

Name of Organization: Nevada Board of Agriculture
Date and Time of Meeting: January 18, 2011
Place of Meeting: Nevada Department of Agriculture
405 S. 21st Street
Sparks, NV 89431
Phone: (775) 353-3601

Minutes

January 18, 2011

A. Introduction of Board members and guests.

Board Members Present:

Paul Anderson
Dean Baker
Charles Frey
Grady Jones
Ramona Morrison
Paul Noe
Alan Perazzo
Jim Snyder
Boyd Spratling
Dave Stix, Jr.
Hank Vogler

Board Members Absent:

Staff Members Present:

Sandie Foley
Katie Armstrong, DAG
Jay Ludlow
Aaron Robinson
JoAnn Mothershead
Blaine Northrop
Lucia Grant
Ron Cerri
Ed Foster
Jeff Knight
Joan Holland
Holly Pecetti
Tina Mudd
Dave Harvey
Dr. Anette Rink

Guests:

Doug Busselman, NV. Farm Bureau
Gerald Lent, Wildlife Commission
Don Alt, N. L. S. A.
Terry Russell, KOLO News
Jim Barbee
Margaret Borso
Mike Compston
Rachel Dahl
Steve Lewis, UNR Extension
Dennis Perea
Mike Torvinen
Hannah Works
Audrey Spratling
Amber Overholser

1. Board Business

A. Robert's Rules of Order

Chairman Perazzo: I thought it would be beneficial if I could just take 5 minutes here at the first just so that we as the Board are all same page. We strive to follow these Robert's Rules of Order in our meetings and I think the last meeting as I look back over it, I think it went very well. I just want to explain a few things so that we don't make any mistakes. I did get a phone call and was questioned on some of the activities that took place and so this is partially the reason I'd like to discuss this just a little bit.

I do have the book of Robert's Rules of Order and we can discuss that, but I don't want to go into a lot of depth other than I just want to make sure that we're all on the same protocol. There are different rules that apply to the assembly that doesn't apply to a Board that is less than 12. I think there is a misconception that the Chairman cannot deliberate or make a motion or have an opinion. On a Board of less than 12, it's clear that the Chairman has a same rights that all the other Board members have. When it says that the Chairman needs to be fair and impartial, it refers to a subject that I need to be careful and make sure that both sides of that subject of evenly covered or given the same amount of time.

The other thing....I know what's happened in the other meeting is that an item was tabled or placed on the table. I know Hank did that and it was seconded. It was questioned who could remove that from the table. Just so long as we are clear...once something is made a motion and it's seconded, once the Chairman reiterates the motion and the second, it becomes the body of the assembly, or the body of this Board. And so any Board member sitting on the Board can make another motion to take it off the table. We don't have to go back to the person that made the motion or the person that made the second and ask permission because it is the property of the Board. So, in other words, we all voted and it's the property of the Board.

When a motion is made and seconded, once the Chairman acknowledges the motion and the second, and then if you want to change and any member can do this, if you don't like the wording of the motion, you can say, 'I'd like to amend the motion to say.....' and then reiterate that. If the Board agrees that we want to change that, then when we agree on the amendment, then that becomes the motion.

I think we have a little confusion that we have to go back to the person who made the motion, ask permission to change that. That's not the case. Once the motion is accepted by the Chair, it becomes the property of the Board.

Dave Stix, Jr.: Mr. Chairman, you're bringing these issues up as Robert's Rules of Order as a guide. We're not holding hard and fast to their true....?

Chairman Perazzo: And, that's what it pointed out in the book too. I mean we're at liberty to...and you guys are all very good at this. I mean if you want to make a comment, you just acknowledge, raise your hand, get my attention. I'm not asking you to stand, nor do I need to stand to do this. We're not holding hard and fast on the guidelines, such as that. But, I think that's the protocol.

B. Applicant interviews for Acting Director position of the Nevada Department of Agriculture.

Chairman Perazzo: This is what we've been asked as far as getting the legal direction here. What we'd like to ask as a Board, and I know I was asked by a couple of the candidates when they came and asked what do you want me to do? We would like to ask if you wouldn't mind, stepping out and we would call you in. I think that would be a little fairer as far as questions are asked and whatnot. But there again, legally, this is an open meeting. We can't require you to leave, but we would ask if you would. And that being said, we'd like everyone to, if you would, wait outside.

Dean Baker: Couldn't we have a discussion a little bit on the later thing, on whether this is absolutely a short-term thing or whether, as I read the applications, some would like I get the impression, long-term, most of them say very little about the short-term. So, what happens if we get a Director now, are we saying we're absolutely going to open it up and do it again at a particular time with that number E or whatever it is. Do we get a Director and they are successful, but do we have to then reopen it if we are happy with the Director that's on board or can we just say this is the Director now?

Chairman Perazzo: Okay, any comments from the Board. What Dean is asking is on Item E, we have discussion and possible action regarding the recruitment/selection process to appoint a new Director of the Department of Agriculture. What you're asking is, if the candidates are applying, if we are satisfied with the Acting Director, will we still open it up for applicants?

Dean Baker: Do we have an obligation to open up again? The reason why I'd like to discuss it now, is when applicants are here and if we have a really strong clear decision of where we're at (coughing, cannot hear what is being said)next summer, or if whoever we put in as short-term, will we force them to go through the project or will we just bring it to a vote that keeps that person?

Chairman Perazzo: I guess I want to ask Katie first before we have the discussion. Are we obligated by the NRS to open it up for....

Katie Armstrong: I don't believe there are any restrictions on this. I think there's a lot...you know this Board needs to be working with the Governor's office closely. I don't know how they feel on this topic. Probably, if they just say right now in putting in an Interim Director is to let them [candidates] know this may just be an interim and

might have to be opened up. I know the Board in the past wanted a longer recruitment process, but it has been really quick timeframe. That's something the Board is going to have to discuss with the Governor's office and see what they would like to see in the future. It's probably safe to let every applicant know that this may just be a short interim position that will be opened up in the future.

Dean Baker: Will be or can be?

Katie Armstrong: That's up to the Board. Like I said you guys need...that not set forth in statute that it can't be opened or has to be opened. That's the process between the Board and the Governor's office the way the statute reads.

Hank Vogler: I have those same concerns that Mr. Baker has. If we're not going to ask these 11 people to take this on an interim basis, the questions I have: do we have to give 3 names to the Governor now? Or do we, if we come out of here today with a name, is that going to bethen in the few short months do we have to present 3 names back to the Governor? It seems very unfair to the people that are trying to apply for this position at this time and if the Governor already wants to micro-manage and has preordained who he is going to have as his new Director, do we even need to appoint a temporary Director? Maybe, the presentations we have to make at the Legislature could be farmed out amongst the Board of Agriculture members?

Paul Anderson: I believe that we move forward as if it is an interim position and if they are doing well, when we have come to summertime or whatever point in time we say we're ending the application process for a full time position, if that person is doing well, then it will be easy. We could agree as a Board to keep them in that position. We are looking for an interim position. That's my belief.

Chairman Perazzo: I think we need to remember, I think I reiterated this last time, that the Governor is asking us for our recommendation for an Acting Director. That is what he has asked us for, so I think if the Acting Director is doing a good job, I would be the first to say, yes, let's continue him on as the Director. I'm with you, I don't know if I could promise that as the Board.

Dave Stix, Jr.: That's completely appropriate with what Paul was saying. I think we make sure these candidates know that this is an interim. That's how it was advertised, but if they work out, I mean, our recruiting process can take up to 6 months. If they work out over that 6 month period, then they get the position. And I think we would save the state a lot of time and money and ourselves. It would behoove us if the individual works out to keep them on as full time. But if it doesn't or the individual has something that occurs and it doesn't work out, we'll have some names to consider.

Chairman Perazzo: As far as the number of applicants that we are going to recommend to the Governor, I think we need discuss that. I guess I've always been

a little bit gun-shy about just submitting one name, because we've done that as far as in the Directorship before. If the Governor doesn't accept that name, then we're back to square one again. My feeling would be to recommend 2 or 3 names in this priority or maybe just 2 or 3 names. I don't know. Whatever the Board feels; but, that's what we've asked to do and so that's why I feel we will proceed

Boyd Spratling: I think as far as applicants go, they know they are applying for an interim position. So, as long as that is known up front. Even though those are complications of what might happen down the road, interim or permanent or not, I think those people know up front that is what this situation is and are taking that leap of faith to go ahead and apply for those interim jobs. I think that's probably could be taken off the table as a concern.

Dave Stix, Jr.: I think to proceed appropriately once we get this process underway and behind us for the Interim, the recruiting process has to start. I think we have to start that right away. So an individual that said well I'm not interested in the Interim, they have very much an opportunity to apply over the next several months. But, at some point this Board will have to meet and decide. Are they happy with the person they have now or continue? If anybody didn't apply taking this as Interim, I think they are okay, because I mean we have to have Personnel start....in fact, it's on the agenda, right? We have it on here to talk about the recruiting process. Hopefully, that's the next step after today. We get an Interim name or several names to send to the Governor and then start the recruiting process. And those individuals will have an ability to apply.

Jim Snyder: As far as the way applications.....if they were to bring in a waiver now, can we go ahead with that? Can we interview them?

Chairman Perazzo: The procedure is their name has to be on the agenda and it has to be posted.

Jim Snyder: So, it's an agenda issue?

Chairman Perazzo: That's the open meeting law. It has to be posted 3 days... and, that's why.... and I know, I appreciate all the candidates as far you're rushed, but that's....we've got a deadline and it's been a rush for us too.

Charlie Frey: Would it be advisable maybe to ask the applicants, maybe some of the applicants today are definitely not interested in an interim position and they want to bow out and maybe we ought to offer them that option?

Chairman Perazzo: Yes, that would be one of the questions we could ask when we're interviewing an individual. I think that would be proper. And the other question is, would they be interested in the Directorship or are they just interested in the Acting? I think that is a valid question as well.

Hank Vogler: Alan, maybe it's my poor hearing, but again I wonder at this late date under these short notices why shouldn't we just keep taking applications for the Director's position rather than an Interim and just present our case from the Department heads to the Governor? Why do we even need to go through this process for this Interim? Why don't we just, you know don't involved in redundancy? I don't think there is anything in the statute that says we have to have an Interim Director. And it's such a short period of time, and to get anybody out of state, I don't think its fair to any of the applicants. We should be vetting these people towards the Director's job and then at least have them have the encouragement that if we choose one today, that's who would be the Director rather than this interim stuff which puts a stinking cloud over anybody that takes the position. I don't think it's fair to the Board of Agriculture, to the Department of Agriculture, or to the applicants. If these are qualified people what's the big deal? We should be vetting them for the job from now on and if they take over a week from now, a month from now, or day after tomorrow. What's the urgency other than to send Mr. Lesperance on his way?

Chairman Perazzo: I want to be clear to the Board what we're doing here and what we've been asked to do. The Governor is going to hire an acting Director. He's asked for our opinion on who that should be. And that's why we are today Hank. The procedure of taking applicants for Director...we don't have time to do that correctly in my mind. It would require 3 – 6 months or whatever. That's what I'm envisioning, but there again I would hope the Board is looking at this as possibly....I hope we're not going give applications to the Governor of somebody we don't think can do the Director's job. I hope that we're looking at it as somebody's willing to be the Director; that we would get that name to the Governor.

Ramona Morrison: I think that anybody who is in here and doing a good job would have a significant advantage over all other new applicants down the road. I mean of course we can't guarantee anybody a job, but I think that the sentiment would be to not change horses if we don't have to and if we've got somebody in here doing an excellent job, I certainly wouldn't be inclined just to toss them just because we're going through a new process. I think the Acting Director position gives the candidate a significant advantage ultimately.

Chairman Perazzo: I think it's an advantage to us as a Board too because it gives us a little trial time with the Director, so I think it's a good thing.

Dean Baker: Our position is that we can terminate in theory any Director that we have regardless. So, if we put a Director even though it's Interim Director, we can terminate that whenever we want to. But, if we say we're going to reopen and do it in a particular time, then we're maybe we lose our best potential Directors. That's why I brought it up.

The candidates were excused from the meeting and the interviews started. The following is the list of applicants in the order of their appearance:

- Margaret S. Borso
- Jim R. Barbee
- Michael N. Compston
- Rachel Dahl
- Ed Foster
- Dave T. Harvey
- Jeff B. Knight
- Steven R. Lewis
- Dennis Perea
- Aaron Robinson
- Mike Torvinen

C. Discussion and possible action regarding a recommendation to the Governor for the position of Acting Director of the Nevada Department of Agriculture.

Chairman Perazzo: I've felt all along that it would be nice to have more than one name submitted to the Governor if he did not approve of that name, that he could fall in line with the second or the third or....whatever. And that's why we put on the agenda, Item D – to discuss a possible action regarding the order of preference of recommendations to be submitted to the Governor for the Acting Director. I guess what I was thinking and you guys in the outlying areas can hear me alright, what I was thinking is if anybody would like to make a motion and say, 'I would like to submit so-n-so to the Governor and if there is a second, we would vote on it. If the majority of the people want to submit that name, that name would go on the list of those being submitted and we would do that three or four times or more if we had that many people to submit to the Governor. I would think we could submit not more than four, but that is my feeling.

**Hank Vogler: I nominate or request or will put in the name of Jim R. Barbee.
Boyd Spratling: Seconded the motion.**

Paul Anderson	Yes
Charlie Frey	Yes
David Stix, Jr.	Yes
Jim Snyder	Yes
Dean Baker	Yes
Ramona Morrison	Yes
Paul Noe	Yes
Grady Jones	Yes
Boyd Spratling	Yes
Hank Vogler	Yes
Alan Perazzo	Yes

Unanimous Vote – yes

Charlie Frey: I would like to submit the name of Steven Lewis.
Grady Jones: Seconded.

Paul Anderson	Yes
Charlie Frey	Yes
David Stix, Jr.	Yes
Jim Snyder	No
Dean Baker	Yes
Ramona Morrison	Yes
Paul Noe	Yes
Grady Jones	Yes
Boyd Spratling	No
Hank Vogler	No
Alan Perazzo	Yes

8 yes votes – 3 no

Jim Snyder: I would say Jeff Knight.
Paul Anderson: Seconded.

Paul Anderson	Yes
Charlie Frey	No
David Stix, Jr.	Yes. Disclosure to the Board – Jeff Knight’s wife currently her paycheck is signed by the same person that writes my paycheck. However, I do not feel that affects my decision.
Jim Snyder	Yes
Dean Baker	Yes
Ramona Morrison	No
Paul Noe	Yes
Grady Jones	No
Boyd Spratling	Yes
Hank Vogler	No
Alan Perazzo	No

6 yes votes – 5 no

Hank Vogler: Mr. Chairman, we have 3 people that came in with 3 different varying votes and already solved our problem for #1, #2, and #3 and submit those 3 names and move on. That’s just a suggestion. I make it in the form of a motion if you would like.

Chairman Perazzo: Let’s wait Hank, because that’s what I didn’t want to fall into was because you’re voting(Hank Vogler and Chairman Perazzo talking over each other – unable to understand what was said).

Charlie Frey: I move the nominations be closed.
Ramona Morrison: Second.

Chairman Perazzo: Are there any other nominations?

Dean Baker: I would like to nominate Mike Torvinen.

Jim Snyder: Seconded the motion.

Paul Anderson	Yes	
Charlie Frey	No	
David Stix, Jr.	No	
Jim Snyder	Yes	
Dean Baker	Yes	
Ramona Morrison	No	
Paul Noe	No	
Grady Jones	No	
Boyd Spratling	No	
Hank Vogler	No	
Alan Perazzo	No	8 no votes – 3 yes

Dave Stix, Jr.: I would like to nominate the name Ed Foster.

Alan Perazzo: I second.

Paul Anderson	No	
Charlie Frey	No	
David Stix, Jr.	Yes	
Jim Snyder	Yes	
Dean Baker	No	
Ramona Morrison	No	
Paul Noe	No	
Grady Jones	No	
Boyd Spratling	No	
Hank Vogler	No	
Alan Perazzo	Yes	8 no votes – 3 yes

Chairman Perazzo: Again, any other names to be presented to the Governor?
Seeing none, I'll accept the motion to close nominations.

Motion passed.

D. Discussion and possible action regarding order of preference of recommendations that will be submitted to the Governor for the Acting Director.

Chairman Perazzo: We have 3 names here to present to the Governor and now we would like to prioritize.

Dave Stix, Jr.: Once again, I would like to ask that to simplify it and move on, that Mr. Jim Barbee be our primary, Mr. Knight, and Mr. Lewis as the two alternates and not do a ranking.

Chairman Perazzo: I have no problem with that except I want a little bit more clarification if for some reason and I don't foresee it, that if the Governor says I don't accept that person, Jim Barbee as the Director, then who should be second? Tell me.

Boyd Spratling: Mr. Chairman, I would [rescind] Mr. Stix's motion.
Jim Snyder: I second the motion.

Chairman Perazzo: I would like to accept that motion Dave, but it doesn't complete what Item D is saying and that is prioritize. Okay? So, I'd like you to rephrase the motion, if you would, to say if Mr. Barbee's our first candidate, then say the second, say a third and then let's vote on that.

Ramona Morrison: I don't know if I'm in the same mode as everybody else, but I voted for Mr. Barbee as one of the nominees, not as necessarily the first candidate.

Chairman Perazzo: Hank, that's why we have to do it his way. That's not necessarily the first candidate. We just voted to get his name to the Governor. And that's why you cannot take the vote that means one thing and then say that it means another. That's why we're doing it this way.

So, Item D says, 'discuss and possible action regarding the order of preference of recommendations that will be submitted to the Governor for the Acting Director. What I would like to see is a motion and you can say the order and if people don't like the motion, then we can change the order.

Dave Stix, Jr.: Can I change my motion Mr. Chairman?

Chairman Perazzo: Please.

Dave Stix, Jr.: I would make a motion that we accept in order starting with: 1. Mr. Barbee, 2. Mr. Knight, 3. Mr. Lewis.

Jim Snyder: Seconded the motion.

Grady Jones: I make a motion to amend it, that we go: 1. Mr. Barbee, 2. Mr. Lewis, 3. Mr. Knight.

Charlie Frey: I second.

Charlie Frey: I withdraw my second on the amendment.

Hank Volger: I will second that.

Chairman Perazzo: We are voting on the amendment. We're not voting on the motion. Okay?

Paul Anderson: I want to make sure before I... My vote is going to be based on the amendment: Barbee, Lewis, Knight.

Chairman Perazzo: Correct.

Paul Anderson	No	
Charlie Frey	No	
Dave Stix, Jr.	No	
Jim Snyder	No	
Dean Baker	No	
Ramona Morrison	No	
Paul Noe	Yes	
Grady Jones	Yes	
Boyd Spratling	No	
Hank Vogler	Yes	
Alan Perazzo	Yes	7 no votes – 4 yes

Chairman Perazzo: The amendment fails. So now we're voting on the original motion of Barbee, Knight, Lewis.

Dave Stix, Jr.: Question.

Charlie Frey: I would like to amend the motion to 1. Steve Lewis, 2. Jim Barbee, 3. Jeff Knight.

Ramona Morrison: Seconded the motion (the amended motion).

Paul Anderson	No	
Charlie Frey	Yes	
Dave Stix, Jr.	No	
Jim Snyder	No	
Dean Baker	No	
Ramona Morrison	Yes	
Paul Noe	No	
Grady Jones	No	
Boyd Spratling	No	
Hank Vogler	No	
Alan Perazzo	No	9 no votes – 2 yes

Chairman Perazzo: The order looks like its back to the original motion which is Barbee, Knight, Lewis. What you're saying yes to [when voting] is that you agree that we take the name of Jim Barbee to the Governor's office, present him with that name, and if for some reason he doesn't accept that, then we go on to Knight and Lewis.

Paul Anderson	Yes	
Charlie Frey	No	
Dave Stix, Jr.	Yes	
Jim Snyder	Yes	
Dean Baker	Yes	
Ramona Morrison	No	
Paul Noe	Yes	
Grady Jones	Yes	
Boyd Spratling	Yes	
Hank Vogler	Yes	
Alan Perazzo	Yes	9 yes votes – 2 no

E. Discussion and possible action regarding the recruitment / selection process to appoint a new Director of the Department of Agriculture.

Chairman Perazzo: I guess the reason I felt like we should put on there is what....I realize now we are going to have Acting Director. When does the Board feel we should start the recruitment process and get started on a permanent position of Director?

Jim Snyder: It seems to me the only consideration is whether we want to change during the legislative session or wait until the end.

Dean Baker: I would think we would clearly wait until the end of the legislative session. We don't want any more battles going on here, discussion of this until we get through the legislative session unless something happens that somebody wants, the Chairman or others, wants to put in on again as a special session.

Paul Anderson: I don't think it would be a bad idea to start the recruiting process now. I think we're going to need a good 6 months to do that. By the time the 6 months passes, you've already hopefully finished through the legislative session. We've had a good chance to see how the Acting Director has been doing and in the worse cases in 6 months we close it and say we're happy right where we are. I think that if we're not proactive that the worst case scenario, things don't work out, the Governor's not happy, our legislators are not happy, we as a Board aren't happy, now we're back to square one again, appointing an Acting Director and probably trying to find a full time position. I think it would be worthwhile to begin the process now, hoping in the end in 6 months or 7 months, that the Director we're putting into position today is going to be the right person at that point.

Hank Vogler: Mr. Anderson, that's a wonderful idea and they should put 2 stars by your name except for one problem. If we don't show some continuity, the other ten people that put in for this job will never speak to us again and nobody else will. We've got to establish some sort of a track record with who we now appoint. If Mr. Barbee takes the job, the world needs to see that we're going to be united behind him. I mean there is nobody that is going to want this job if halfway through the session, we dump on this guy, or Lewis or Knight or whoever takes it. We've got to show some continuity and we've got to show some spine and stand by whoever we've chosen and hang with him for a little while, then go out and look for a new Director. To start now, the guy hasn't even said he'll take the job and already we start vetting people to take his job. Are you kidding me? I mean, I'm sorry I just don't seem.....that's an oxymoron somewhere in there.

Paul Anderson: In my opinion, Acting Director meant just that. We're hoping to keep him in the position. I think we did a good job of making that clear this morning to all the candidates. Our goal is to keep that person in the position. But, I just, again, maybe I'm being too negative here, but I think it would be proactive to continue the search hoping that we're happy with the person we're choosing today.

Hank Vogler: And again Paul, I'm just saying, if this guy is going to take the job and we're already looking for somebody to be competitive with him, and yes, he knows it's a temporary position, but for goodness sakes at least let the guy have a key card to his locked room for one day before we start....you know, it's almost as though we're ready to throw him under the bus and he hasn't even taken the job yet.

Dave Stix, Jr.: I don't know if we're in a position of impasse right now. I don't think so. There maybe a compromise here that may work. When's our next Board meeting? March. It's almost February. The legislative session will be well under way by our next Board meeting. Why don't we take a month and a half? I agree with Paul, but on the other hand, I also want this guy to know he's got the backing if he's picked by the Board. Let's have him be a part of the process and if we have to in March, we'll direct...because I have a question that relates to this about how Personnel will get involved. I don't think we have the staff. With all due respect to Sandie, she can't do everything. Is this something with Personnel that we can handle with them? The position itself, why don't we wait until March, discuss this again on the agenda and we can send it to Personnel and let them do the background work or the grunt work and that will give us a little bit of time to see how the guy is doing. I think the legislature will be a big test.

Doug Busselman: There is more to the recruitment process than just the activity of going out and advertising for candidates. I think that it would be very important to use the time that you have between now and your next meeting and the next meeting after that to really fine tune in your own mind the job description that you expect, perhaps even developing an evaluation process that you will use in selecting a Director. Use the time that you have now to make sure that you as a Board are on the same page in identifying what the roll for the Director should be. That's part of

the process of actively doing the recruitment even without going out and advertising for names. I think that you do have an obligation given the way the process was set up to at some point in time consider whether you're going to advertise for actual positions which you can actually go through a process of getting yourselves all on the same page....identifying the rules, the job descriptions, working through some of those fine details and then go forward from there and you're still engaged in the activity that you said you were going to do.

Tina Mudd (employee): I was going to say exactly what Doug did, but it might give you guys an opportunity to appear as a cohesive Board, looking for similarities within your Director. You have a chance to put together a solicitation for a candidate who really has all these qualities that you guys listed off earlier. We didn't have that in writing this time. And I think: (1) I think there are many candidates like the gentlemen that Dean knew that would be interested in applying for the full Director position and the candidate that you nominate today is doing a great job, then as Ramona said earlier he might be a shoe-in when you actually open it up for a full review of these folks qualifications, and (2) I'd like to make one more recommendation: during this process maybe you guys could come up with some standard questions that are asked of each candidate so each candidate is evaluated on the same questions and have the same opportunity to respond. If you had one or two questions, generally that's how I've seen those types of things go before and it might give other candidates the chance to present themselves a little bit better knowing that they are probably a little nervous. I appreciate what you guys are trying to do here today; staff needs it.

Annette Rink: Clearly personnel problems have been looming very large here today. And I guess until today, I had no idea how big the personnel problems are. I have to tell you that personnel problems whether they are internal or between organizations, even if they belong to the same agency, are usually coming about because people are breaking the rules and nobody is holding them accountable. Now, I also want to put out to you that good leadership comes from good example and I have to honestly tell you now that since the September Board meeting of 2009, the leadership and the example that you have set as the Board have been deteriorating at a very rapid pace. And the worse example I think you set at the last Board meeting, when you openly, went broke essentially, it was very clear that instructions had been given to you, and the majority of you who attended you didn't understand. You are holding us, the Department employees to that exact same standards that you are breaking, have been breaking for a very long time with abandon. And that goes specifically for you Board member Morrison. I have never seen a more pathetic attempt at character assassination than you have done today. And I think in generality, whether it is, it became clear that you are hostile towards internal candidates. And the more hostile you are, the less contact you've had with anyone of us in the Department. And I honestly have to say, if you think that this is the way that this Department and this industry and the people, we are the people that serve you. We can't serve you if you treat us as serfs. This is not the Fifteenth Century. This is a democracy, this is the 21st Century. You have hired a lot of highly qualified

employees and you treat us, quite frankly, like idiots. And I'm afraid that this is not going to work for you as the industry. You will pay the price, because you're not going to pick up your row crops, you're not going to pick up your 5,000 acre ranch and you're not going to pick up your vineyard. We can pick up when the housing market picks up and we can go and find another job. For you – it's much harder. So, my appeal to you right now is please make a legitimate effort without driven by some personal agenda to keep routes of communication to us open. Because I can honestly tell you for the last three Directors, all of us who have finally made calls to Board members on the outside or any other industry representative, we had addressed these issues with the people at hand. We have talked to Don [Henderson], we have talked to Donna [Rise], we have talked to Tony [Lesperance] as far as you could talk to these people without getting an absolute out-of-control reaction. The next step was to seek outside help. So, please don't perceive, and you have convinced yourselves of this, please don't perceive us as constant chronic trouble makers. Because I don't want to have to worry about the next hissy-fit, the next stupid personnel decision, the next stupid budget decision. I want to worry about whether my assays are running correctly, whether we can adopt some more assays. I would really like to go back to that job. And you, Ramona Morrison, I think you have tarred this...you have really jarred this Board. I think you should remove yourself from this Board because it is absolutely inexcusable the way that you behaved yourself. And I think for the rest of the Board members, if you accept this type of behavior by a Board member towards a member of this staff, that has worked diligently for 10 years, you're basically supporting her in that. And as you [Board member Morrison] used to say, in all of those days when you knew how to pick up the phone and call because you wanted something from them. As you used to say, these people are excusing the inexcusable. You were inexcusable today. Thank you, Mr. Chairman.

Dave Stix, Jr.: I am not one that is going to try to speak for the entire Board, but if I could just say that, you know when I picked Mr. Barbee as the #1, all this stuff, all these issues that have passed, were on my mind. And I hope we can start anew, because I think it started a month or so ago when the press release was issued from the Governor's office about his feelings toward Tony. And I hope we can stop this because the reason I picked this individual was the fact that there was going to be accountability, rules were going to be held with, so I hope we can move on from here and stop this bickering and fighting and start anew. Now, that doesn't say that I was very displeased today and I don't want to dig up old things. I'm concerned something may come of it that we have no control over. But, let's start anew right here. I think all this input is very important, that we spend the next month and half fine tuning this process or whatever it takes Paul to make sure we do this right. Everybody needs to understand, we threw this together in one meeting that was controversial at best what we did today. We got some really good ones, some really bad ones and part was in the middle. That was the hard part. I mean we just threw it together. So let's spend the time to do it right, get this process fine tuned, find out where Personnel comes in, what do we have to modify and do it right and start new.

We have a new person coming on board. All the people that work here, that word needs to go out to this building too. It stops today! All this crap – stops today!

Paul Anderson: Actually, I agree. We need to step back a little bit I guess. My intent to move forward; to be proactive maybe was a little over zealous. But, we need to redefine this Department, we need to bring everyone together. What's happened today, I think is just an example of what's been happening over time the last couple of months. We truly, just like my little spiel in the last meeting, if we come to the legislative session, separated and disjointed, there will be nothing left of us. I belong that strongly. I think that there's got to be some kind of process whether we bring in a staff meeting or whatever we do from here. I think we have to make sure that everyone understands that we as a Board are more than willing and able to help and listen and that's one thing, we've got a lot of things that we have to define and in a very short period of time, the short and long-term goals of this Department, of the Board. And exactly what is it that we expect of Director? Without those things I think that we're just setting up the Director and the Department to fail.

Dave Stix, Jr.: And, Mr. Anderson, real quick. This individual coming on board can help us so much with defining where we go, because he may be the one to keep. He may die 6 months into this. I need to say this. But, he can help us so much professionally and give us the guidance to set up the criteria for future Directors. I think we need to include him in the process.

Ramona Morrison: I want to concur with what Dave said about going forward from here. I think we all have come into this Board with varying viewpoints, varying perspectives. I have a perspective that goes way back I think with a lot of this stuff, and so I come in with that certainly. So, I think you have to call it a little bit different point of view of why we responded to this request by the Governor a little bit differently. I certainly respect all the Board members and their position. I do want add a word of apology. I wish I had vetted my questions with our attorney over here to make sure I was under the impression I think that character and conduct and had put the question in that framework and thought it was a valid question. But, in hindsight I wish I would have double checked that before I asked the question in the first place. I think these things are serious. I think the conduct and character of anybody applying for this job is a very serious thing that we all have all been through absolute....well, we had our Christmas vacations and everything else disrupted handling this mess. So, I think it is very important that we take this seriously and I think we all have in our own capacity. But, for that one question, I apologize.

Charlie Frey: One thing that may solve the problem is when we get applicants, they ought to fill out an application that you would check if you had any problems with drugs or alcohol or if you've ever been convicted. And I think that is perfectly appropriate, isn't it? And everybody answers the same questions.

Katie Armstrong: Its standard everywhere. Personnel has forms that ask the questions that are legally okay to ask and the Board can work with them.

Charlie Frey: That should have been already maybe taken into consideration if you have ever been convicted of a felony or whatever. That's an important issue and I think we were all asked that before we got on the Board, at least I was. And so, every applicant [should be asked that] question or is posed that question that you brought up. We're not all going to agree on everything and that's why we have a Board. I think that's what's really healthy.

Dave Stix, Jr.: I would like to make a motion that we continue with the recruitment/selection process of the permanent Director and then at our next Board meeting, we have all information pertaining to the Director as far as recruiting and we include the new Director into the process and get his input at our next Board meeting.

Jim Snyder seconded the motion. Motion passed.

Employees

Public:

I am speaking for myself and as a taxpayer in Washoe County and I sat through the whole thing this morning and I'm really perplexed how there are employees sitting through the whole day, and I don't know what the employees are doing at the Board meetings unless they have a presentation. I heard at the Board meeting talk about assays – that work didn't get done today. There was no work done today. I think it's really wrong for employees to come to this Board and criticize this Board. You guys are the CEOs. You were appointed by the Governor and you've got employees sitting here all day long criticizing you. And I think they are way out of line.

If this Board is so weak that they sit there and let employees come here and criticize the Board and tell you how to do your job. There are strong employees in this agency. But, you guys make the final decisions and the Director should make absolutely sure, I'm sure there is work to be done, why aren't you down doing assays? When you come and speak to the Board at 10:00 am on something, that's fine, but you're way out of line when you let employees come and criticize you the way I heard today to you Board members. They have no right to do that. You guys are so far up here from employees. You want their input, you really do, you've got to work as a team. But, you guys make the decisions – you're the policy makers. And to let an employee do that is wrong.

Part of this started when I was at the meeting last month or at the last meeting, I think that you guys broke the open meeting law, when you guys discussed the character and misconduct of the Director. That's really against the open meeting law. And I think that starts it up when employees catch this when you guys are talking about the Director, he can't discipline employees. And that's why you have a session at the end of the day – personnel session where you discuss I think you

can do that. I'm glad you're looking into it. You should work with the Director. You cannot work, under the law, with the Director because you can't all get together. But, like in Idaho, they have a session, a get-away, Reno City has a get-away and you take the Director and say, okay, what are your goals for the year? You guys establish goals for the year with the new Director so you're on the same wave-length. So you come to these meetings, you guys are on the same wave-length. There are a lot of things that you guys don't like and you get it ironed out in a closed meeting or retreat or something like that. And then you all come here as a uniform body when you deal with these problems and especially with employees.

But, when some of the Board members sit here and criticize the Director in front of the employees, that doesn't look good. You need a strong Board and strong Chairman to do that and I think when employees come here and there are more employees at your meeting than they are public, I think it's a waste of taxpayers time. But, if you guys sit here and get criticized by employees, you're never going to be considered an effective Board. That's my personal opinion as a citizen and taxpayer.

Chairman Perazzo: I'm going to give the Governor's office a call here in the next day if not today and visit with him. We'll move forward with that process. I know we have a meeting set up with him. He didn't tell me exactly when. I know there are several Board members who wanted to go with us and visit with the Governor which sounds great – we can't go more than 5.

In closing, I would like to say I'm pleased with the day overall as far as the process. We got done what we needed to do and here again, apologizing for the whole situation it had to be fast and we were kind of put behind the eight ball and we did what we had to do and we got it accomplished. I hope that we realize that we were trying to be open and fair about this whole thing. I don't think there is ill intent on anybody's part and I hope that is the bottom line.

Adjournment:

Meeting adjourned at 4:47 pm.