

STATE OF NEVADA
BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
Minutes of the Administrative Procedures Oversight Committee Meeting at 10:00am
Virtual Meeting held (via Zoom), Tuesday, April 16, 2020

Committee members participating were committee chair Michael Kidd, PLS; Karen Purcell, PE; Brent Wright, PE/SE; and Thomas Matter, public member. Also joining were Patty Mamola, Executive Director; Murray Blaney, Operations/Compliance; and Louisa Kern, Administrative Assistant.

1. **Meeting conducted by Committee Chair Michael Kidd, call to order and roll call to determine presence of quorum**

Mr Kidd called the meeting to order at 10:03am.

2. **Public Comment Period**

There was no public comment.

3. **Approval of October 30, 2019, Administrative Procedures Oversight Committee meeting minutes**

APOC 20-1 A motion was made by Ms Purcell, seconded by Mr Matter, to approve the October 30, 2019 APOC meeting minutes. The motion passed.

4. **Discuss selecting a vendor for annual financial audit services and consider options to retain for multiple years**

Ms Mamola said two proposals had been received for auditing services. One from Casey Neilon Auditing, a Nevada firm, and the other from Wipfli Auditing Services based in Wisconsin. Ms Mamola said Wipfli has done the audit for the last three financial years.

Ms Purcell said for continuity purposes, Wipfli would make sense, but staying local should be strongly considered. Mr Matter agreed.

Mr Kidd suggested it may be good practice to get another perspective in the audit, and a new firm could provide that.

Mr Wright said the cost proposals are similar, and both appear equally capable, supporting a Nevada based business would be preferable. The other committee members agreed.

Mr Kidd asked that Ms Mamola present both proposals to the full board, but the committee would recommend selecting Casey Neilon Auditing.

5. Discuss retaining a government liaison for assisting with updating regulations during the 2019-2020 interim legislative session and changes to Nevada Revised Statutes during the 81st session (2021) of the Nevada legislature

Ms Mamola said that requests for proposals were sent out to three firms and one proposal was received. She said the response was from McDonald Carano.

Mr Matter said McDonald Carano and Ms Fischer, who has been our liaison in the past, have a record of good performance with the board. The committee agreed.

Mr Kidd said the committee would recommend McDonald Carano to the full board.

6. Discuss proposed budget for fiscal year 2020/2021

Ms Mamola said before reviewing the budget, there were items forwarded to APOC from the Legislative Committee relating to a proposed reduction in initial and comity licensure application fees. She said the reductions were to offset any costs incurred by the applicant in the transmittal of their NCEES record, the goal is that the cost of applying for licensure in Nevada does not exceed a \$200 threshold.

APOC 20-02 A motion was made by Mr Matter, seconded by Ms Purcell, to approve the changes to application fees as proposed by the Legislative Committee. The motion passed.

Ms Mamola said she would notify the Legislative Committee that APOC had approved the application fee reductions. (ACTION Item)

Ms Mamola said in preparing for the new fiscal year, two budget proposals are presented to the committee for consideration – budget A and budget B. She said two options were put forward because of the uncertainty created by the Covid-19 situation – and not knowing what the full economic impact could be. Ms Mamola said option A forecasts reductions in revenue and conservative reduction in expenses. Option B stays with similar revenue but is more aggressive in considering expenses. Ms Mamola added that both budgets have a payroll freeze built in.

Ms Mamola then reviewed the significant proposed changes in the budget options A and B presented to the committee:

→ Budget A

Revenues have been reduced to account for a reduction in applications anticipated due to the current Covid-19 situation, include a reduction in application fees and eliminate online convenience fees.
Budget revenue assumptions:

- assume 15% less applications for FY 20/21 than the projected actual for FY 19/20, FY 19/20 factors in 25% less comity applications for the remainder of FY 19/20, and 50% less initial and reinstatement applications for the remainder of FY 19/20
- assume 30% less renewals, FY 19/20 renewals were 30% over budget as of 12/2019, therefore hold FY 19/20 approved budget amount for renewals for FY 20/21
- no late fees for June 2020 renewals per Governor's directive (discuss suspending PDH requirement)
- assume no PDH event 10/2020
- board consideration to eliminate online convenience fees

Expenses have been budgeted conservatively to account for current Covid-19 situation and reflect typical/actual annual costs for operations. Most deferred expenses identified in Business Plan are not included, PDH event has been eliminated, and there are no proposed salary changes for staff.

→ Budget B

Revenues are similar as those proposed in Budget A, and additional expense reductions have been identified. Additional expense reductions for consideration include:

- Las Vegas office janitorial
- Board meeting travel and related expenses
- Printing of Blue Book
- Shifting of some legal costs from private counsel to Attorney General's Office
- Executive Director performs some government liaison/lobbying activities
- Eliminate temporary staff for peak workload periods
- Travel for NCEES meetings eliminated, only funded members attend NCEES meetings
- Travel for LAS office support reduced to only allow for investigations
- Workshops move to virtual format
- Training and conferences attendance eliminated

Ms Mamola added that the board is well positioned with reserves. She said during the *Great Recession* the board had been very fiscally conservative, and has continued to be so even as the recession broke, which provides some breathing room when hit when by something as unprecedented as is happening now.

Ms Kidd said his preference would be for budget A. He said his concern with budget B is the knowledge and experience lost in moving away from using current board counsel and eliminating government liaison services, could be detrimental to the board. To retain their expertise, he would recommend reserves be used to make up any shortfall.

After discussion, the committee agreed that budget A would be their recommendation to the full board.

7. Consider executive director work performance and salary

Mr Kidd said that a summary of Ms Mamola's performance evaluation has been presented to the

committee for consideration. He said in his opening statement he would like to say that the board is very fortunate to have someone with Ms Mamola's background and passion, critical thinking, national and international exposure – but mostly what she does for us as board members and how she manages the operations of the board.

Mr Wright said he agreed. He said Ms Mamola has a very impressive resume and vast experience, and while others may be tempted to rest on the laurels of their past, Ms Mamola is driven, very efficient, prepared, and uses her knowledge to assist the board members in any way possible.

Ms Purcell said the changes Ms Mamola has made have been very effective. She added her the drive to develop a strategic plan as guide for the board to move forward, and the achievement of the plans actions items and goals, are testament to Ms Mamola's performance.

Mr Matter highlighted Ms Mamola's accessibility, and the availability of staff. He said she is always willing to go above and beyond with information and solution to any questions put to the board. He said the staff are a good reflection on Ms Mamola's management ability.

Ms Mamola said she appreciated the comments from the committee. She added that having a capable staff allowed her space to focus on the bigger picture issues in the strategic and business plans, while knowing licensees, applicants, and public are being well served in the day to day operations.

Ms Purcell said with the current evaluation as retrospective, asked Ms Mamola what she saw as her goals for the next year.

Ms Mamola said the immediate focus would be to assist the Legislative Committee in moving forward with the proposed regulatory changes as part of the 10-year review. She said she would then advocate for a review of the strategic plan to make sure the stated goals and action items are in line with the thinking of the current board. Ms Mamola said primarily her goals and objectives, and those of the board operation, are driven from the strategic plan.

Ms Kidd asked for Ms Mamola's thoughts on the frequency of the board newsletter.

Ms Mamola said currently the newsletter was bi-annual, and the traction - open rate - of the e-newsletter is very good. She added there was some consideration given to moving to quarterly, but she didn't want to dilute content for the sake of frequency and recommended that a minimum of twice yearly was sufficient. Ms Mamola said if timely topics of interest arise e-newsletters could be produced on short notice to capture the moment.

Mr Kidd said in light of the budget recommendations presented with a payroll freeze, any merit adjustment to Ms Mamola's salary would have to be deferred until a later date.

Mr Wright agreed that the board should wait until things normalize, but asked Ms Mamola where in the salary range for comparable positions does she and board staff fall.

Ms Mamola said that she did a salary comparison two years ago and board staff (including her) were in the mid to lower range, but in saying that, the staff are still relatively new, so the current levels

could be considered fair.

Mr Wright said that in Ms Mamola's case, he would definitely not categorize her experience and performance as mid to lower range and felt an adjustment should be considered to put Ms Mamola in the correct range. However, agreed that the salary adjustment consideration should be deferred until later in the year.

Ms Purcell agreed and suggested that the consideration be put on an APOC agenda, post Covid-19, for discussion.

8. Open Discussion Topics

There were no topic put forward for discussion.

9. Public Comment Period

There was no public comment.

10. Adjourn

Mr Kidd adjourned the meeting at 10:58am.

Respectfully,

Patty Mamola
Executive Director