

Governor Joe Lombardo
Chairman

Amy Stephenson
Clerk of the Board



Attorney General Aaron D. Ford
Member

Secretary of State Francisco V. Aguilar
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: December 11, 2024, 10:00 AM

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

Video Conference Location: The McCarran Center, Nevada Building
1 State of Nevada Way, Governor's Conference Room
Las Vegas, Nevada 89119

MEMBERS PRESENT:

Secretary of State Francisco V. Aguilar
Attorney General Aaron Ford

STAFF PRESENT:

Amy Stephenson, Clerk of the Board
Greg Ott, Board Counsel

OTHERS PRESENT:

Yvonne Nevarez-Goodson, Deputy Director, Department of Taxation
John Dekoekkoek, Management Analyst 4, Office of the Attorney General

1. **Call to Order / Roll Call**

Secretary of the State: Good morning, everyone. Let's call to order of the Board of Examiners Meeting scheduled for today, December 11, 2024, at 10:00 a.m. Could I ask the Clerk to take roll call, please?

Clerk of the Board: Governor Lombardo is excused from this meeting.

Attorney General Ford.

Attorney General: Here.

Clerk of the Board: Secretary Aguilar.

Secretary of the State: 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 587 528 79#. 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.

Secretary of the State: Moving to agenda item number two, *Public Comment*. The first public comment period is limited to comments on the 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. Comments will be limited to 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, enter 587 528 79#, dial *5 to request to be unmuted.

Do we have any public comments here or in Carson City?

Clerk of the Board: We do in Carson City, sir.

Yvonne Nevarez-Goodson: Attachment A

John Dekoekkoek: Attachment B

Secretary of the State: Do we have any public comment in Las Vegas? Seeing none.

Do we have any public comment on the phone?

Clerk of the Board: No, sir.

Secretary of the State: We will now close public comment.

3. Approval of the November 12, 2024 Meeting Minutes (For possible action)

Secretary of the State: We'll move on to agenda item number three, *Approval of the November 12, 2024 Meeting Minutes*. If there are no questions, I'll accept a motion.

Attorney General: Motion to approve.

Secretary of the State: We have a motion. All those in favor, say aye. The motion passes unanimously.

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	8	\$473,309

Secretary of the State: We'll now move on to item agenda number four, *State Vehicle Purchases*.

Clerk of the Board: There is one request under this agenda item from the Department of Public Safety, Nevada Highway Patrol Division requesting approval to purchase eight replacement vehicles for a total amount not to exceed \$473,309. Are there any questions on any of these vehicles?

Secretary of the State: Are there any questions? Do I have a motion?

Attorney General: Move approval.

Secretary of the State: We have a motion. All those in favor, say aye. The motion passes unanimously.

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

A. Department of Education

Pursuant to NRS 333.705, subsection 4, the department seeks a favorable recommendation regarding its determination to use the emergency provision to contract with former employee Heidi Haartz to manage COVID relief funds through statewide contract #99SWC-NV21-7577 with HAT Limited Partnership dba Manpower.

B. Department of Education

Pursuant to NRS 333.705, subsection 4, the department seeks a favorable recommendation regarding its determination to use the emergency provision to contract with former employee Martha Warachowski to assist with administrative support through statewide contract #99SWC-NV21-7577 with HAT Limited Partnership dba Manpower.

Secretary of the State: Agenda item number five, *Authorization for an Emergency Contract with a Current and/or Former State Employee.*

Clerk of the Board: There are two requests under this agenda item this morning. The first request is from the Department of Education. Pursuant to NRS 333.705, subsection 4, the department seeks a favorable recommendation regarding its determination to use the emergency provision to contract with former employee Heidi Haartz to manage COVID relief funds through Manpower. I would note this item is being brought back before the Board for reconsideration from the November 12, 2024 meeting and has been revised to address the Board's concerns with the length of time it took the department to submit the item to the Board.

The second request is also from the Department of Education. Pursuant to NRS 333.705, subsection 4, the department seeks a favorable recommendation regarding its determination to use the emergency provision to contract a former employee, Martha Warachowski to assist with administrative support through Manpower. Are there any questions on any of these items?

Attorney General: Not here. Are you ready for motion?

Secretary of the State: I'll take a motion.

Attorney General: Move to approve.

Secretary of the State: All those in favor, say aye. The motion passes unanimously.

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

Nevada State Board of Pharmacy

Pursuant to NRS 333.705, subsection 1, Department of Administration, Purchasing Division requests authority to contract with former employee Ryan Miller to provide training and coordination services for the Nevada State Board of Pharmacy through statewide contract #99SWC-NV21-7576 with Marathon Staffing Group, Inc.

Secretary of the State: Moving on to agenda number six, *Authorization to Contract with a Current and/or Former State Employee.*

Clerk of the Board: This request is from the Nevada State Board of Pharmacy. Pursuant to NRS 333.705, subsection 1, the Board requests authority to contract with former employee Ryan Miller to provide training and coordination services through Marathon Staffing Group. Are there any questions on this item?

Secretary of the State: Are there any questions?

Attorney General: No, sir. None here. Move approval.

Secretary of the State: We have a motion to approve. All those in favor, say aye. The motion passed unanimously.

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

Department of Corrections

Pursuant to NRS 286.523, the department requests approval of a critical labor shortage designation for Correctional Officer positions for the period of December 1, 2024 to June 30, 2025.

Secretary of the State: Agenda item number seven, *Request to Designate Positions in State Government as Critical Labor Shortages*.

Clerk of the Board: This request is from the Department of Corrections. Pursuant to NRS 286.523, the department requests approval of a critical labor shortage designation for Correctional Officer positions for the period of December 1, 2024 to June 30, 2025. Are there any questions on this item?

Secretary of the State: Any questions, Mr. General?

Attorney General: None here. Move to approve.

Secretary of the State: We have a motion. All those in favor, say aye. The motion passes unanimously.

8. Request for Approval to Pay a Stale Claim from the Stale Claims Account Pursuant to NRS 353.097 (For possible action)

Department of Health and Human Services – Division of Public and Behavioral Health

Pursuant to NRS 353.097, subsection 4, the division requests approval to pay a total of \$202,500 from the Stale Claims account for a settlement agreement for claims from fiscal year 2024.

Secretary of the State: Moving on to agenda item number 8, *Request for Approval to Pay a State Claim from the State Claims Account Pursuant to NRS 353.097.*

Clerk of the Board: This request is from the Department of Health and Human Services, Division of Public and Behavioral Health. Pursuant to NRS 353.097, subsection 4, the division requests approval to pay a total of \$202,500 from the State Claims Account for a settlement agreement for claims from fiscal year 2024. Are there any questions on this item?

Secretary of the State: Mr. General, any questions?

Attorney General: No, sir. Move approval.

Secretary of the State: We have a motion. All those in favor, say aye. The motion passes unaimously.

9. Request for Approval of Payment from the Statutory Contingency Account (For possible action)

Governor's Finance Office

Pursuant to NRS 41.950 and NRS 41.970, the office requests the Board of Examiners to approve a payment of \$900,000 from the Statutory Contingency Account to Kirstin Blaise Lobato representing compensation for her wrongful conviction.

Secretary of the State: Agenda item number nine, *Request for Approval of Payment from the Statutory Contingency Account.*

Clerk of the Board: This is a request from the Governor's Finance Office. Pursuant to NRS 41.950 and NRS 41.970, the office requests the Board of Examiners to approve a payment of \$900,000 from the Statutory Contingency Account to Kirstin Blaise Lobato representing compensation for her wrongful conviction. Are there any questions on this item?

Secretary of the State: Mr. General, any questions?

Attorney General: None. Move approval.

Secretary of the State: All those in favor, say aye. The motion passes unanimously.

10. 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 Corrections

Pursuant to NRS 353.268, the department requests a recommendation to the Interim Finance Committee for an allocation of \$448,228 from the Interim Finance Committee Contingency Account to cover costs associated with the peer-support

program and academy training.

B. Department of Education

Pursuant to NRS 353.268, the department requests a recommendation to the Interim Finance Committee for an allocation of \$154,634 from the Interim Finance Committee Contingency Account to continue supporting the 1/5 PERS Hiring Incentive Program for Clark and Washoe counties.

C. Department of Education

Pursuant to NRS 353.268, the department requests a recommendation to the Interim Finance Committee for an allocation of \$374,572 from the Interim Finance Committee Contingency Account to replenish the Account for State Special Education Services.

D. Department of Health and Human Services - Division of Child and Family Services

Pursuant to NRS 353.268, the division requests a recommendation to the Interim Finance Committee for an allocation of \$823,120 from the Interim Finance Committee Contingency Account to support the Adoption Subsidy program.

Secretary of the State: Agenda item number 10, *Request for a Recommendation of Approval to the Interim Finance Committee for an Allocation Amount from the Contingency Account.*

Clerk of the Board: The first request is from the Department of Corrections. Pursuant to NRS 353.268, the department requests a recommendation to the Interim Finance Committee for an allocation of \$448,228 from the Interim Finance Committee Contingency Account to cover costs associated with the peer support program and academy training.

The second request is from the Department of Education. Pursuant to NRS 353.268, the department requests a recommendation to the Interim Finance Committee for an allocation of \$154,634 from the Interim Finance Committee Contingency Account to continue supporting the 1/5 PERS Hiring Incentive Program for Clark and Washoe Counties.

The third request is also from the Department of Education. Pursuant to NRS 353.268, the department requests a recommendation to the Interim Finance Committee for an allocation of \$374,572 from the Interim Finance Committee Contingency Account to replenish the Account for State Special Education Services.

The final request is from the Department of Health and Human Services, Division of Child and Family Services. Pursuant to NRS 353.268, the division requests a recommendation to the Interim Finance Committee for an allocation of \$823,120 from the Interim Finance

Committee Contingency Account to support the Adoption Subsidy Program. Are there any questions on any of these items?

Secretary of the State: Are there any questions?

Attorney General: None here. All is articulated. Move approval.

Secretary of the State: We have a motion to approve all four items. All those in favor, say aye. The motion passes.

11. Request for Approval of Land Lease Agreement (For possible action)

State Department of Conservation and Natural Resources - Division of State Lands

Pursuant to NRS 321.335, the division requests approval of a Land Lease Agreement to Molasky Ventures, LLC for occupancy and use of ground at 1054 Commerce Street Las Vegas, Nevada. This item is contingent upon IFC approval.

Secretary of the State: Agenda item number 11, *Request for Approval of Land Lease Agreement*.

Clerk of the Board: This request is from the State Department of Conservation and Natural Resources, Division of State Lands. Pursuant to NRS 321.335, the division requests approval of a Land Lease Agreement to Molasky Ventures, LLC, for occupancy and use of ground at 1054 Commerce Street, Las Vegas, Nevada. This item is contingent upon IFC approval. Are there any questions on this item?

Secretary of the State: Any questions, Mr. General?

Attorney General: No, sir. Move for approval.

Secretary of the State: We have a motion. All those in favor, say aye. The motion passes unanimously.

12. Approval of Proposed Leases (For possible action)

Secretary of the State: Agenda item number 12, *Approval of Proposed Leases*.

Clerk of the Board: There are three leases under this agenda item for approval by the Board today. Are there any questions on any of these leases?

Secretary of the State: Mr. General, do you have any questions?

Attorney General: No, sir. Motion to approve.

Secretary of the State: We have a motion. All those in favor, say aye. The motion passes unanimously.

13. Approval of Proposed Contracts (For possible action)

Secretary of the State: Moving on to agenda item number 13, *Approval of Proposed Contracts*.

Clerk of the Board: There are 54 contracts under this agenda item. Please note that contract number 19 has been withdrawn by the agency, which is leaving 53 for approval today. Are there any questions on any of these contracts?

Secretary of the State: I do not. Mr. General, do you have any questions?

Attorney General: No, sir. Move approval with the exception of contract number 19, which has been withdrawn by the agency.

Secretary of the State: We have a motion for approval. All those in favor, say aye. The motion passes unanimously.

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

Secretary of the State: Item number 14, *Approval of Proposed Master Service Agreements*.

Clerk of the Board: There are 15 Master Service Agreements under this agenda item for approval by the Board today. Are there any questions on any of these items?

Secretary of the State: No questions. Mr. General, any questions?

Attorney General: None here. Move approval.

Secretary of the State: We have a motion. All those in favor, say aye. The motion passes unanimously.

15. 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 October 16, 2024 through November 13, 2024.

Secretary of the State: Agenda item number 15, *Information Item - Clerk of the Board Contracts*.

Clerk of the Board: There are 41 contracts over \$10,000 and under the \$100,000 threshold that were approved by the Clerk of the Board from October 16, 2024 through November 13, 2024. This item is informational. Are there any questions on any of these informational contracts?

Secretary of the State: No questions, just a comment to thank the Athletic Commission for all of their hard work.

Attorney General: Thanks so much. No questions.

16. Information Item Reports

A. Governor's Finance Office – Budget Division

Pursuant to NRS Chapter 353, the division presents a reconciled fund balance report for the Tort Claim Fund, Statutory Contingency Account, State Claims Account, Emergency Account, Disaster Relief Account, and the IFC Contingency Fund as of November 12, 2024, for fiscal year 2025. Additionally, a reconciliation of the Extradition Coordinator budget account has been prepared at the request of the Board.

B. State Department of Conservation and Natural Resources – Division of State Lands – Fiscal Year 2025, 1st 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 report covers the period of July 1, 2024 through September 30, 2024.

C. Statewide Quarterly Overtime Report – Fiscal Year 2025, 1st 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. This report covers the period of July 1, 2024 through September 30, 2024.

Secretary of the State: Agenda item number 16, *Information Item Reports*.

Clerk of the Board: The first report is from the Governor's Finance Office, Budget Division. Pursuant to NRS Chapter 353, the division presents a reconciled fund balance report for the following accounts. The Tort Claim Fund is at \$4,342,499.49, Statutory Contingency Account is \$2,477,051.66, State Claims Account is \$2,050,812.94, Emergency Account is \$500,000, Disaster Relief Account is \$13,043,674, IFC Contingency Unrestricted General Fund is

\$15,302,262.04, IFC Contingency Unrestricted Highway Fund is \$1,638,068.35, IFC Contingency Restricted General Fund is \$120,275,427, IFC Contingency Restricted Highway Fund is \$19,142,217, and the Extradition Coordinator Budget Account 1002 is at \$154,121.26. Are there any questions on this informational report?

Secretary of the State: No questions here. General?

Attorney General: None here.

Clerk of the Board: The second report is the Department of Conservation and Natural Resources, Division of State Lands for fiscal year 2025, first 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 interest in lands transferred, sold, exchanged or leased under the Tahoe Basin Act program. This report covers the period of July 1, 2024 through September 30, 2024. Are there any questions on this item?

Secretary of the State: No questions here.

Attorney General: Not here.

Clerk of the Board: The third report is from the Governor's Finance Office, Budget Division. 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. This report covers the period of July 1, 2024 through September 30, 2024. Are there any questions on this informational item?

Secretary of the State: I'm glad when the Secretary of State's Office is not on these lists. Mr. Ford?

Attorney General: No questions here either. Thank you.

17. 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 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 985 815 151#. 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.

Secretary of the State: We'll move on to item number 17, *Public Comment*. This is the second opportunity for public comments. Comments will be limited to three minutes. Do we have any public comments in Carson City?

Clerk of the Board: We do not, sir.

Secretary of the State: Do we have any public comment in Las Vegas? Seeing none.

Do we have any public for comment on the telephone?

Clerk of the Board: We don't have anyone on the phone.

Secretary of the State: Thank you. We will close public comment.

18. Adjournment (For possible action)

Secretary of the State: Item number 18, *Adjournment*.

Attorney General: Move to adjourn.

Secretary of the State: All in favor, say aye. The motion passes unanimously. We are adjourned. Thank you, General.

ATTACHMENT A

Yvonne Nevarez-Goodson: Good morning members of the Board. My name is Yvonne Nevarez-Goodson. I'm the Chief Deputy Director for the Department of Taxation. While I'm here today for other matters before the Board, I wanted to take this opportunity and publicly comment on behalf of the Tax Commission Chair, George Kelesis, and Department Director, Shellie Hughes, to share with you that this week marks the launch of the first phase of our modernization project known as Project MYNT.

There is an e-services portal associated with Project MYNT for Nevada's taxpayers, referred to as My Nevada Tax. We're proud to announce that this first release of the project was successfully completed, both timely, and within budget, and the new system is currently running smoothly.

We're also proud to announce one interesting statistic, which is that on day one of rollout, we collected \$5 million in revenue and zero errors with the system. So, that was really great news.

Phase one of this project provides new system functionality for both department staff and Nevada's taxpayers for certain tax types and licenses, including sales and use tax, consumer use tax, cigarette tax, live entertainment tax, liquor tax, liquor license renewal, other tobacco license tax, and other tobacco products tax for, for those licenses.

A few highlights of the system for taxpayers and licenses within these tax types, they can update their account information, they can view and manage permits and licenses, they can conduct business registration and have account access, they can manage multiple locations for their businesses, schedule appointments with the department, manage their corporate officers, file returns, make payments, and close accounts as necessary.

We're working with those taxpayers in this initial week that require special assistance with their registration or other questions or problems they might be having with the new system, but otherwise we're very proud to announce this accomplishment towards modernization.

We have two additional phases that are set to roll out in both December of 2025 and December of 2026 respectively. The department is also planning and hereby inviting your respective officers to attend some dedicated demonstrations of this new system after the first of the year. I have the Department's Project Manager, Patric Starr, with me today, so that you may put a face to the name when those invitations come out. With that, Members, I just wanted to thank you for your support of this modernization project with various matters we've had before the Board and we welcome any questions you may have. Thank you.

ATTACHMENT B

John Dekoekkoek: Good morning. My name is John Dekoekkoek and I would like to say thank you regarding the recent changes to the State Administrative Manual. I provided public comment at the October BOE related to SAM Section 2630 Decorating Offices and I would like to thank the Board of Examiners for reconsidering the proposed changes during that meeting.

I would also like to thank the Department Administration for revising Section 2630 in a way that I believe balances the needs of the State along with the wellbeing of Nevada State employees.

Finally, thank you to the BOE for approving those proposed changes at the November BOE Meeting. Thank you.