

# MINUTES

## Nevada State Emergency Response Commission (SERC)

### Bylaws Committee Meeting

Tuesday, May 31, 2016 – 9:00 a.m.

#### State Emergency Response Commission

107 Jacobsen Way

Carson City Street

Room #51, for Phone-In 888-557-8511(Host 6060) Access # 1492655

Carson City, NV 89711

#### Members Present

Stacey Giomi, Chair\*

Richard Brenner\*

Eric Santos\*

Resty Malicdem\*

#### Staff

Stephanie Parker\*

Nathan Hastings DAG\*

Denise Uber

#### Guests

Peter Mulvihill

Kelly Thomas

Patty Brownfield\*

Rodney Lockett\*

Phone in\*

#### 1. **CALL TO ORDER**

Mr. Giomi called the meeting to order at 9:05am

#### 2. **ROLL CALL, CONFIRM QUORUM, AND INTRODUCTIONS**

After roll call was taken, a quorum was present and members, staff and guest introduced themselves.

#### 3. **PUBLIC COMMENT**

Mr. Giomi called for public comment. There was none.

#### 4. **APPROVAL OF MARCH 22, 2016 MEETING MINUTES**

Mr. Giomi asked for an approval of the March 22, 2016 minutes. Mr. Brenner mentioned there were missing asterisks for Mr. Santos and Mr. Malicdem as they present via video conference. Only change to be made, then Mr. Brenner motioned to approve the minutes, Mr. Santos seconded. Motion passed.

## 5. UPDATE SERC BYLAWS FOR COMPLIANCE

Mr. Giomi suggested reviewing the current SERC Bylaws article by article, if anyone has any changes they can speak to them as we go, it was agreed upon.

Article I, no one mentioned any items to change.

Article II, Mr. Mulvihill suggested we change the first sentence from protect the citizens of the state to protect the citizens and visitors of the state, since we have so many visitors in our state. The committee members were in agreement. Mr. Malicdem noticed an equal sign by the words hazardous materials; Mr. Giomi said it was just a transfer error from the web. It would be okay.

Article III. Mr. Mulvihill said he was contacted by the staff at the Governor's office that do the appointments and one of the primary reasons to have this meeting was to look at the membership composition of the commission. By statute we are allowed to have 25 slots on the commission; however there are only 21 that are detailed out. The governors' office is not willing to go beyond those 21 slots until the Commission expands their membership and details out those slots. A suggestion is that in the second and third paragraphs where it lists 5 members from local government categories and 5 members from state government categories be changed to 6 from local and 6 from state. Also, there is quite a bit of SERC HMEP money for tribal enterprises, but we have never had a tribal representative on the commission Mr. Mulvihill commented and asked the committees' consideration. Mr. Brenner said the numbers sounded good, adding a tribal representative also was good thing to look at. Mr. Brenner inquired if there was a public health representative listed. Mr. Giomi asked if he wanted the word public added, and if adding one representative from a community health organization would work. Mr. Giomi clarified- add one representative from a federally recognized tribal entity in Nevada and another representative from a community health organization. In the second paragraph delete the number 5 making it 6 members representing local government and put public after "or" and before "health", then again delete the next number 5, making 6 it members representing the state government then place public after "and" and in front of "health". Doing all this will total 25, which was agreed upon. Mr. Giomi asked about changing the paragraph regarding when members leaves, if it needed to be there since the commissioners retain their commission until replaced at the pleasure of the Governor. Ms. Parker said the quorum is affected by unfilled positions, if a member steps down, their spot is still counted. Mr. Giomi suggested if a member leaves their represented category, the commission shall be notified and to take appropriate action. This sounded good to everyone.

Article IV. Mr. Giomi asked if there were any issues, there were none.

Article V. Mr. Giomi asked about putting NRS. Chapter 241 into the first paragraph after referencing Nevada's open meeting laws, Mr. Hastings said that was a good idea. Also, Mr. Giomi said the last line reads: committee and subcommittee meetings are conducted under similar conditions, referring to the commission meetings being conducted under the provisions of Nevada's open

meeting laws. Mr. Giomi suggested it be changed to read “the subcommittee meetings are conducted in the same manner”. Everyone was in agreement with the suggestion. Mr. Mulvihill asked about the last paragraph where it references the per diem rates for the Commission members, and changing it to “per diem rates and travel costs for Commission members shall be reimbursed at the rate applicable to all state employees”, because SERC reimburses more than per diem when members travel on commission business.” That was agreed upon.

Article VI. Mr. Giomi asked if there were any issues, there were none.

Mr. Giomi brought up one last thing, changing the revised date to July 2016 for the next SERC meeting. Mr. Giomi of staff to have the flexibility to make non-substantial changes to the document. Mr. Giomi motioned to accept the discussed changes made to the bylaws for full commission approval with the SERC staff being able to make non substantive changes to the document, and with the understanding there needs to be a 30 day clock to get this information to the commission before the next SERC meeting. Mr. Brenner seconded the motion. Motion passes.

## **6. PUBLIC COMMENT**

Rodney Lockett thanked the committee for recommending adding a tribal commissioner. Ms. Parker thanked for Ms. Uber for all her work while she was away.

## **7. ADJOURNMENT**

Mr. Brenner made the motion to adjourn, Mr. Santos seconded. Motion passes.