

Governor Steve Sisolak  
*Chairman*



Attorney General Aaron D. Ford  
*Member*

Amy Stephenson  
*Clerk of the Board*

Secretary of State Barbara K. Cegavske  
*Member*

## STATE OF NEVADA BOARD OF EXAMINERS

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

### MEETING MINUTES

**Date and Time:** November 15, 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  
Attorney General Aaron Ford

**STAFF PRESENT:**

Amy Stephenson, Clerk of the Board  
Rosalie Bordelove, Board Counsel  
Denice Castillo, Board Secretary

#### 1. Call to Order / Roll Call

**Governor:** I would like to call to order today's meeting the State of Nevada Board of Examiners for Tuesday, November 15, 2022. Could I ask the Clerk to take the roll, please?

**Clerk of the Board:** Good morning. Governor Sisolak.

**Governor:** Here.

**Clerk of the Board:** Secretary of State Cegavske.

**Secretary of State:** Here.

**Clerk of the Board:** Attorney General Ford.

**Attorney General:** Here.

**Clerk of the Board:** 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 or 702-329-3435. When prompted to provide the meeting ID, please enter 206 007 080#. 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:** Thank you. Moving on to public comment. This is the first time set aside for public comment. Anyone who wishes 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 Southern Nevada for public comment? No. Do we have anybody in Carson City?

**Clerk of the Board:** We do not.

**Governor:** Do we have anybody on the phone or any written public comment? Seeing none, I'll close public comment.

- 3. Approval of the October 11, 2022 Meeting Minutes** (For possible action)

**Governor:** Item number three, *Approval of the October 11, 2022 Meeting Minutes*.

**Secretary of State:** So moved, Governor.

**Governor:** We have a motion for from Secretary Cegavske. Is there any discussion? Hearing and seeing 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:
Office of the Military – Division of Emergency Management	1	\$47,783
Nevada Commission on Mineral Resources – Division of Minerals	2	\$105,413
Department of Public Safety – State Fire Marshal Division	1	\$50,528

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

**Clerk of the Board:** There are three requests under agenda item number four. The first request is from the Office of the Military, Division of Emergency Management to purchase one vehicle for an amount not to exceed \$47,783. The vehicle being replaced has met the age and or mileage requirements in the State Administrative Manual and funds are available for this purchase.

The second request is from the Nevada Commission on Mineral Resources, Division of Minerals to purchase two vehicles for an amount not to exceed \$105,413. The vehicles being replaced have met the age and or mileage requirements in the State Administrative Manual and funds are available for these purchases.

The third request is from the Department of Public Safety, State Fire Marshal Division to purchase one vehicle for an amount not to exceed \$50,528. The vehicle being replaced has met the age and or mileage requirements in the State Administrative Manual and funds are available for this purchase.

Are there any questions on these items?

**Governor:** Does anyone have any questions on vehicle purchases, item number four?

**Secretary of State:** No, I do not. Thank you.

**Attorney General:** None here. 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.

**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 Kim Perondi to manage the Commercial Recordings Division and to ensure a smooth transition to a new administration resulting from the 2022 election for the Secretary of State 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 Darlene Baughn to assist with completing the monthly State bank account reconciliation and setting up grant related job codes for the Office of the State Controller through Master Service Agreement #23927 with Marathon Staffing Group, Inc.

**C. State Board of Pharmacy**

Pursuant to NRS 333.705, subsection 1, the Board of Pharmacy requests authority to contract with former employee W. Brett Kandt, an employee of Kandt Law PLLC, to provide legal counsel and hearing officer services.

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

**Clerk of the Board:** There are three requests under agenda item number five.

Item A requests authority to contract with the former employee to manage the Commercial Recordings Division of the Secretary of State's office. This individual will be employed on a part-time basis through Manpower from November 21, 2022 to December 31, 2022.

Item B, requests authority to contract with the former employee to assist with completing the monthly state bank account reconciliation and setting up grant related job codes for the Office of the State Controller. This individual will be employed on a part-time basis through Marathon Staffing Group from December 1, 2022 to January 1, 2024.

Item C, requests authority to contract with a former employee to provide legal counsel and hearing officer services for the State Board of Pharmacy. This individual will be employed on a full-time basis through Kent Law, PLLC from November 30, 2022 to November 29, 2024.

Are there any questions on these items?

**Governor:** Do we have any questions on the authorization to contract with the former employees under item number five?

**Secretary of State:** I have no questions.

**Attorney General:** None here. 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.

## **6. Request for Approval of Proposed State Administration Manual Changes** (For possible action)

Pursuant to NRS 353.040 the Governor's Finance Office, Budget Division requests modifications to the policies and procedures of the State Board of Examiners adopted and collected in the following chapters of the State Administrative Manual.

SAM Chapter 0402 Agency Responsibility for Records

**Governor:** Item number six, *Request for Approval of Proposed State Administrative Manual Changes*.

**Clerk of the Board:** Item number six is a request for approval to revise the State Administrative Manual. This proposed change to Chapter 400 corrects outdated references to the Division of Enterprise Information Technology Services, as well as provide some clarifying language throughout. Are there any questions on these changes?

**Governor:** Do we have any questions on the manual change? Do we have a motion?

**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? Motion passes unanimously.

## **7. Request to Designate Positions in State Government as Critical Labor Shortages** (For possible action)

### **A. Department of Corrections**

Pursuant to NRS 286.523, the Nevada Department of Corrections requests retroactive approval of a Critical Labor Shortage designation for Correctional Officer positions in the Department's rural correctional facilities.

## **B. Department of Corrections**

Pursuant to NRS 286.523, the Nevada Department of Corrections requests approval of a Critical Labor Shortage designation for Correctional Officer positions and Correctional Nursing positions in the Department's correctional facilities.

**Governor:** Item number seven, *Request to Designate Positions in State Government as Critical Labor Shortages*.

**Clerk of the Board:** There are two requests under agenda item number seven for the Department of Corrections. The first request is for retroactive approval of a critical labor shortage designation for Correctional Officer positions in the department's rural correctional facilities from April 1, 2022 to November 30, 2022.

The second request is for approval of a critical labor shortage designation for Correctional Officer positions and Correctional Nurse positions in the department from December 1, 2022 to November 30, 2024.

Are there any questions on these items?

**Governor:** No. Do we have any questions on item number seven? Do I have a motion?

**Attorney General:** Move approval.

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

## **8. Request to Pay a Cash Settlement** (For possible action)

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.

### **Office of the Attorney General**

Pursuant to NRS 353.264, the Office of the Attorney General requests the Board of Examiners to approve a payment from the Statutory Contingency Account in the amount of \$10,000,000 representing the first installment of the State's portion of a settlement with Donald Walden, Jr., et al. This approval will be contingent upon Interim Finance Committee approval of settlement funds.

**Governor:** Moving on to item number eight, *Request to Pay a Cash Settlement*.

**Clerk of the Board:** Item number eight. Pursuant to article five, 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. In this request, the Office of the Attorney General is requesting approval to pay a settlement in the amount of \$10 million. Are there any questions on this item?

**Governor:** No, I had a thorough briefing on this item. Do we have any questions on item number eight?

**Secretary of State:** No, and I want to thank the staff for the briefing on all of this.

**Governor:** I do too, and I thank General Ford for working on this. I know that the briefings we had were very specific and I thank you for that.

Do we have any questions on this one or a motion?

**Secretary of State:** I move to approve.

**Governor:** We've got a motion from Secretary Cegavske for approval. Is there any discussion? Hearing and seeing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

**9. Request for a Recommendation of Approval to the Interim Finance Committee for an Allocation Amount from the Contingency Account**  
(For possible action)

**Office of the Attorney General**

Pursuant to NRS 353.268, the Office of the Attorney General requests the Board's recommendation to the Interim Finance Committee for an allocation of \$5,000,000 from the Interim Finance Committee Contingency Account to cover costs associated with the first installment of the State's portion of a settlement with Donald Walden, Jr., et al.

**Governor:** Moving on to item number nine, *Request for a Recommendation of Approval to the Interim Finance Committee for an Allocation Amount from the Contingency Account.*

**Clerk of the Board:** Agenda item number nine is a request for a positive recommendation to the Interim Finance Committee pursuant to NRS 353.268 for an allocation from the IFC contingency account. The current balance in the account is approximately \$8.6 million. If this request is approved, the remaining balance would be approximately \$3.6 million.

This request is from the Office of the Attorney General for an allocation of \$5 million to cover the cost of the first installment of the state's portion of a settlement. Are there any questions on this item?

**Governor:** Do you have any questions on item number nine? Do we 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 Leases** (For possible action)

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

**Clerk of the Board:** There are four leases under agenda item number 10 for approval by the Board. Each is to extend the existing lease. Are there any questions on these leases?

**Governor:** No. Again, I want to thank staff for the briefing on this one. Do we have any questions on these proposed leases? Do I have a motion?

**Attorney General:** None here. 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.

### **11. Approval of Proposed Contracts** (For possible action)

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

**Clerk of the Board:** There are 27 contracts under agenda item number 11 for approval by the Board. Are there any questions on these contracts?

**Governor:** No. Do we have any questions on the contracts?

**Secretary of State:** None here, Governor.

**Attorney General:** None here. 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.

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

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



**Clerk of the Board:** There are 13 master service agreements under agenda item number 12 for approval by the board today. Are there any questions on these master service agreements?

**Governor:** No questions. Do we have any questions on this one? Or a motion?

**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.

### **13. 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 September 20, 2022 through October 17, 2022.

**Governor:** Item number 13. Informational Clerk of the Board contracts.

**Clerk of the Board:** There are 80 contracts over \$10,000 and under the \$100,000 threshold that were approved by the Clerk of the Board from September 20, 2022 through October 17, 2022. This item is informational. Are there any questions on these?

**Governor:** No questions.

### **14. Information Item Report**

#### **Department of Motor Vehicles – Complete Streets Program**

Pursuant to NRS 482.1825, subsection 2, the Department of Motor Vehicles shall certify monthly to the Board of Examiners the amount of the voluntary contributions collected for each county by the department and its agents, and that the money has been distributed as provided in statute. This submittal reports program activities for the month of September for fiscal year 2023.

**Governor:** Moving on to item number 14. The Complete Streets program.

**Clerk of the Board:** There is one informational report under agenda item 14 today. The report is from the Department of Motor Vehicles on the voluntary contributions collected by counties pursuant to NRS 482.480 known as the Complete Streets program for the month of September 2022. Would you like me to go into further details on this report?

**Governor:** No. Anybody want further detail?

**Secretary of State:** No, Governor.

**Attorney General:** I'm good.

**Governor:** Closing item number 14.

**15. 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 or 702-329-3435. When prompted to provide the meeting ID, please enter 206 007 080#. 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:** Item number 15, *Public Comment*. This is a 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. Is there any public comment in Las Vegas? No. Anybody in Carson City for public comment?

**Clerk of the Board:** No, there is not.

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

**Clerk of the Board:** We do not.

## **16. Adjournment**

**Governor:** Item 16. We are adjourned. Thanks, everybody.