



Commission on Off - Highway Vehicles

Full Commission Meeting

June 15, 2015

Meeting Minutes ****APPROVED****

Meeting Locations: Nevada Public Utilities Commission
1150 East Williams Street
Hearing Room B
Carson City, Nevada

Nevada Public Utilities Commission
9075 West Diablo Drive
Suite 250, Hearing Room B
Las Vegas, Nevada

I. MEETING OF THE NEVADA COMMISSION ON OFF-HIGHWAY VEHICLES

1. CALL TO ORDER

Chair McKay called the meeting to order at 9:02am.

2. PLEDGE OF ALLEGIANCE

The pledge was recited.

3. ROLL CALL OF THE COMMISSION MEMBERS

Commissioner Cox - Present, Las Vegas
Commissioner Elmore - Absent
Commissioner Baker - Present, Las Vegas
Commissioner Gerow - Present, Carson City
Commissioner Griggs - Absent
Commissioner Jackson - Present, Carson City
Commissioner Lambert - Present, Carson City
Commissioner Lee - Present, Las Vegas
Commissioner Richardson - Absent
Chair McKay - Present, Carson City
There is a quorum.

4. PUBLIC COMMENT

Carson City

Doug Holcomb, President of the Pine Nuts Mountains Trail Association, in regards to the meeting on June 5 2015, he agrees completely with Commissioner Gerow. He does not believe that the criminal justice agencies need top of the line and top dollar equipment; they need something more basic and reliable. There is public trust and public perception of the waste of money. This Commission still has a black eye on it from last year and he truly believes if the public sees agencies with top dollar equipment, the public will look at it as a waste of their OHV funds. Law enforcement needs good, reliable equipment but it does not need to be top dollar. Commissioner Elmore was discussing public perception and public trust; he believes this will do more harm than good. In order to gain back public trust and gain compliance, which Commissioner Baker talked about last meeting, he believes the public truly needs to see good positive projects on the ground and positive projects to benefit the OHV community. He feels that will be happening really soon and this program will be very beneficial to the OHV community. This Commission is heading in the right direction and that is mainly due to the leadership of Chair McKay. He is looking forward to seeing some good positive projects on the ground within the next year. Chair McKay, when we get to the item on recommendations you will see the work that our sub-committee and Office of Criminal Justice Assistance has done on the topic.

5. COMMISSIONER BRIEFINGS

Commissioners may brief the NCOHV on any emerging issues of interest to the NCOHV arising after the agenda is set. No deliberation or action will be taken on any information presented until the matter itself has been specifically included on an agenda as an item upon which action may be taken.

No comments.

6. MEETING MINUTES

Commissioners may vote to approve, modify, or reject the minutes from the NCOHV meeting held on June 5, 2015.

Chair McKay, the minutes from the June 5th meeting have not been released yet and they will be reviewed at the next meeting.

7. NOTICE OF HEARING FOR THE ADOPTION OF PERMANENT REGULATIONS OF THE NEVADA COMMISSION ON OFF-HIGHWAY VEHICLES

The NCOHV will hold a Public Hearing to receive comment from all interested parties regarding the adoption of R131-14, Permanent Regulation that pertains to Chapter 490.068, Section 1-41 of the Nevada Administrative Code. The Draft Regulations have been posted on the NCOHV website since April 28, 2015 under the 2015 meeting documentation, and the Notice of Intent to Act Upon A Regulation was posted on the NCOHV website and mailed, e-mailed, and faxed to all the required and interested parties on May 12, 2015. The documentation can also be viewed on the NCOHV website under the 6/15/2013 Meeting Post, along with the Economic Impact Statement and supporting information required by NRS 233B.0603 be viewed with the Notice of Intent to Act Upon A Regulation. The Commission will consider all oral and written comments on the proposed regulations by the public and Commissioners and may adopt, amend, or reject the proposed regulations.

Chair McKay read the Notice of Workshop which is attached as Article A.

No comment on the proposed regulations.

MOTION: Commissioner Jackson makes a motion to adopt the proposed regulations as read; seconded by Commissioner Cox. The motion passes unanimously.

8. PRESENTATION FROM THE OFFICE OF CRIMINAL JUSTICE ASSISTANCE

The Commission will receive information on the recommendations being made by the Nevada Office of Criminal Justice Assistance ("NOCJA") towards disbursing 20 percent of the NCOHV account funds for law enforcement purposes, pursuant to NRS 490.069. There will also be a discussion on the next steps the Commission, the NOCJA, and the Nevada Office of Grant Procurement, Coordination and Management Office will make. The Commission may move on recommendations of the NOCJA and fund the 2014 and 2015 law enforcement awards.

Charise Whitt, at the last OHV meeting some of the recommendations were discussed for the funding of projects to be awarded. Originally, the OCJA had obtained different quotes for the requested items and the pricing was reasonable for those items. After discussion with the Commissioners, it was discovered that a lot of the equipment requests were for the high end equipment. Her office went back and looked at standard equipment. She contacted three different sheriff offices around the nation that use ATV's and OHV equipment and spoke with the sub-committee about their concerns. Her office has come up with some new recommendations. She wanted to review some of the recommendations that were made last time and note that there are a few additions. The OCJA is recommending that all awarded agencies, regardless of the funding, be required to sign program assurances on OHV equipment. This will state the agency will provide sufficient maintenance for lifetime of the equipment. All agencies should be required to use standard purchasing procedures by obtaining three competitive quotes. These are not official recommendations but something the Commission may want to consider. The Commission may consider putting a statement in the award expressing the Commission's expectation that the equipment funded be utilized primarily for OHV activities and used for other activities secondarily. The funded agencies should also designate a person to evaluate the project. Another request is that signage is placed on the vehicles. In the research, the state of Maine has an ATV task force; they have some good ideas and rules on their ATV program. Here are the recommendations. The ATV's come in the range between \$12,000.00 and \$15,000.00, up to \$21,000.00 with additional kits added on. The OCJA will not dictate the brand or models; they reviewed standard equipment that would be utilized for this type of activity. The Humboldt County Sheriff's office still comes in at full funding at \$19,000.00. The Washoe County Sheriff's office is partially funded at \$14,000.00 for two motorcycles. During the sub-committee meeting overtime was discussed, and with that in mind The Nevada Department of Wildlife is fully funded for their overtime. Commissioner Jackson, was the original recommendation that they were not fully funded? Charise Whitt, originally they were partially funded. Lincoln County Sheriff's office is fully funded. Mesquite Police Department is partially funded at \$21,000.00. Mineral County Sheriff's office is partially funded at \$21,000.00. Douglas County

Sheriff's office, their overtime is fully funded at \$20,000.00. Lyon County Sheriff's office is fully funded. White Pine County Sheriff's office is partially funded at \$10,000.00. Commissioner Jackson, for White Pine County, they could purchase the larger trailer they would just have to fund the rest some other way. Charise Whitt, that is usually the standard practice. Commissioner Lambert, he has a concern to how the money is pulled for law enforcement. If the full amount is not issued, it will double back and law enforcement will still owed that amount and the Commission still has the liability of the 20% funding. It would appear that it would be better to pay them what they want instead of owing them more in the future. Charise Whitt, her recommendation would be, the funding that is left over can be and should be carried forward. There can also be another award cycle from those funds. The funds can be carried forward to the next budget year. Commissioner Gerow, the Commission needs to take the time to do it right instead of giving them everything they want. Chair McKay, question to Commissioner Lee, will the Police and Sheriff Associations going to meet in August? Commissioner Lee, they meet in July in Ely and the following meeting would be in either October or November in Las Vegas. If there was to be another round of grants, he could put that on the agenda. Charise also has all the emails of the Sheriff's and Chief's, she could email the notice out. Charise Whitt, she plans on attending the July meeting in Ely; she can address that while she is there. Commissioner Cox, is there an exact total of the awards and a total of what would be left over? Chair McKay, the grand total for recommended funding is \$186,205.00 and there is a grand total available of \$269,877.00; which leaves \$83,672.00 available if the funding is approved today. AG Palmer, moving forward these funds these will be tracked on a different ledger so that the Commission can keep track. These monies need to be set aside as an accrual so that the Commission does not have to worry about not dispersing the money. Chair McKay, the balance for 2014 is \$80,939.00 which is 20% of the January 1, 2014 account balance. The total Commission account balance from January 1, 2014 is \$404,699.25. The total January 1, 2015 account balance is \$1,025,130.62 after deducting the 2014 20% gives a total of \$944,191.62; 20% of that total would provide law enforcement with \$188,838.12 for 2015. The total amount available for the two years is \$269,877.12. After re-calculating the numbers the correct total is \$269,777.32. Discussion ensued in regards to the account balances and how the 20% is calculated. AG Palmer, it needs to be stated how much each award will be for public knowledge; what was requested and what will be funded. Chair McKay, he will entertain a motion to fund the Humboldt County Sheriff's office. They requested \$19,117.00; it is recommended they be fully funded.

MOTION: Commissioner Jackson makes a motion to fully fund Humboldt County Sheriff's office; seconded by Commissioner Gerow.

Commissioner Lee, discloses that he is the Sheriff of Lincoln County and Lincoln County has a request in for award. He will abstain from voting on all law enforcement awards.

Motion passes.

Chair McKay, Washoe County Sheriff's office requested \$21,694.00, it is recommended to partially fund at \$14,000.00.

MOTION: Commissioner Gerow makes a motion to accept the partial funding for Washoe County Sheriff's office; seconded by Commissioner Lambert.

Commissioner Lee abstains.

Commissioner Jackson abstains from this vote due to a relationship with Sheriff Allen. AG Palmer, you must disclose the nature of the relationship. Commissioner Jackson, he worked on his campaign and advised him on campaigning. He was not a member of his staff but feels there could be a perception that he would be voting in favor of Washoe County because of the that relationship.

Commissioner Lambert, he is a member of the citizens' emergency response team in Washoe County and also abstains from voting which also means he cannot second the motion; Commissioner Baker seconds the motion.

Chair McKay, he is attending a fundraiser for Sheriff Allen on Thursday to retire his campaign debt and he will also abstain from voting for Washoe County Sheriff's office. AG Palmer, she does not feel that attending a fundraiser is a conflict.

The motion is passed.

Chair McKay, the Nevada Department of Wildlife requested \$29,135.00; it is recommended that they be fully funded at \$29,135.00.

MOTION: Commissioner Jackson makes a motion to fund the Department of Wildlife at \$29,135.00; seconded by Commissioner Gerow.

Commissioner Lee abstains.

The motion passes.

AG Palmer and Commissioner Cox question the account balance from January 1, 2014. Discussion ensues. Chair McKay, for sake of accuracy the Commission will move forward with Commissioner Cox's Quick book accounting number for January 1, 2014 of \$403,049.17. Commissioner Jackson, the legislation is straight forward; it states the monies in the account as of January 1st. There may have been a check that had not cleared or money removed in Quick books for an check that was already paid but had not cleared. In that case, the accurate number should be what the bank states as the total on January 1st. The NRS states that it is the amount in the bank not how much is accounted for. AG Palmer, it is not that clear and the number can be manipulated. Charise Whitt, this may help. Formal allocations, contingent on state accounting verification practices through the state budget office and within DMV. These can be voted on today with the statement of formal allocations contingent on state accounting verification. The actual awards will not be made until the actual verification is made. AG Palmer is okay with this.

MOTION: Commissioner Jackson makes a motion to fund the Humboldt County Sheriff's office at \$19,117.00, contingent on verification of the accounts; seconded by Commissioner Gerow.

Commissioner Lee abstains.

The motion passes.

MOTION: Commissioner Gerow makes a motion to partially fund Washoe County Sheriff's office at \$14,000.00, contingent on verification of the accounts; seconded by Commissioner Baker.

Commissioner Lee and Jackson abstain.

The motion passes.

MOTION: Commissioner Jackson makes a motion to fund the Nevada Department of Wildlife for \$29,135.00, contingent on verification of the accounts; seconded by Commissioner Gerow.

Commissioner Lee abstains.

The motion passes.

MOTION: Commissioner Jackson makes a motion to fund Lincoln County Sheriff's office for \$25,500.00, contingent on verification of the accounts; seconded by Commissioner Gerow.

Commissioner Lee abstains.

Chair McKay, at this point the 2014 law enforcement award account balance will be exhausted and the 2015 law enforcement award balance will begin.

The motion passes.

MOTION: Commissioner Jackson makes a motion to partially fund Mesquite Police Department, the original amount asked for was \$21,907.00; the recommended funding is for \$21,000.00, contingent on verification of the accounts; seconded by Commissioner Gerow.

Commissioner Lee abstains.

The motion passes.

MOTION: Commissioner Jackson make a motion to partially fund Mineral County Sheriff's office, the original amount asked for \$28,873.00, the recommendation for funding is for \$21,000.00, contingent on verification of the accounts; seconded by Commissioner Gerow.

Commissioner Lee abstains.

The motion passes.

MOTION: Commissioner Jackson makes a motion to fully fund Douglas County Sheriff's office for \$20,000.00, contingent on verification of the accounts; seconded by Commissioner Gerow.

Commissioner Lee abstains.

The motion passes.

MOTION: Commissioner Jackson makes a motion to fully fund Lyon County Sheriff's office for \$26,453.00, contingent on verification of the accounts; seconded by Commissioner Gerow.

Commissioner Lee abstains

The motion passes.

MOTION: Commissioner Jackson makes a motion to partially fund White Pine County Sheriff's office, the original amount requested \$24,000.00, and the recommended funding is for \$10,000.00, contingent on verification of the accounts; seconded by Commissioner Gerow.

Commissioner Lee abstains.

The motion passes.

Commissioner Lee, since the recommendations have been voted on can he be part of the Office of Criminal Justice sub-committee? Chair McKay stated yes.

Discussion ensues about the OCJA and their roll in the awarding process.

Chair McKay, the Commission will work with the Budget office to find the appropriate way to proceed in regards to standards and conditions for the disbursement of the law enforcement awards.

Charise Whitt, she would be happy to notify the departments that they were recommended for award. Any steps after that the Commission would need to take.

Commissioner Jackson, will there be a person appointed to work with the budget office? Chair McKay, he will work with the budget office. And it would be appreciated for Charise Whitt to send out the notifications.

9. DISCUSSION OF THE PUBLIC EDUCATION/OUTREACH GUIDELINES THAT WILL GUIDE THE COMMISSION'S GRANT GUIDELINE PROCESS

Commissioner Elmore and Commissioner Cox will report what grant guidelines might be appropriate to effectively guide and score grant applicants applying for grants from the Commission. There may be a motion to specify what grant guidelines are to be included in the grant guideline process to give to the NOGPCM for further development.

Chair McKay, this was placed on the agenda to ensure there was plenty of discussion among the Commissioners in regards to what is appropriate for the grant guidelines to help out the Nevada Office of Grants. Last meeting Commissioner Baker stated

that any grant awarded should have a public education aspect. Commissioner Lee commented at the last meeting that law enforcement my need to have a separate brochure for their needs. Commissioner Cox, to his understanding the Commission was going to send to recommendations to the Office of Grants. Chair McKay, he will provide the recommendations to the Office of Grants. Commissioner Lee, it was recommended to have a sticker on the vehicles funded by the law enforcement grant, it would be nice to come up with a decal that is standard. Chair McKay, we have the logo and that can be added with Ms. Whitt that the decals are all the same.

10. DISCUSSION AND DIRECTION OF THE NEXT STEPS BY THE NEVADA OFFICE OF GRANTS

Shelia Lambert, Chief of the Nevada Office of Grants, Procurement, Coordination and Management Department (NOGPCM) will advise the Commissioners of the next step in the Grant Application and Award Process.

Items 10 and 11 will be combined into one discussion.

11. DISCUSSION OF THE PROCESS OF OBTAINING NON-VOTING ADVISOR PARTICIPATION IN THE GRANT EVALUATION PROCESS

The Commission will discuss methods of getting non-voting advisor participation in the upcoming grant rating process and at future commission meetings. There may be a motion to outline specific actions to be implemented to achieve these goals.

Shelia Lambert, Office of Grants, this Commission has really moved forward in the past several months. Her recommendation today is to ask that one of the Commissioners be designated to review the edits and if there is questions bring those questions back to the full Commission. If there is a Commissioner designated to review and approve the edits, and the Commission is comfortable, then once the Commissioner approves the edits the Grants office can move forward with their part. Commissioner Jackson volunteers to help and will assist the Grants office in the edits. Chair McKay, since the Commission has adopted the regulations today, there is a lengthy document that must be submitted and approved. There will most likely be one more meeting to ensure this is completed the correct way. Sheila Lambert, if the Commission is comfortable with the edits provided to the Grants office there is no need for another meeting. If the Commission were to empower Commissioner Jackson to review the edits for final review, her office would have it drafted and available as soon as the Secretary of State has accepted the information. Chair McKay, is that acceptable to the Commission? The Commission agrees. The role of the nonvoting advisers needs to be discussed, there still needs to be a decision if the Commission wants the nonvoting advisers to grade the applications. If they do grade, then their scores will have to be mixed with the Commissioners grades on each grant application. Sheila Lambert, the non voting members could be part of the initial review with the Grant office. They would look at the integrity of the documents to confirm references and the ability of those individuals to perform those functions. They would be serving in a more regulatory role in the review. AG Palmer, they must at least do that in accordance with statute. Whether or not they are part of the grant scoring committee is optional in accordance with regulations. Commissioner Baker, would it be helpful to have some of the nonvoting advisers score the grants with the Commission. Shelia Lambert, when reviewing federal and state grant applications they usually have outside evaluators. Typically it is a minimum of two outside individuals who would be outside of the Commission; they would review the information and not have specific subject matter content. They would be able to determine if the individual answered the questions in such a way that the public would be able to understand what the responses are. If the Commission would like, they can petition the non voting members to see who would be interested and available and Commission can decide on one or two. Commissioner Baker likes that idea. Chair McKay, he has contacted the nine nonvoting advisers and he has one that is still getting back to him, but all nine agencies stated they are willing to participate in this process. Do we want them just to advise on the content of the application or do we want to include some or all of them in the scoring process. Commissioner Lambert, he would like to have one or two of them review the grants and actually score the grants. The nonvoting advisers are advisers, but if they need to be part of the scoring he would like it to be one or two people, one person would be ideal. Chair McKay, would one or two of these advisers fulfill the statutory requirement? All advisers can review and advise but only have one or two to score. Shelia Lambert, there are two subject matters so one can advise and another can score. The two subjects are the trails component and the public community outreach. AG Palmer, for the public outreach, are you referring to the 15% for safety training and education? It is possible that the Commission may choose to direct fund on that topic, so there may not be separate funding for that. Chair McKay, the Commission has discussed the possibility for the public education outreach category to be a competitive bid process, outside of the grant process. Shelia Lambert, we can move forward with the trails component and she can work with Commissioner Jackson and get that finalized. Chair McKay, if one nonvoting adviser is picked to score and their score is averaged with the Commissioner scores; they could also have a conflict of interest. Shelia Lambert, every member will be required to file a disclosure along with anyone who participates in the grant process. If there is a conflict of interest they will not be able to participate. AG Palmer, they will also work with the Ethics Commission to ensure compliance.

12. UPDATE OF THE EXECUTIVE SECRETARY SEARCH COMMITTEE OR OTHER OPTIONS FOR FILLING THE POSITION

The Commission will hear from Sue Baker about the options available to fill our Executive Secretary position. The Commission may make a motion to form the search committee and begin the replacement process.

Commissioner Baker, in discussions with Anita, she has a concern because her retirement from the State. She had a question about how the Commission would fund her because of the limits on how much she can make. That could be a problem for her and we are still working through that. The Commission should move forward with a new recruit if that is what needs to be done. She would like feedback on the idea of it being the secretary component but does the Commission also want to see if there are people interested in the some oversight of the grant applications. Commissioner Jackson, if the Commission does go out and look for a new person can the pay scale be changed? AG Palmer, right now she is working with state personnel to find out how the process needs to be and how to follow it. The Commission first needs to decide what role they want this person to play. Commissioner Jackson, does the job description need to come back to the full Commission to be approved before it can go out; or can the committee be authorized to put the job description together and put it out for applicants? Commissioner Cox, without a job description and with the current pay scale we are staying within our 5%. He is not sure how we can ask the secretary to take on more responsibility and not have to spend more money to do that. He would be in favor of keeping the job description as is. Commissioner Jackson, there has been a lot of suggestions to additions to the job, that is why the job description may need to be changed. Chair McKay, there would be benefit to put some grant oversight in the job description, maybe some financial background. He can send Commissioner Baker and AG Palmer Kim Miller's hours for the first 6 months of 2015. Commissioner Baker, based on this discussion, she knows the direction to move forward in and she will get the final answers from AG Palmer on the position. She has the job description from before. If she can work things out with Anita then she will move forward with her. If not she will change the job description to include the financial and grant oversight, get it posted and set the date for interviews as a public hearing. Chair McKay, if there are no objections then that is how it will move forward.

13. PRESENTATION FROM THE DEPARTMENT OF MOTOR VEHICLES

The Commission will receive a report from a representative of the DMV on the status of NCOHV state registrations.

Chair McKay, at the June 5, 2015 there was a discussion on the DMV's report. He had forwarded Commissioner Cox's information to the DMV and they are working with their staff to produce a response. AG Palmer, how often does DMV plan on dispersing the funds? Shawn McDonald, DMV, it will be on a quarterly distribution, there is \$150,000.00 that they maintain in an account. Everything over and above will flow over to the commission. This is now a collective pool of all funds coming into the Off Highway Vehicle program. The distribution should come at the end of each quarter but he does not have the exact dates yet.

14. TREASURER'S REPORT

The Commission Treasurer will report on the NCOHV's account activity, including income and expenses and current bank balances.

Chair McKay, on June 5, 2015 the Commission reported the activity on the account.

15. ELECTION OF OFFICERS FOR THE 2015 - 2016 PERIOD

The NCOHV will discuss and vote on the Positions of Chairman, Vice-Chairman, and Treasurer for the 2015-2016 period.

Commissioner Jackson, the position of secretary is not agendized on here so we cannot vote on it. He would like to move this item to the July meeting. Chair McKay, the agreement of the Commission is to have the election today and vote on the Secretary position at the next meeting. For the position of Chairman, are there any nominations.

MOTION: Commissioner Lambert makes a motion to nominate Commissioner McKay; seconded by Commissioner Baker.

The motion passes unanimously.

Chair McKay, any nominations for Vice-chairman? Commissioner Jackson nominates Commissioner Cox; seconded by Commissioner Lambert. Commissioner Cox does not accept, he would accept a nomination for Treasurer.

MOTION: Commissioner Cox makes a motion to nominate Commissioner Baker and she accepts; seconded by Commissioner Lee.

The motion passes unanimously.

Chair McKay, any nominations for Treasurer?

MOTION: Commissioner Jackson makes a motion to nominate Commissioner Cox; seconded by Commissioner Lambert.

The motion passes unanimously.

16. DISCUSSION OF 2015 LEGISLATIVE SESSION AND SENATE BILL 492 HEARING

The Commission will hear from Peter Kreuger of Capital Partners about the 2015 legislative session. There will also be a discussion concerning the May 25, 2015 hearing of the Assembly Transportation Committee of Senate Bill 492.

Commissioner Jackson, he sent Chair McKay a link to the meeting so everyone could listen to it and that link has not been

passed onto the rest of the Commissioners. Chair McKay, it was posted on the website under supporting documentation. Commission Jackson, he did not see that. Peter Kreuger, Capital Partners, Will Adler is also on the phone; they did most of the work for Capital Partners on behalf of the Commission. This session was an uphill battle and the challenge to everyone is that moving forward there is still a group of legislators that do not believe that the OHV Commission is a valuable asset in the State of Nevada. There was a lot of help by other groups that came to the defense of the Commission. The most interesting was SB492, our instructions on behalf of the Commission to support that bill and it was not a slam dunk. At the end of the day between AB217 and SB492 the Commission came out with a good record. Commissioner Baker, is it fair to ask for recommendations as the Commission moves forward so that we are better prepared for the next session. Maybe have a standing agenda item that would keep the Commission ahead of the game for the next session. Peter Kreuger, the contract expires at the end of session. He is happy to work with the Commission to see the regulatory process through with AB492. The Commission really does not need a regulatory committee, nothing will happen now. There are just some contacts that need to be maintained. Before elections, the Committee needs to be talking to people about their agenda's, which would be prior to November 2016. Chair McKay, he believes that there is a list of what the Commission would have like to seen but it would not be too difficult to draft that language way up front and seek more sponsors for that and have our own bill. Commissioner Jackson, when the Commission started they assembled their own bill which became SB109, a cleanup bill and it was passed. He was asked by the lobbyist for the Dealers Association to help them out. He was there for the committee meeting for SB492, which contained some amendments for what the Commission wanted done; one of which was reducing or removing the late fee. In AB217, they were going to be able to get rid of the late fee but it was known by everyone in the building that AB217 would not make it out of the Ways and Means. As a last ditch effort the Dealers Association put forward an amendment which was heard at the meeting in question to reduce the late fee to \$5.00. Reducing the late fee to \$5.00 was important to the Commission and also the Dealers Association. The Dealers Association also made an amendment to equalize taxation; they would make OHV's a motor vehicle. This meant if you traded in an OHV on another OHV or any other vehicle that one would receive a full tax credit for that trade in on one's sales tax. In the hearing the Commission's lobbyist and Chair spoke for SB492 without those amendments, specifically saying that they agreed with the bill without those amendments. This is counter to what the Commission wanted. Peter Kreuger, for those that listened to the tape and he did. He believes initially that the hearing on the May 25th, Mr. Jackson said he was there with an amendment sponsored by Assemblywoman Dickman and that he were carrying that amendment for her. He is confused, who is the Dealers Association. Commissioner Jackson, the Dealers Association hired Edward Vento as their lobbyist. Assemblywoman Dickman was scheduled to present those amendments but she was tied up in Ways and Means and could not leave that committee to attend the transportation committee of which she is vice chair. She asked him to bring those amendments forward. He presented those amendments as an independent citizen and not a member of the Commission. Peter Kreuger, the problem was himself and Mr. Adler had no idea that these amendments were coming. The only thing Mr. Jackson ever asked was for some sales tax information which was passed last session. Commissioner Jackson, one correction, I think you are referring to the bond issue which was Senator Settlemyer and not himself and yes he did ask Mr. Kreuger's opinion on that. He is not a lobbyist, he cannot legally come to Mr. Kreuger and say there is a bill and he would like you to support it or not support it. Peter Kreuger, Chairman what do you want to do here? If this is about our competence I will stand here. If the Commission would like to select another lobbyist next session that is fine. He had a communication with Assemblywoman Dickman this morning and she said that she has not talked to Mr. Jackson about amendments. Commission Jackson, his original question is why did Capital Partners not support the amendments? Peter Kreuger, he never received any instructions. Will Adler, these amendment were unknown to Capital Partners or Chair McKay until the day that they were heard, they were not informed of them prior to that. This was on May 25th, the last week of the session. They were directly addressed and it would have to go to taxation, it would have to get a fiscal note of some sort and then the bill would have to be transferred to Ways and Means. There was literally no time to do that in the rest of the legislative session. He went up and supported the amendment but not if it would hurt the bill as a whole. AG Palmer, the discussion has gone out of the scope of the agenda item and she suggests moving onto discussion about the legislation. Commissioner Lambert, he would like to thank Peter Kreuger and Will Adler for all of their hard work this session. Chair McKay, Peter Kreuger and Will Adler did an exceptional job for the Commission.

Commissioner Lee, to DMV, what do they anticipate as the funding coming in for the future? Shawn McDonald, DMV, in using FY15 as an example for a starting point; once they close out they are looking at 1.1 million total revenue. As it stands right now the overall costs are approximately \$309,000.00. The total revenue the DMV was receiving was \$269,000.00. The revenue the DMV had as their portion was less than their expenses which is why they looked this funding model. As they project out and more OHV's are registered and titled they see a shift. The DMV's costs will not increase that drastically however more vehicles on the road means more education which means more revenue for the program. There should be a shift where the OHV Commission will be making more revenue in the coming years. He can put together some more forecast based on exact registrations right now and present those in July in wanted. Commissioner Lee, can you put together a forecast for the Commission? Shawn McDonald, he will put together a forecast based off the numbers they have now.

16. PUBLIC COMMENT

Carson City

Paul Quade, there has been a huge improvement in the administration and transparency of the Commission. Chair McKay has been doing an excellent job. There does appear to be some politics that seem to be clouding the goals of the Commission and that was seen today. Without the collective agreement of the Commission moving forward, the Commission needs to get on a united front because of the public perception of that and the problems that existed in the past. They would like to see the Commission on a united front on the legislative side of things and moving forward on the grant application and distribution process. One way in referencing Vice Chair Baker, to get ahead of the curve; it seems to him that there needs to be some overall Commission regulations to deal with some of these unassigned and unfunded duties. From what he has seen there seems to be some issues of how to administer the law enforcement funds, the education outreach funds, and he has heard there is some discussion about the auditing process as far as compliance with the grants, law enforcement expenditure of monies. Those assignment definitely need to be laid out and the Commission does need some help with the day to day operations of the Commission; who is assigned those duties, where will the money come from related to those duties. That will help to answer some of the questions that were raised today and in the past about operations so that there is a clear laid out in the NAC of what those regulations are. Turning to some existing commissions and some of the expertise that is out there in getting those regulations developed. It does not help right now but it does help moving forward in the future are far as the perception of the Commission running with a clear guidance and clear regulations.

Scott Gerz, Nevada Trail Stewards, they are happy the Commission decided to stay on task and keep Chairman McKay as Chair. They are looking forward to a successful 2015 - 2016 grant cycle and working through that. A suggestion they had a couple of times, promoting the Commission on the grants in the field with stickers and representation for how the vehicles were funded. The simple suggestion they have is to be able to make three standard size stickers on the Commission's choosing; one for motorcycles, one for UTV's, and the next one for trailers and banners.

Steve L., he would like to touch on three issues; public perspective, it is very important with everyone who is an off road enthusiast and a non off road enthusiast. Making our off road community look better. A clean up of areas, that suggestion would be where the local sheriff office that just received funding hosts a cleanup effort. That sheriff department would obtain trash removal equipment and then also be able to cover their hours to be able to facilitate that sort of event. Also, tangible staging areas, another way to show a report card of what is being done here as an OHV Commission. To be able to show they have created "X" amount of staging areas, here are the photos, here is the positive impact we have on the land. For the public to know what the OHV Commission and stickers are doing to help with land use. Making sure that the land will stay open and also how the public can get involved to help out with that. All things that everyone is concerned with but with the public along with OHV Commission something like that can be done.

17. NEXT SCHEDULED MEETING

Chair McKay, he will send out some possible dates for the middle of July. AG Palmer, there must be a meeting on or before July 20th. Chair McKay, we will try for July 16 or 17 and he will get an email out to the Commissioner's tonight.

18. ADJOURNMENT

MOTION: Commissioner Lambert makes a motion to adjourn; seconded by Commissioner Gerow.
The meeting is adjourned at 11:33am