



State of Nevada
MERIT AWARD BOARD



“Good Government, Great Employees”

209 E. Musser Street, Room 101
Carson City, Nevada 89701-4204

Brian Sandoval
Governor

MERIT AWARD BOARD
February 18, 2016– 11:00 a.m.

**Blasdel Building, 209 E. Musser Street,
1st Floor, Room 105
Carson City, Nevada 89701**

And

**Grant Sawyer State Building
555 East Washington Avenue
Room 1400
Las Vegas, Nevada 89101**

The sites will be connected by videoconference. The public is invited to attend at either location.

**MINUTES OF MEETING
(Pending Board approval)**

Merit Award Board

**Members
Present:**

Rosa Mendez - Chairperson and Representative, Governor’s Office
Melanie Young – Representative, Governor’s Finance Office, Budget Division
Angelica Gonzalez – Representative, Division of Human Resource Management (DHRM) and Secretary to the Merit Award Board
Neil Lake – Representative, American Federation of State, County and Municipal Employees (AFSCME)
Harry Schiffman – Representative, American Federation of State, County and Municipal Employees (AFSCME)

- I. **CALL TO ORDER – Chairperson Rosa Mendez:** Called the meeting to order. She asked members to state their names for the official roll and reminded members to please cite their names before making a comment for the transcriptionist regularly present at the meetings.
- II. **ADOPTION OF MINUTES FOR JUNE 9, 2016 – FOR POSSIBLE ACTION** *(only if transcription is possible before next meeting)* – Minutes were not available for meeting so **Chairperson Rosa Mendez** passed this item and moved on to general business.
- III. **GENERAL BUSINESS**
 - a. **Sunset Subcommittee Submittal including:**
 1. Summary
 2. NRS 285 (Updated with 2/9/16 comments)
 3. Treasurer’s Report
 4. Board Budget
 5. Organizational Chart
 6. IFC Reports & Logs for Fiscal Years 2013, 2014, & 2015
 7. Meeting minutes for past 6 meetings

Chairperson Mendez: Noted the purpose of the meeting was request from the Sunset Subcommittee’s to have the Board testify at their March 15th meeting. **Chairperson Mendez:** explained that she had received a letter from the subcommittee in January asking the Board to complete the required form and submit it along with the additional, required information to the subcommittee staff prior the 3/15/16 meeting, and be present at said meeting to answer any questions the subcommittee may have regarding the board, its operations, membership, basically, what’s in the summary. The subcommittee contact noted to the Chair that just because a Board is selected for testimony does not mean that it is slated for elimination. **Melanie Young:** asked for a clarification regarding the Board’s testimony before the subcommittee: the date for such action and who would be required to attend. **Chairperson Mendez:** noted the meeting date to be March 15, 2016 and mentioned that a time for such meeting had yet to be provided. She would provide that information to the Board once it was confirmed and received. **Chairperson Mendez:** also noted their letter instructed the Board to have at least one member present to testify, and any additional representation is welcome. She would testify via video conferencing, but other members were welcomed to attend and be present just in case historical questions are asked. **Angelica Gonzalez:** noted she would check her schedule to see if she could be available. **Chairperson Mendez:** announced that she had received a jury summons to appear in court the same week as the subcommittee meeting. She would be required to check with the court on 3/11 and would find out then if she would be required to report on the 14th. She also noted the trial was expected to last 5-6 weeks. She wanted to make sure the members were informed just in case another officer had to be present to testify.

1. Summary

Chairperson Mendez: Noted the Board name as indicated on the form and the list of members. She asked Neil and Harry for clarification regarding their appointment dates. Neil Lake: estimated that his appointment took place when Governor Gibbons was in office, around 2009. Harry Schiffman: he estimated his appointment date was

2013. Both changes were noted for inclusion. The next two items on the form included the physical and mailing addresses for the board which were confirmed as was the website address. **Chairperson Mendez:** asked Angelica if EITS was the party who developed the website. **Angelica Gonzalez:** responded that it was developed and maintained by EITS. **Chairperson Mendez:** there was no discussion on the next dozen or so items. When item #19 came up, **Chair Mendez:** referred Melanie Young, as she was the author of item numbers 19 & 20. **Melanie Young:** spoke to the Board budget document stating the regarding the limits of legislative appropriations, the amount that has been allocated to the Board since 2011 totals \$1,100, not \$1,000, so the Board may spend up to that amount, which comes out of the Department of Administration budget appropriations. She asked if anyone had any questions and there were none expressed. **Young** moved on to the next item, the Treasurer's Report, noting this document illustrated the revenue and expenditures for the Board since 2013. She noted the typical expenditures for the Board were transcription and travel by Board members. She also noted that any money not used is returned to the General Fund, as noted on the document. **Young** asked if there were any questions and none were expressed by the board. Board went on to review the remaining part of the items on the summary. No comments were noted until they got to item #4 in the second half of the form: legislative required reports for the board. **Chair Mendez:** noted the only reports qualifying under this number are the annual reports that have been submitted annually with the IFC (pursuant to NRS 285) and noted a copy of these reports as indicated in the summary document will be forwarded to the subcommittee as attachments for their review. **Chair Mendez:** moved on to item #2.

2. NRS 285 (Updated with 2/9/16 comments)

Chairperson Mendez: Explained that for Item #2, NRS 285, she took all the comments discussed at previous meetings and attempted to consolidate all the revisions/comments on the current revision. **Chair Mendez:** asked if they would like to address each item separately, or just address the sections that had revisions/comments. She also stated that once the document was approved with changes, it would be forwarded to the DAG for consideration in the BDR process. **Melanie Young:** stated the Budget Division would be sending out notification out soon to parties regarding the upcoming BDR process and what the process entails. It would be good if the Board found out who the DAG was so the NRS could be reviewed and included in the process. She noted this BDR would have to compete with all the others that would be forwarded to the Governor's office for review.

Angelica Gonzalez: Asked that they go item by item. **Chairperson Mendez:** Agreed and started with 285-010, "Adoption" defined. **Chair Mendez:** noted the phrase for "putting into effect" is synonymous with implementing and included that word in place of the phrase. She asked the Board if they agreed with this change. The Board agreed that a clarifier would be good and the term "adoption" means the same thing as implementation of an employee's suggestion.

Chairperson Mendez: Described 285.030, No. 5 regarding the limits of legislative appropriations. **Melanie Young:** had stated at the previous meeting the limitation be removed because if it needs to be changed, it takes a change in the law. She suggested that remove the 'up to' and possibly put "expending", to leave it up to the Board. **Chairperson Mendez:** Stated that it was agreed to remove the specific amount and reword it so that there is no limitation on the budget and therefore the reference to the

amount was removed in this third version. A brief discussion took place and it was decided to leave in the sentence referencing removal of the amount and the item to be presented to the DAG for review and revision.

Chairperson Mendez: Described 285.050 (2) (a) regarding the term Under Active Consideration by the State Agency. Discussion ensued. The Board agreed to take “currently” out and then discuss at a later point.

Chairperson Mendez: Described the next Item, C, which is not within the State Employee’s Authority or Responsibility. She noted that based on input from the last meeting, the item can be left alone. Brief discussion took place and it was noted that job work scope has always been verified by the Agency’s word. The Board’s consensus was to leave it as written.

Chairperson Mendez: Moved to No. 3 and noted she changed “makes” to “submits” per input from the Board at the last meeting. No further discussion ensued.

Chairperson Mendez: Moved to No. 4 and noted she included a clarifier as noted from discussion at the last meeting where the Board’s consensus was to make wording consistent throughout paragraph.

Chairperson Mendez: Moved to 285.060 and noted the discussion about the word “delay” and what was an acceptable delay and also mentioned changing the 30-day stipulation. Ultimately Chair Mendez did not remove the date reference but did include “and/or” when referencing reporting of findings and recommendations and a general note addressing the need for a change or rewording the item so the timeframe for feedback is generalized, perhaps with a requirement after a period of time has passed, or an option with the agency to request additional time for review and justification for their request in their required response. She noted this is an item the DAG can help to clarify the best method for addressing the Board’s concern. **Chair Mendez:** noted the same word change of including “implemented” next to the word “adopted” in the following sections: No. 2(a), 2(d), No. 3(c) and 3(d)(3).

Chairperson Mendez: Moved to No. 285.070. regarding the realization of the actual savings. Asked if there was anything to add that would address the concern of proof of savings that were realized. **Melanie Young:** Noted that this could take time, for an Agency to realize the cost savings. The Board agreed to discuss at a later point.

Chairperson Mendez: Moved to No. 5 on the last page. No changes made to the number but items of discussion noted as previous Board discussion centered on other accounts used to pay award money, and the suggestion that NRS 285.060(2) and NRS 285.070(7) be revisited in addition to this number with regards to timeframe. Depending on the date when the suggestion is received, potentially, several months can pass as an agency confirms estimated savings, and a whole FY year could pass before realized savings are confirmed by an agency and an award can be given. This item will also be pointed out to the DAG as an item for rewording. And also to look at No. 8 as it is related to this number.

Chairperson Mendez: Noted that No. 7 needs to also be reviewed as an item for rewording as it was noted at the last meeting that potentially, a whole FY year could

pass before realized savings are confirmed by an agency. This would push the award date past the required time as state in 070(5) as noted above.

Chairperson Mendez: Noted that Staff would work with the DAG regarding this latest version and make final changes based on input from the DAG. Board concurred and no additional discussion ensued.

- 3. Treasurer's Report: Chairperson Mendez:** Noted that No. 3 was discussed previously when addressing the summary document for the subcommittee and referred to **Melanie Young's** cited the Board budget document showing the legislative appropriation allocated to the Board since 2011 totals \$1,100, not \$1,000, so the Board may spend up to that amount, which comes out of the Department of Administration budget appropriations. She asked if anyone had any questions and there were none expressed.
- 4. Board Budget: Chairperson Mendez:** Noted this item was also discussed earlier in the summary with **Young** citing this document illustrating the revenue and expenditures for the Board since 2013; that typical expenditures for the Board as noted were for transcription and travel by Board members; and that any money not used is returned to the General Fund, as noted on the document. **Chair Mendez:** asked if there were any questions or comments regarding this item and none were expressed by the board.
- 5. Organizational Chart: Chairperson Mendez:** Noted this item was developed as requested by the subcommittee. Data from the existing member table was used to create the chart. **Chair Mendez:** asked the board if there were any changes or comments on the document. None we made.
- 6. IFC Reports & Logs for Fiscal Years 2013, 2014, & 2015: Chairperson Mendez:** Noted that as mentioned earlier in the meeting, these documents were all sent to the Board previously when originally submitted to the IFC. The reports would be forwarded to the Sunset Subcommittee as requested on their form.
- 7. Meeting minutes for past 6 meetings: Chairperson Mendez:** Noted that as mentioned earlier when discussing the item in the summary, these documents were all sent to the Board previously at the appropriate meeting time. The minutes would be forwarded to the Sunset Subcommittee as requested on their form.

Melanie Young: Asked for clarification on a motion to vote on the submittal package to be submitted with noted revisions.

MOTION: Approve Sunset Subcommittee items for submittal with suggestions as noted
BY: Chairperson Mendez
SECOND: Neil Lake???
VOTE: The vote was unanimous in favor of the motion.

IV. OTHER BUSINESS

Chairperson Mendez: Reiterated the need to find out who the DAG is for the Department of Administration, ergo the Board. **Melanie Young:** said that she would

do some investigating to see if she could find out some new information for the Board.
No other items were discussed. ????

- V. PUBLIC COMMENT** – (Note: No vote or action may be taken upon a matter raised during public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. Comments will be limited to five minutes per person and persons making comment will be asked to begin by stating their names for the record.)

Chairperson Mendez: Asked if there was any public comment and there was none.

VI. ADJOURNMENT

MOTION: Moved that the Merit Award Board meeting be adjourned
BY: Chair Mendez
SECOND: Harry Schiffman
VOTE: The vote was unanimous in favor of the motion