that says, "Hey look, you said I was the highest-scoring and I didn't get any business?"

Tara Hagan: That's a good question. I know in the past we've hired these auditors and they have not had work because simply, they didn't return money to the Unclaimed Property Division. So, it is possible but I'm happy to work with Counsel if that's a concern.

Governor: Well, it's a concern and I don't know who's going to opine that this is alright or not. I mean, I know the wording of it is, if I'm a business and I get a contract from the State that says you're the best and then, I don't get any business, I might not be too happy but I see Kevin there.

Kevin Benson: This is Kevin Benson for the record, General Counsel, Governor's Office and I would refer to the Board's Counsel but my impression is that that's essentially a clerical error in the contract summary in the packet that says each of them is the highest scorer which, obviously, cannot be correct and so, again, I defer to Board Counsel but I would suggest that any motion to approve be made with the clarification that that is not the case and that that's simply a clerical error.

Rosalie Bordelove: Rosalie Bordelove of Board Counsel for the record. Any kind of qualification can be given upon a motion for these contracts and so, if the Board would like to approve them with that clarification, I think that would be a good idea.

Attorney General: Mr. Governor, if I could, I think now I'm a little confused because it could very well be that all eight of them tied and so they are, in fact, the highest-scoring but I'm not sure we know enough information to be able to accurately either qualify or take it as it is but is the time of the essence on these? Maybe the representative from the Treasurer's Office can ask because if not, maybe we can get some clarification and bring it back.

Tara Hagan: Tara Hagan again for the record. We can certainly get clarification and bring them back to the meeting in July. I'm happy to do that.

Attorney General: We're not going to muddy the waters but now I'm a little confused because if we're going to clarify this in a way that does not reflect the reality of the way these were scored then, I'd be interested in ensuring that the clarification is accurate.

Governor: Then let's hold these for the July meeting.

Tara Hagan: Yes, Governor, that's fine. We'll work with staff on this.

Governor: I appreciate it.

Then I've got two more. I know, Kevin, you sent me a memo but I didn't get it until two minutes before the meeting so, I didn't get a chance to read it regarding the Vocational Services for Youthful Offenders. Who's handling that one?

Clerk of the Board: Let me check to see if there's somebody from the Department of Corrections.

Kim Peterson: I am here. Kim Peterson.

Governor: The question I had is, how many kids or inmates were we getting through the program and I was told it was two and then, it was explained that it's because they're moving around that we don't have many.

Kim Peterson: Governor, this is Kim Petersen, the Education Program Specialist with the Department of Corrections. We have around 33 youthful offenders enrolled in Lovelock. What happens is because of PREA (Prison Rape Elimination Act) as soon as they turn 18, we have to transfer them to the general population, usually outside of that institution. So, that's where you hear about transferring. But on a daily basis, we're serving about 33 offenders.

Governor: I guess what I'm interested in is are we getting enough kids through this to renew this?

Clerk of the Board: Governor, it appears we lost connection with the person from the Department of Corrections. Is there anyone else on the line that can step in for the Department of Corrections?

Adrienne Monroe: Governor, this is Adrienne Monroe, Chief of Fiscal for the Nevada Department of Corrections. I don't know if I can speak to the particulars of the programmatic content but I'll do my best. I am familiar with the expansion of programs and our long history of the number of high school diplomas that the department has been able to issue to inmates.

Governor: As long as somebody's watching this, I guess that's what I'm concerned about.

Adrienne Monroe: Yes, I have spoken with our program staff recently. I was hoping to get some stats for you in time for meeting today's meeting, just in case you asked but I can tell you that going back as far as 2017, we have from 2017 through fiscal year 2021, we have doubled the number of high school diplomas that we have been able to issue to inmates. I think it started, maybe in 2017, it was about 160 and we're nearly double that now and I know that they're expanding for this fiscal year. I just don't have that statistic for you but it is very successful and it plays into reducing recidivism significantly and with this particular program, through Pershing and for Lovelock, it not only includes a concentration on math skills but adds a vocational skills component to it as well.

Governor: I'm fine with that one then.

Then I had one, and Kevin if you can hear me, the memo you sent me here, and I got a number here wrong on the inmate labor one. Remember the one, there was an inmate labor contract for the compost facility and you know what number that was?

Adrienne Monroe: Governor, that is item number 71 under the Information Contract Summary and that's for Nevada Organic.

Governor: So we're not at that one yet. I'll get to that one. Alright, those are all of my questions.

Secretary of State: Governor, I just wanted to make sure that I thanked your staff again for talking to my staff, for responding to us and giving us all the answers so that we don't have to bring up all of it here and also, thank you for what you brought up, those were some of the questions we had as well. I just want to thank your staff, they do an excellent job. Thank you.

Governor: Thank you, Secretary, they certainly do and I appreciate it. They're great at answering questions. I apologize, for some of mine that I didn't get the answers to until this morning and that's why I had the follow-ups.

Do we have any further questions on the proposed contracts? Do I have a motion on the contracts except numbers 10 through 17 that are being held for July?

Attorney General: I move for approval of contracts except contract numbers 10 through 17, which are being held until July.

Governor: We have a motion on the floor from General Ford. Is there any discussion on the motion? Hearing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

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

Governor: Moving on to item number eleven, *Approval Proposed Master Service Agreements*.

Clerk of the Board: Thank you there are 77 Master Service Agreements under agenda item 11 for approval by the Board. Are there any questions on these items?

Governor: Do we have any questions on the proposed Master Service Agreements? Hearing and seeing none. Do I have a motion?

Attorney General: None here. I move for approval.

Governor: We have a motion for approval. Is there any discussion? All in favor, signify by saying aye. The motion passes.

12. Information Item – Clerk of the Board Contracts

Pursuant to NRS 333.700, the Clerk of the Board may approve all contract transactions for amounts less than \$100,000. Per direction from the September 14, 2021 meeting of the Board of Examiners, the Board wished to receive an informational item listing all approvals applicable to the new threshold (\$10,000 - \$99,999). Attached is a list of all applicable approvals for contracts and amendments approved from April 20, 2022 through May 23, 2022.

Governor: Item number 12, *Information Contracts*.

Clerk of the Board: Agenda item 12 has 109 contracts with contracts over \$10,000 and under the \$100,000 threshold that were approved by the Clerk of the Board between April 20, 2022 through May 23, 2022. Are there any questions on these items?

Governor: I have two. Item number 71 is for the Nevada Organics and it's the Compost Facility up there at the prison, correct? I've toured that, twice now and it's a great facility and they do some great training there. The question I have is that I guess they pay a dollar an hour to four dollars an hour for labor?

Bill Quenga: For the record Bill Quenga, the Deputy Director of Industrial Programs for the Nevada Department of Corrections. Governor this is an extension from the contract that expired in February. I'll bring this out in August. We are in negotiations at this point to increase that salary and I'm working with Nevada Organics to propose a new contract coming out for another two to four-year term.

Governor: Bill, I appreciate that because I was there and I don't know if the Attorney General or the Secretary of State were ever at the organics plant but you talk about hard work, let me tell you something. I mean they're shoveling all of that, well, stuff and bagging it and there's an odor associated with it and these guys really, really work hard and I find it a little disingenuous if we're paying them a dollar an hour and the company is reaping the benefit of getting this work done at such a low, low price and then the folks doing the work aren't really even compensated. So, I don't know where my colleagues are on this. I'm alright with an extension but I would certainly want this addressed in a new contract.

Bill Quenga: Governor, working with them and in this program, we get a lot of the offenders that go to the camp coming in from the medium facility and we select these offenders. They start from one to four dollars, depending on the occupation or job that they do, within about six months, going on to nine months and then, we watch the work ethic and they progress to our Erickson Trust which pays minimum wage, which is a facility out in Washoe County and we progress them up there to make minimum wage, working. We have approximately 14 offenders working at the trust company and the majority of them are coming out from the compost facility.

Governor: Though, you're right, I think it's great that they can come out and get a full-time job at the compost facility and get minimum wage but when they're under our jurisdiction or

our care, it just seems like, to me, I don't want to be taking advantage to this extent that we're paying a dollar an hour for guys that are, well, I'm telling you – I didn't pick up a shovel but it sure looks like hard work that these guys are doing out there, shoveling these massive piles and bagging this stuff for the compost company. When this contract is addressed, I would hope that we would certainly look at that.

Bill Quenga: Governor, I'm in negotiations at this time. We'll also have Mr. Buk, who is the owner of the company, present at the next meeting if we move forward.

Governor: They leased the land from us as well, right?

Bill Quenga: Yes, sir.

Governor: I don't know if anybody else has any questions on that one.

The other one I have is contract number 85. If I'm not mistaken, item number 85 was a gentleman that came to the last meeting that had a problem. He had some kayaks and surfboards or something at Lake Tahoe and he didn't get awarded the contract and he was going to lose his business and employees and whatnot. And now, we came back and we gave him the contract. Am I kind of summarizing that correctly?

Clerk of the Board: Is this contract number 85 or 86 on the agenda? Contract number 85 is for Nevada Adventures, LLC and contract number 86 is the Outdoor Immersion Incorporated.

Governor: Did one of them appear at the last meeting complaining they didn't get the contract?

Clerk of the Board: Yes, I'm going to double-check the minutes for the individual's name, one moment.

Governor: I'm just asking the question and pointing it out and I don't know if General Ford -- we've got a lot of lawyers here that more educated on this than I am. It seems like if recollection serves me, we had an RFP for this, the gentleman did not get it, we awarded it to somebody else. He got up and talked, that he had boats and paddles and all that kind of thing that he wanted to lease out and we didn't give it to him. We gave it to somebody else. And now he spoke up and objected and now we gave it to him and we gave it to another person.

Clerk of the Board: Governor, in the minutes, the individual that came forward was Andrew Laughlin for Outdoor Immersion Inc. and I'm not sure if somebody from State Parks is on the line to answer the Governor's questions.

Jennifer Idema: Hello, this is Jennifer Idema with Nevada State Parks, I'm happy to answer any questions you have on the contract.

Governor: Did you understand my question?

Jennifer Idema: Yes, Governor and Members of the Board, the contracts are for two different services. The contract that he made a comment on at the last meeting was an RFP that was done for equipment rentals out of Sand Harbor whereas this particular contract is for guided tours and it includes kayaks and different equipment other than just the boat rentals.

Governor: So, it's an expansion of the other contract. I mean, this must be more than tours alone.

Jennifer Idema: The special use permit is for kayaks, stand-up paddleboards, snowshoes, mountain bikes and hiking tours in an organized and controlled fashion whereas the other contract that was awarded to Clearly Tahoe is just for equipment rental.

Governor: Is equipment rental allowed under this one?

Jennifer Idema: No, it is not.

Governor: I guess I'm good. Yes, General Ford?

Attorney General: As I understand the question, Mr. Governor, the concern is whether the gentleman who voiced opposition last go-round to not being able to participate in the RFP is now being awarded a comparable contract. I think the answer to that is no – we had two separate contracts, one that was issued through RFP and however this one was issued. As they are two separate contracts, I don't see an issue with him being able to get one and not the other and if that's your sole concern, I don't share it and I think that we're alright moving forward.

Governor: I'm good then. Thank you much.

13. Information Item Reports

A. Department of Conservation and Natural Resources – Division of State Lands – Fiscal Year 2022, 3rd Quarter

Pursuant to NRS 321.5954, subsection 4, the State Land Registrar 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. This submittal reports program activities for the 3rd quarter of fiscal year 2022.

B. Statewide Quarterly Overtime Report – Fiscal Year 2022, 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 2022.

C. Governor's Finance Office – Budget Division

Pursuant to NRS Chapter 353, the Governor's Finance Office, Budget Division presents a reconciled fund balance report for the Tort Claim Fund, Statutory Contingency Account, Stale Claims Account, Emergency Account, Disaster Relief Account, IFC Unrestricted Contingency Funds, and IFC Restricted Contingency Funds as of April 30, 2022.

Below is the available balance for each account before any projected outstanding claims.

Tort Claim Fund	\$ 3,598,122.35
Statutory Contingency Account	\$ 11,553,837.97
Stale Claims Account	\$ 2,124,292.39
Emergency Account	\$ 354,763.00
Disaster Relief Account	\$ 8,011,031.70
IFC Unrestricted Contingency Fund General Fund	\$ 18,847,547.78
IFC Unrestricted Contingency Highway Fund	\$ 1,638,068.35
IFC Restricted Contingency Fund General Fund	\$ 8,150,769.00
IFC Restricted Contingency Highway Fund	\$ 334,796.00

Governor: I'll move on to item number 13, *Information Item Reports*.

Clerk of the Board: There are three informational reports under agenda item 13 today, the first one is from the Department of Conservation and Natural Resources, State Lands regarding lands or interest in lands, transferred, sold, exchanged, or leased under the Tahoe Basin Act Program as well as the quarterly report on the status of real property or interest in real property transferred under the Lake Tahoe Mitigation Program. This report is for the quarter ending on March 31, 2022. There was one acquisition of 10.6 acres of undeveloped land and two acquisitions of real property totaling 5,224 square feet. The total acquisition costs were \$1,158,421. Are there any questions on this report?

Governor: No questions. Any questions?

Attorney General: None here.

Clerk of the Board: Moving on to the second report. This is a report of overtime and accrued compensatory time for the third quarter of fiscal year 2022. This has been summarized and I'll go over some of the highlights. Overtime and accrued comp time leave account for the total of approximately \$20.9 million for the third quarter of 2022 which relates to 7.95% of base pay. By comparison, total overtime was approximately \$16 million in the same period in fiscal year 2021. The total overtime for the first three quarters of this fiscal

year is \$60.75 million compared to \$51 million for the same period in fiscal year 2021. The overtime for the third quarter is an 18.9% increase over the same period in fiscal year 2021.

The Department of Corrections has the highest amount of overtime and accrued comp time of \$7.82 million or 20.64% of the base pay followed by the Department of Health and Human Services at \$6.95 million or 8.91% of the base pay. Next is the Department of Public Safety with \$1.94 million or 9.66% of base pay.

The final report under this agenda item is the balance of the various contingency accounts as of April 30, 2022. Are there any questions on these items?

Governor: Do we have any questions on either of those, the overtime or the accounts? That was an information item, I'll close item number 13.

14. 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 this public comment period unless the matter itself has been specifically included on an agenda as an action item. The Chair of the Board has imposed a time limit of three minutes. Public comment may be provided in person or via telephone. To provide public comment via telephone, dial 775-321-6111. When prompted to provide the meeting ID, please enter 316 240 28#. When the Chair opens the public comment period, dial *5 to request to be unmuted. To resolve any issues related to dialing in to provide public comment for this meeting, please call (775) 684-0222.

Governor: Moving on to item number 14, *Public Comment*. This is the second time set aside for public comment. Anyone wishing to address the Board on any item under our jurisdiction, please step forward, identify yourself for the record and comments will be limited to three minutes. We have no one in Las Vegas. Do we have anyone in Carson City?

Clerk of the Board: There is no one coming forward in Carson City.

Governor: Do we have any written or telephonic public comment?

Clerk of the Board: We do not.

Governor: We have none down here either.

15. Adjournment

Governor: We are adjourned. Thanks, everybody and Secretary, good luck today.