

*Workforce*CONNECTIONS  
Local Elected Officials Consortium  
AGENDA

May 24, 2012  
3:00 pm

*Workforce*CONNECTIONS  
Conference Room  
7251 W. Lake Mead Blvd., Ste. 200  
Las Vegas, NV 89128

Voice Stream Link: <http://www.nvworkforceconnections.org/mis/listen.php>  
(this link provides listening capabilities only)

This meeting has been properly noticed and posted in the following locations:

City of North Las Vegas, 2200 Civic Center Dr., North Las Vegas, NV  
Clark County, County Clerk's Office 500 S. Grand Central Parkway, Las Vegas, NV  
Esmeralda County Courthouse, 233 Crook Street, Goldfield, NV  
Henderson City Hall, 240 Water Street, Henderson, NV  
City Hall, Boulder City, 401 California Ave., Boulder City, NV  
WorkforceCONNECTIONS, 7251 W. Lake Mead Blvd., Las Vegas, NV  
Nevada JobConnect, 3405 S. Maryland Pkwy., Las Vegas, NV  
Lincoln County 181 Main Street Courthouse, Pioche, NV  
Nye County School District, 484 S. West St., Pahrump, NV  
Pahrump Chamber of Commerce, 1302 S. Highway 160, Pahrump, NV

This Agenda is also available at [www.nvworkforceconnections.org](http://www.nvworkforceconnections.org)

**COMMENTARY BY THE GENERAL PUBLIC**

This Board complies with Nevada's Open Meeting Law, by taking Public Comment at the beginning of the meeting immediately after the Board approves the Agenda and before any other action is taken and again before the adjournment of the meeting." The Board also has discretion to take Public Comment after any item on the agenda, after the item has been discussed by the Board, but before the Board takes action on the item.

***Each person participating in Public Comment will be limited to three minutes of comment.*** If any member of the Board wishes to extend the length of a comment, then the Board member may do so through a majority vote of the Board.

The Board chair has the right to end any Public Comment which: (1) is not related to any matter within the authority of the Board; or (2) is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, making personal attacks, or interfering with the rights of other speakers. ***Members of the public: please comply with the requests of the Board chair and do not be disruptive, otherwise you may be removed.***

Auxiliary aids and services are available upon request to individuals with disabilities by notifying Dianne Tracy, in writing at 7251 W. Lake Mead, #200, Las Vegas, NV 89128; or by calling (702) 638-8750; or by fax (702) 638-8774. The TTY/TDD access number is (800) 326-6868 / Nevada Relay 711. A sign language interpreter may also be made available with twenty-four (24) hour advance notice.  
An Equal Opportunity Employer/Program.

**NOTE: MATTERS IN THIS AGENDA MAY BE TAKEN OUT OF ORDER.**

**Local Elected Officials Consortium Members:** Commissioner Lawrence Weekly, Chair; Councilwoman Anita Wood, Vice-Chair; Councilwoman Peggy Leavitt; Councilwoman Gerri Schroder; Commissioner William “Bill” Kirby; Commissioner Andrew Borasky; Councilman Bob Coffin; Commissioner George T. Rowe

*All items listed on this Agenda are for action by the Local Elected Officials Consortium unless otherwise noted. Action may consist of any of the following: approve, deny, condition, hold or table. Public Hearings may be declared open by the Chairperson, as required for any of the items on this Agenda designated for discussion or possible action or to provide direction and recommendations to Workforce Connections.*

**AGENDA**


1. Call to order, confirmation of posting and roll call
2. **DISCUSSION and POSSIBLE ACTION:** Approve the agenda with inclusions of any emergency items and deletion of any items
3. **FIRST PUBLIC COMMENT SESSION:** Members of the public may now comment on any matter posted on this Agenda, which is before this Board for consideration and action today. Please clearly state and spell your name and state your address for the record. Each public comment will be limited to three (3) minutes ..... 3
4. **PRESENTATION:** DETR will present a presentation regarding the establishment of One Statewide Workforce Investment Board..... 4
5. **DISCUSSION and POSSIBLE ACTION:** Accept Workforce Connections’ Board recommendation to award OMB A-133 Auditing Services to L.L. Bradford & Company in an Amount not to exceed \$65,000.00 for the current year, with a follow-up letter to PBTK according to the terms that says, “until terminated by either party for any reason”..... 13
6. **DISCUSSION and POSSIBLE ACTION:** Revise and Amend Workforce Connections Board Bylaws... 15
7. **SECOND PUBLIC COMMENT SESSION:** Members of the public may now comment on any matter or topic, which is relevant to or within the authority or jurisdiction of the Board. You may comment now even if you commented earlier, however, please do not simply repeat the same comment you previously made. Please clearly state and spell your name and state your address for the record. Each comment will be limited to three (3) minutes..... 29
8. LEO Consortium Member Comments ..... 30
9. Adjournment

**3. FIRST PUBLIC COMMENT SESSION:**

Members of the public may now comment on any matter posted on this Agenda, which is before this Board for consideration and action today. Please clearly state and spell your name and state your address for the record. Each public comment will be limited to three (3) minutes

**4. PRESENTATION:**



DETR will present a presentation regarding the establishment of One Statewide Workforce Investment Board




***Moving Nevada Forward***

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**A Plan for Excellence in  
Workforce and Economic  
Development**



The Nevada Department of Employment, Training and Rehabilitation is a proactive workforce & rehabilitation agency.



**Governor Sandoval's Vision and  
Mission for Nevada**

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**Vision:**  
To provide "A Vibrant, innovative and  
sustainable economy."

**Mission:**  
"High-quality jobs for Nevadans."



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## Goals for Nevada's Restructured Economic Development System

- ✓ Establishing a cohesive economic development operating system
- ✓ Advancing targeted business sectors and opportunities in the various regions of the state
- ✓ Expanding global engagement
- ✓ Catalyzing innovation in core and emerging industries
- ✓ Increasing opportunity through education and workforce development




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## Points of consideration during the planning process. . .

- Whether to re-certify the board past December 31, 2012
- Possible de-certification due to continued A-133 audit findings
- Benefits and efficiencies to be gained by consolidating from two local workforce investment boards to one statewide board
- Maintaining the integrity of the current workforce investment areas and their associated funding allocations





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## Nevada's Current System

- ✓ Nevada's workforce investment system, as it is currently constituted, struggles to meet the challenges of educating and training a workforce that is prepared to compete in today's economy. This is partly due to the **lack** of integration, which causes too much money to be spent on competing bureaucracies, overhead costs, and unnecessary infrastructure, and not enough on meaningful skills training that leads to job growth and economic prosperity.
- ✓ The ultimate objective for Nevada's system is one that eliminates duplicative costs for physical infrastructure, information systems, and administrative and managerial personnel; this will enable the system to devote scarce resources to more efficiently and effectively implement talent development strategies across multiple programs.

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## Nevada's Current System

### Southern Workforce Investment Area

Eligible Training Provider List Expenditures  
**July 1, 2010 – June 30, 2011 - \$1,849,565**

Total WIA Expenditures  
**July 1, 2010 – June 30, 2011 - \$19,291,502**

Percentage of Dollars Spent on Training  
**July 1, 2010 – June 30, 2011 – 9.58%**







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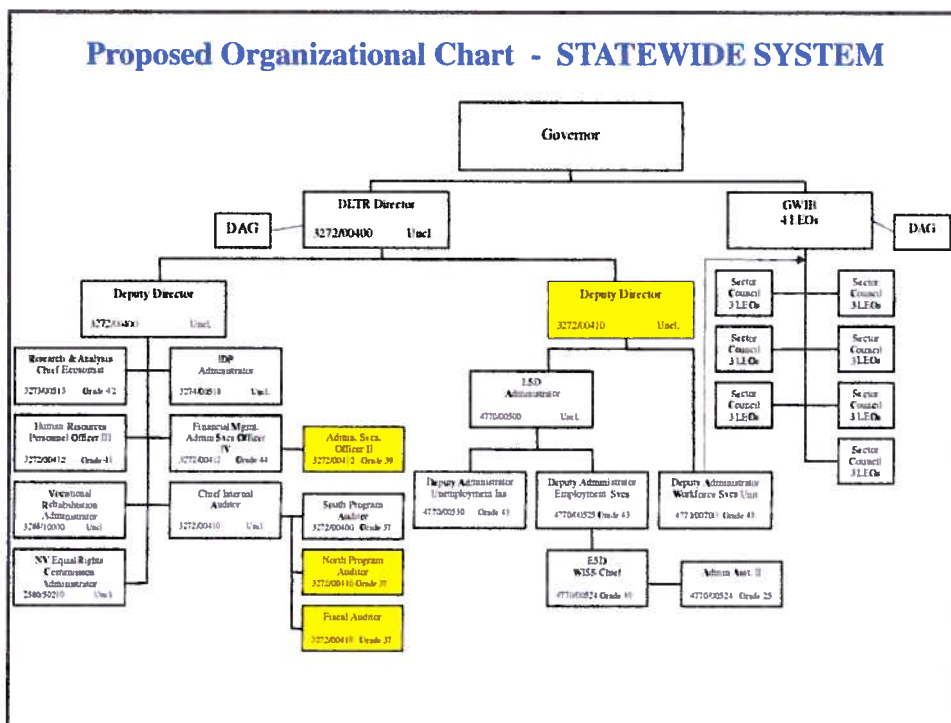


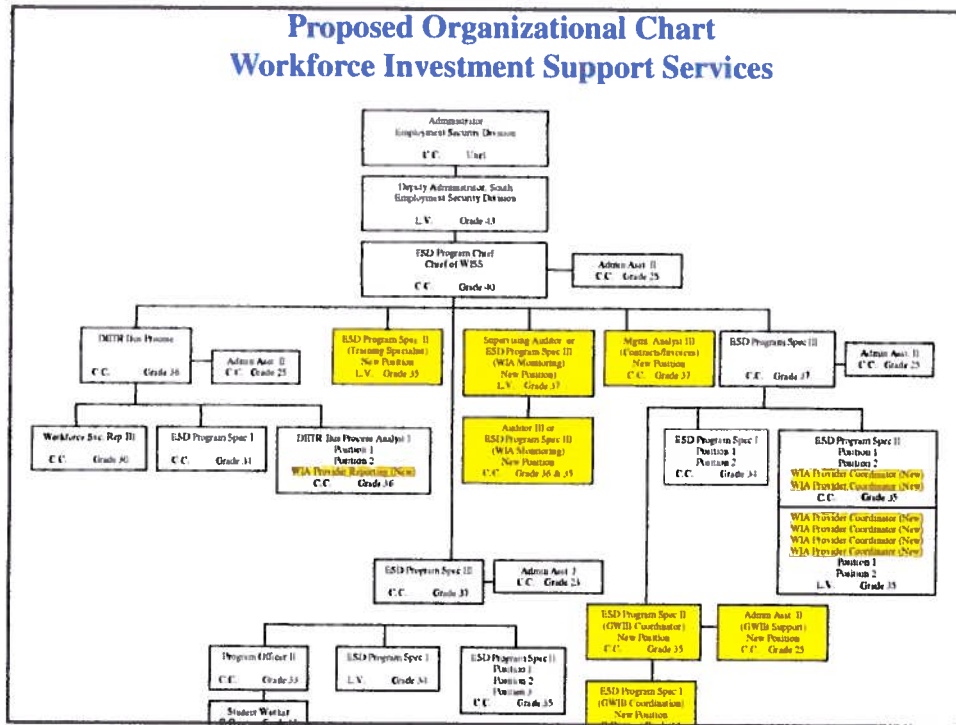
## Proposed Restructure of Nevada's Workforce Investment System

- ✓ The two local workforce investment areas will stay the same and the current funding allocation formula between these local areas will also remain the same; thereby maintaining an equitable distribution of resources across the state.
- ✓ The State will not be providing direct services.
- ✓ Two independent units will be established: Policy and Compliance and Contracting and Provider Monitoring
- ✓ Liability for disallowed costs would transfer to the State
- ✓ The State will maintain existing provider contracts and relationships with qualified providers.
- ✓ Local Elected Officials and interested board members will be asked to serve expanded roles on the Governor's Workforce Investment Board and the Industry Sector Councils.

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## Proposed State Budget

**New Staff Costs BA 4770/3272**



	Annual
Personnel	\$ 1,475,304.00
Training	\$ 9,889.00
Operating	\$ 147,793.00
Information Technology	\$ 48,189.00
Equipment	\$ 61,955.00
In-State Travel	\$ 129,114.00
Out-State Travel	\$ 32,232.00
<b>Total Funding Required</b>	<b>\$ 1,904,476.00</b>

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## Goals for Nevada's Future System

- ✓ Decreased administrative costs, resulting in a much larger investment in the training needed to meet the demands of our expanding and emerging industries.
- ✓ A singular vision for the implementation of the state plans for workforce, economic development and higher education.
- ✓ Dramatically increased collaboration between the Governor, Legislature, DETR, the Governor's Office of Economic Development, and the Nevada System of Higher Education.
- ✓ Streamlined service delivery systems.






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## Goals for Nevada's Future System

- ✓ Increased and consistent utilization of the state's community college assets, working in conjunction with the private and public sector to deliver market-driven training linked to employment opportunities in existing and emerging industries.
- ✓ A sustainable workforce delivery system that transcends any change in administration at the state or local level.
- ✓ The smooth implementation of innovative pilot training programs.

The Nevada Department of Employment, Training and Rehabilitation is a proactive workforce & rehabilitation agency.

## Timeline

- ✓ Development of a new State Plan – April – May 2012
- ✓ Public Comment Period – June 1–11, 2012
- ✓ Public Hearing – June 11, 2012
- ✓ SWIB approval of State Plan – June 14, 2012
- ✓ Submission to the Department of Labor – July 1, 2012
- ✓ Proposed Transition Completion Date – TBD by Department of Labor



The Nevada Department of Employment, Training and Rehabilitation is a proactive workforce & rehabilitation agency.

**5. DISCUSSION and POSSIBLE ACTION:**

Accept Workforce Connections' Board recommendation to award OMB A-133 Auditing Services to L.L. Bradford & Company in an Amount not to exceed \$65,000.00 for the current year, with a follow-up letter to PBTk according to the terms that says, "until terminated by either party for any reason"

### Audit Services Review Committee Summary of Proposals Scoring

<u>Applicant</u>	<u>Rank</u>	<u>Score</u>	<u>Price</u>	<u>Location</u>
L.L. Bradford & Company	1	151	\$65,000	Nevada
Houldsworth Russo & Co., P.C.	2	154	\$105,652	Nevada
BDO USA, LLP	3	142	\$76,775	Nevada, local office
Piercy Bowler Taylor & Kern	4	133	\$55,550 to \$180,050	Nevada
Tompkins & Peters CPAs, P.C.	5	122	\$50,000	Nevada
Haynie & Company	6	93	\$175,000	Utah

Based on the proposals reviewed and awarded points, the audit services review committee recommends L.L. Bradford & Company be awarded an audit services contract in support of Workforce Connections.



**6. DISCUSSION and POSSIBLE ACTION:**

Revise and Amend Workforce Connections Board Bylaws

# **THE workforceCONNECTIONS BOARD BY-LAWS**

## **ARTICLE I AUTHORITY AND RESPONSIBILITY**

**1.1** The *workforceCONNECTIONS* Board, formally known as the Southern Nevada Workforce Investment Board, (the “Board”) is organized as a local workforce investment board under the requirements of the Workforce Investment Act of 1998<sup>1</sup> (“WIA”).

**1.2** It is the principal responsibility of the Board to perform the functions set forth in WIA<sup>2</sup> and to provide policy guidance for strategic planning activities, as well as to monitor, review, and direct activities toward achieving the Board’s goals and objectives. The Board will carry out its responsibilities in partnership with agencies and organizations of general local government in the workforce area.

**1.3** The Board’s workforce area is Southern Nevada, including Clark County, Esmeralda County, Lincoln County, and Nye County, and including but not limited to the cities of Las Vegas, Henderson, North Las Vegas, and Boulder City.

**1.4** The Board shall operate in accordance with the applicable portions of the June 20, 2007, Amended and Restated Chief Local Elected Official Consortium Agreement (and any amendment thereto or replacement agreement thereto) and with the June 20, 2007, Amended and Restated Agreement Between the Chief Local Elected Officials Consortium and the Southern Nevada Workforce Investment Board to a Southern Nevada Workforce Investment Area (and any amendment thereto or replacement agreement thereto) (collectively referred to as the “Organizational Agreements”), which are incorporated herein by reference.

**1.5** The Board shall operate on a fiscal year, and shall develop an annual budget to carry out the Board’s goals, objectives, and duties pursuant to WIA. Pursuant to WIA, the Local Elected Officials<sup>3</sup> (“LEOs”) have authority to approve or disapprove the Board’s budget and therefore, the Board shall present the budget to the LEOs, in a LEOs consortium meeting, for consideration and approval within a reasonable time to allow for: (1) the LEOs to review the budget; (2) revision of the Budget, if necessary; and (3) final approval of the budget before the Board’s fiscal year begins. The Board shall work with the LEOs to revise the Board’s budget as necessary in order to obtain the LEOs’ final approval of the Board’s budget.

**1.6** Part of the Board’s budget will be used to pay staff (“Staff”), including but not limited to an Executive Director (“ED”) who will assist the Board in carrying out its various functions. The ED shall be selected, hired, directed by the LEOs, and shall answer solely to the LEOs. The ED shall select, supervise, and direct the Staff.

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<sup>1</sup> In the event that the WIA or any amendment thereto conflicts with these By-Laws, then the WIA shall overrule the conflicting portion of these By-Laws. The WIA is located in 29 U.S.C. § 2801 *et seq.*

<sup>2</sup> As of the approval of these By-Laws, WC’s functions, as a local workforce investment board, are generally detailed in 29 U.S.C. § 2832(d).

<sup>3</sup> Pursuant to 29 U.S.C. § 2832(d)(3)(B)(i) and the Organizational Agreements, the LEOs are the WIA fund grant recipients and the LEOs municipalities are liable for the misuse of the WIA funds expended by the Board. As of the date of these By-Laws, the following municipalities each have one local elected official who serves in the LEOs: (1) Clark County; (2) City of Las Vegas; (3) City of Henderson; (4) City of North Las Vegas; (5) Boulder City; (6) Nye County; (7) Esmeralda County; and (8) Lincoln County.

**1.7** The ED's responsibilities include but are not limited to:

- (a) having authority to sign contracts on behalf of the Board;
- (b) organizing, hiring, firing, managing and supervising of Staff;
- (c) responding to and complying with Board audits; and
- (d) generally overseeing the functions and activities necessary for the Board to carry out its goals and responsibilities.

## **ARTICLE II MEMBERSHIP AND VOTING**

**2.1** Nominations and Appointments. The LEOs shall have sole authority to appoint Board members during the LEOs consortium meetings, and shall make such appointments pursuant to 29 U.S.C. § 2832(b)(2) *et seq.*, as well as applicable federal and state law, and the Organizational Agreements.

**2.2** Composition By Membership Category shall be in accordance with 29 U.S.C. § 2832(b) *et seq.* Individuals may represent more than one category; provided they meet such criteria.<sup>4</sup>

**2.3** Terms of Appointment

(a) Board members appointed from the "Business in the Local Area" category, pursuant to 29 U.S.C. § 2832(b)(2)(A)(i) shall serve terms which are three-years long.

(b) Board members other than those appointed to the "Business in the Local Area" category shall serve terms which are two-years long.

(c) A Board member's term shall begin the month of the member's appointment and shall end on the last day of the same month of appointment during the final year of the member's term.

(d) There is no limit on the number of terms board members may serve.

**2.4** Removal of Board Members

(a) Resignation: Board members may resign at any time. Board members shall be removed automatically and immediately cease to be Board members after:

(i) The Board member provides a written notice of resignation to:

a) The Board's Chairperson;

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<sup>4</sup> As of the date of these By-Laws, WIA requires the Board membership to comply with criteria set by Nevada's Governor, which must include at a minimum representatives from the following groups: (1) Local business owners, officers, and managers; (2) Local educational entities, school boards, etc.; (3) Local labor organizations; (4) community based organizations, including organizations representing people with disabilities and veterans; (5) Economic development agencies; and (6) each one-stop partner with the Board. Additionally, the LEOs may be and are currently members of the Board. However, a majority of the Board members must be representatives from business owners, officers, and managers as described in 29 U.S.C. § 2832(b)(2)(A)(i). The Board membership will always be composed pursuant to the most current WIA requirements.

- b) The Board's Vice-Chairperson;
- c) The Executive Director; or
- d) The LEOs' Chairperson.

(ii) The Board member fails to attend, in person or by telephone, one Board meeting after providing an oral notice of resignation to:

- a) The Board's Chairperson;
- b) The Board's Vice-Chairperson;
- c) The Executive Director; or
- d) The LEOs' Chairperson.

(b) Removal: Board members shall be removed immediately and immediately cease to be Board members after:

(i) The Board member fails to attend three consecutive regularly scheduled Board meetings, in person or by telephone, without providing a valid excuse, the validity of which shall be determined in the sole discretion of the Board's Chairperson;

(ii) The LEO's determine by a simple majority vote that the Board member should be removed; or

(iii) The Board member ceases to qualify under the category in which the Board member was appointed. However, in the LEOs sole discretion, a Board member in these circumstances may be reappointed under a different qualifying category, as long as the reappointment complies with 29 U.S.C. § 2832(b)(2) *et seq.*

**2.5 Vacancies.** Vacancies caused by unexpired terms shall be filled by the LEOs pursuant to § 2.3 of these By-Laws.

**2.6 Voting.** Only Board members may vote at Board meetings. Board members must be physically or electronically present (e.g. via video conference or via telephone conference call) at the Board meeting. Proxy-voting and/or absentee voting is prohibited.

**2.7 Conflicts of Interest.**

(a) Prior to taking office as a Board member, the potential Board member must declare in writing, on a form provided by Staff, all business interests or representational interests the member has with known past, current, or potential recipients of WIA funds. The written declaration must be updated annually to reflect any changes. The written declaration must include substantial business interests or representational interests of the Board member's immediate family members.

(b) A Board member may not vote on a matter under consideration by the Board:

- (i) regarding the provision of services by that Board member;

(ii) regarding the provision of services by an entity that Board member represents;

(iii) regarding any topic that would provide direct financial benefit to that Board member or the immediate family of that Board member; or

(iv) regarding any other topic where that Board member had, has, or would have a conflict of interest pursuant to 29 U.S.C. § 2832(g) *et seq.*, NRS § 281A.420, or NRS § 281A.430.

(c) Definitions applicable to these By-Laws:

(i) An "immediate family member" includes but is not limited to the Board member's: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, boyfriend, girlfriend, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, registered domestic partner, domestic partner, or any other relationship similar to those listed herein.

(ii) An "entity the board member represents" or a "representational interest" is defined as:

a) When the Board member is employed, retained, hired, or contracted by the organization, business, governing body, or project (the "entity"); and/or

b) When the Board member is named as one of the board of directors, managers, commissioners, councilperson, or other member of a direct governing body of the entity, business or project;

c) When the Board member has been retained by the board of directors, commission, council, or other direct governing body of the entity, business or project in any capacity; and/or

d) When the Board member has an ownership interest or other economic interest in an entity.

(d) Disclosure of Conflict of Interest: When a Board member has a conflict of interest, then the Board member shall:

(i) prior to discussion, vote, or decision by the Board, publicly disclose the nature of the conflict of interest in the action item under consideration;

(ii) answer any questions regarding the Board member's conflict of interest, which may be asked if the Board/Committee Chairperson determines that questions regarding the Board member's disclosure are needed for the Board to properly consider the matter;

(iii) not initiate the discussion of the action item to which the conflict of interest pertains;

(iv) not request funds or proposals that compete with the action item to which the conflict of interest pertains; and abstain from voting on the matter to which the conflict of interest pertains; and

(v) Comply with NRS 281A entitled Ethics in Government.

(e) A Board member who violates the conflict of interest requirements set forth herein may be removed from the Board by a simple majority vote of the LEOs.

(f) All declarations of conflict of interest and abstentions from voting will be recorded in the minutes of the Board meeting.

### **ARTICLE III BOARD COMMITTEES**

Each Board member is required to serve on at least one committee.

**3.1 Standing Committees.** The Board Chairperson may appoint Board members to serve on committees. By virtue of their elected status, members of the LEOs may serve on any Board committee the elected official desires without the need for the Board Chairperson's appointment. The following committees shall be established as Standing Committees:

(a) The Executive Committee. (See 3.2 below).

(b) The Youth Council:<sup>5</sup> In accordance with WIA, the Youth Council is an established subgroup of the Board. The Youth Council's function is to work with the Board and LEOs to establish youth employment linkages and oversee service providers' delivery of youth employment and training services.

(c) The Budget Committee: The Budget Committee shall provide guidance to the Staff in developing and submitting a comprehensive annual budget to the Board. The Budget Committee shall review financial activities (including incurred debt), monitoring and audit reports (internal and external), as well as periodic budget analysis prepared by the Board staff regarding employment and training programmatic and fiscal processes. The Budget Committee shall review budget modifications and fiscal financial policy. Additionally, the Budget Committee shall have the responsibility to help Board members understand the full financial implications of Board actions and measure the effectiveness of projects and programs in terms of relative value.

(d) The Adult and Dislocated Worker Committee: The Adult and Dislocated Worker Committee is established to work with the Board and LEOs to establish adult and dislocated worker employment linkages and oversee service providers' delivery of employment and training services.

#### **3.2 Executive Committee**

(a) The Board shall maintain an Executive Committee.

(b) The delegation of authority to the Executive Committee shall not operate or function to relieve the Board of its responsibility except as explained below in paragraph 3.2(d) "Executive Committee Authority."

(c) Executive Committee Composition:

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<sup>5</sup> The Youth Council is a Standing Committee and for the purpose of these By-Laws shall be included in the general term "Committees." or "Committees" and shall abide by the rules generally set forth for Committees.



(i) The Executive Committee shall be comprised of the Board's Chairperson, the Vice-Chairperson, the LEOs Chairperson, and the elected chairpersons of the Board's other current committees.

(ii) If the LEOs Chairperson is unable to attend an Executive Committee meeting, then the LEOs Vice-Chairperson shall be permitted to attend the Executive Committee meeting and participate and vote as a member of the Executive Committee during that meeting in the place of the LEOs Chairperson.

(iii) If the Board's Chairperson or Vice-Chairperson also serves as a Chairperson of one of the Board's other current committees, then the Vice-Chairperson of that other committee shall be a member of the Executive Committee.<sup>6</sup>

(iv) The Board Chairperson shall serve as the Chairperson of the Executive Committee.

**(d) Executive Committee Authority**

(i) The Executive Committee shall have and exercise the same authority WIA grants to the Board, and shall be able to act on behalf of the Board, only when the following has been met:

a) It can be demonstrated that it is impractical for a Board meeting to take place (meaning attempts have been made to obtain a quorum for a full Board meeting and have failed);

b) The business and action items, as determined by Staff, which would have been presented to the Board during the meeting which cannot occur due to impracticality, are of such urgency that the failure of the Executive Committee to act on behalf of the Board will greatly impede the continued workings, operations of the Staff, and/or services provided by the Board, and/or its service providers, vendors, and contractors, or will greatly impede the continued services provided to the clients of the Board, and/or its service providers, vendors, and contractors;

c) The LEOs' attorney has confirmed the urgency of the action items, as explained in 3.2(d)(i)(b); and

d) Notice and a copy of the Executive Committee meeting agenda has been provided to the LEOs.

(ii) The Executive Committee shall not have the authority to act on behalf of the Board with respect to the following issues:

a) Amending or repealing any Board resolution;

b) Amending or repealing the Board's By-Laws;

c) Adopting a plan of merger or consolidation;

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<sup>6</sup> For example, if the Board's Chairperson is also the Chairperson for the Budget Committee, then the Vice-Chairperson of the Budget Committee would serve on the Executive Committee.

d) Selling, leasing, or otherwise disposing of all or any property and assets (excluding program monies) of the Board;

e) Voluntarily dissolving the Board or revoking a voluntary dissolution;

f) Modifying the Board's 5 year plan; and/or

g) Adopting or eliminating major programs.

(e) Executive Committee Committee Quorum: A simple majority of the voting members of the Executive Committee Committee shall constitute a quorum.

**3.3 Other Committee Committees:** The Board Chairperson may establish and dissolve other committee Committees as necessary and appoint members to serve on those committee Committees at Chair's discretion.

### **3.4 Committee Committee Size, Term, and Responsibilities**

(a) Size: Committee Committees shall be established with at least three Board members. Additional Committee Committee members are not required to be a member of the Board.

(b) Term: With the exception of Standing Committee Committees, Committee Committees will be active as long as necessary to serve the purpose for which the Committee Committee was created. With the exception of Standing Committee Committees, Committee Committees may be dissolved and later reformed at the Chair's discretion.

(c) Responsibilities: Committee Committees shall record and maintain meeting minutes and report their progress and provide information and recommended action to the Board.

(d) All Committee Committees shall be chaired by a member of the Board.

(e) All Committee Committee chairpersons, with the exception of the Executive Committee Committee Chairperson, shall be elected annually by a majority vote of the committee Committee's members. A Board member shall not chair more than one committee Committee.

### **3.5 Any committee Committee member shall be removed from said committee Committee after:**

(a) The committee Committee member fails to attend three consecutive regularly scheduled committee Committee meetings, in person or by telephone, without a valid excuse, the validity of which shall be determined in the sole discretion of the committee Committee's Chairperson;

(b) The committee Committee member requests to be removed;

(c) The LEOs determine that the Board member serving on the committee Committee should be removed from the Board; or

(d) The LEOs determine a non-Board member be removed from the committee Committee.

**3.6** A Board member who does not serve on a Committee Committee for three consecutive months shall be automatically removed from the Board.

## **ARTICLE IV MEETINGS**

**4.1** Open Meeting. All Board and Committee/Committee council meetings shall be conducted in accordance with Nevada's Open Meeting Law, found in NRS Chapter 241.

### **4.2** Meetings and Agendas.

(a) Regular meetings: The Board shall meet at least once every quarter throughout the year. If necessary, the Board may meet more frequently. Likewise, the Standing Committee/Committees as well as any other Board committee/Committees (collectively "Committee/Committees"), shall meet at least once every quarter or more frequently as deemed necessary by the Committee/Committee's Chairperson or the Board Chairperson.

(b) Special meetings: The Board may hold special meetings from time to time as deemed necessary or appropriate by the Board Chairperson, the LEOs Chairperson, and/or the ED.

(c) Agendas: Agendas for Board meetings, Committee/Committees meetings, and LEOs meetings shall be prepared by Staff. All requests to place matters on an agenda along with the needed back-up information to properly agendize an item must be presented to Staff a reasonable time before the relevant meeting date to facilitate compliance with Nevada's Open Meeting Law. Otherwise, the requested agenda item may not be included on the agenda. The ED shall have the sole discretion to agendize any untimely, late or incomplete request to agendize a matter. Only matters which relate to or affect the business, jurisdiction, or authority of the Board may be placed on the Board's meeting agenda. Likewise, only matters which relate to or affect the business, jurisdiction, or authority of a Committee may be placed on that Committee's meeting agenda.

(c)(d) The following individuals may place a matter onto the Board's meeting agenda:

(i) The LEOs Chairperson;

(ii) The Board Chairperson;

(iii) Any Committee/Committee Chairperson, provided the matter the Committee/Committee Chairperson wishes to agendize is within the scope of responsibility for the Chairperson's Committee/Committee; and/or

(iv) The ED; and/or

(v) Any Board member, who makes such a request as follows:

a) During a Board meeting, any Board member may request a matter be placed on the next Board meeting agenda; or

(iv)b) Before a Board meeting, any Board member may request the Board Chairperson place a matter on the next Board meeting agenda.

(e) The following individuals may place a matter onto one a of the Committee/Committees' meeting agenda:

- (i) The LEOs Chairperson;
- (ii) The Board Chairperson;
- (iii) The CommitteeCommittee’s Chairperson; and/or
- (iv) The ED;.
- (iv) Any Committee member who is also a Board member, who makes such a request

as follows:

a) during a Committee meeting, any Committee member, who is also a Board member, may request a matter be placed on the next Committee meeting agenda; or

b) Before a Committee meeting, any Committee member, who is also a Board member, may request the Committee Chairperson place a matter on the next Committee meeting agenda.

(f) Any request to place a matter on a meeting’s agenda, which is not received in time to place the matter on the upcoming meeting agenda, will result in the matter being placed on the subsequent meeting agenda.

(d)(g) The LEOs control who may place matters onto the LEOs’ meeting agendas.

(e)(h) Members shall receive meeting agendas in a reasonable timeframe to comply with the State of Nevada’s Open Meeting Law.

### 4.3 Presiding Officer

(a) The Board: The Board Chairperson shall preside over all Board meetings. In the absence of the Board Chairperson, the Board Vice-Chairperson shall be the presiding officer. In the absence of both the Board Chairperson and Vice-Chairperson, the acting presiding officer shall be: (first) the LEOs’ Chairperson; (second) the LEOs’ Vice-Chairperson; (third) the most senior LEO; and (forth) the most senior board member. When deemed appropriate, even during the presence of the Board’s Chairperson and Vice-Chairperson, the Board Chairperson may choose a Board member to serve as temporary Board Chairperson for that specific meeting.

(b) In the absence of both the Board’s Chairperson and Vice-Chairperson, then the Board meeting shall be called to order and, if a quorum is present, an election of a temporary Chairperson to chair that meeting shall be the first order of the Board’s business. The meeting shall be opened and the election shall be conducted by one of following individuals, in the following order, if they are present: first, by the LEO Chairperson; second, by the LEO Vice-Chairperson; third, by the LEO who has been serving on the Board for the longest time; and fourth, by the Board member who has been serving on the Board for the longest time. If the Board’s Chairperson or Vice-Chairperson arrives late, then the temporary chairperson will immediately turn control of the meeting over to the Board’s elected presiding officer.

(c) CommitteeCommittees: CommitteeCommittee Chairpersons shall preside over their respective committeeCommittee meetings. In the absence of a committeeCommittee’s Chairperson, then the presiding officer of that committeeCommittee meeting shall be the committeeCommittee’s Vice-Chairperson. In the absence of both the committeeCommittee’s Chairperson and Vice-Chairperson, then a temporary Chairperson for that committeeCommittee meeting shall be chosen by a majority vote of the then present

committeeCommittee members, which shall be conducted by the most senior Board member serving on the committeeCommittee. When deemed appropriate during a committeeCommittee meeting, even during the presence of the committeeCommittee's Chairperson and Vice-Chairperson, the committeeCommittee's Chairperson may choose a committeeCommittee member (who is also a Board member) to serve as temporary Chairperson for that committeeCommittee meeting.

**4.4** Parliamentary Authority. Unless otherwise adopted by the Board (Revised) Robert's Rules of Order shall be used to govern all board, council and committeeCommittee meetings.

**4.5** Quorum. For a Board meeting, a quorum shall consist of a simple majority of the Board members. For a committeeCommittee meeting, a quorum shall consist of a simple majority of the committeeCommittee members.

## **ARTICLE V BOARD AND COMMITTEE OFFICERS**

**5.1** Officers. The Chairperson and the Vice-Chairperson shall be the only officers of the Board. Likewise, each Committee shall have a chairperson and a vice-chairperson who shall be the sole officers of each Committee.

**(a)** Board Chairperson. The Board Chairperson shall only be elected from among the Board members who are part of the "Business in the Local Area" category set forth in 29 U.S.C. § 2832(b)(2)(A)(i). In addition to presiding over Board meetings, the Chairperson shall establish committeeCommittees, certify meeting quorums and perform other duties as required by WIA.

**(b)** Board Vice-Chairperson. The Board Vice-Chairperson shall be elected from among any of the appointed Board members. The Board Vice-Chairperson shall fulfill the duties of the Board Chairperson in the absence of the Board Chairperson.

**(b)(c)** The Committee chairperson and vice-chairperson shall be elected from among the Board members who are serving on the respective Committee.

### **5.2** Elections and Terms of Service

**(a)** The Board's Chairperson and Vice-Chairperson shall be elected by a majority vote of the Board's members present at the Board meeting when the election is held. Each Board officer shall serve a term of two-years, which shall begin on July 1<sup>st</sup> of the election year and end on June 30<sup>th</sup> two years later. Board elections shall take place during even years.

**(a)(b)** Each Committee's chairperson and vice chairperson shall be elected by a majority vote of the respective Committee's members present at the Committee meeting when the election is held. Each Committee officers shall serve a term of two years, which shall begin on July 1<sup>st</sup> of the election year and end on June 30<sup>th</sup> two years later. Committee elections shall take place immediately after a Committee is formed, and during odd years thereafter.

**(b)(c)** No officer may serve more than two consecutive terms in the same office. To be clear, an officer may serve more than two terms in the same office so long as the officer does not serve more than two consecutive terms in the same office. There is no limit to the number of terms the Board's Chairperson and Vice-Chairperson may serve. Elections of the Board's and of the Committees' officers Chairperson and Vice-Chairperson shall be complete no later than June 30<sup>th</sup> of the final year of the officers' term of office;

alternatively, if a meeting to conduct the vote in the month of June is impractical, then the vote will be conducted at the next Board meeting before any other business is conducted.

### **5.3 Election Procedures for Board Officers**

(a) Staff will solicit nominations for potential future officers from among the Board members no later than during the month of May immediately before the officers' terms expire. Additionally, Board members who desire to serve as an officer will be presented to the Board for consideration after the Board members desiring to serve have submitted to Staff their names, resumes, and the office in which they desire to serve. Staff will provide information regarding those Board members running for office to each Board member.

(b) The Board will hold a meeting, before the officers' terms expire, where the election of officers will occur. During this meeting, the Board Chairperson will ask the Board members to provide nominations for potential officers. Any qualifying Board member, who is nominated and seconded, will be an officer candidate, unless that Board member does not accept the nomination. Board members will then vote on those members who accept their nominations. The candidate for office who receives the most votes for that office prevails and will serve in that office. In the event qualifying nominated candidate(s) do not exist, then the LEOs Chairperson shall appoint a temporary Board Chairperson and Vice-Chairperson, as needed, who shall serve until a qualified nominated candidate(s) may be elected, which election shall be agendized in each subsequent Board meeting until the officer(s) are elected.

### **5.4 Election Procedures for Committee Officers**

(a) Staff will solicit nominations for potential future officers from among the Board members serving on the respective Committee no later than during the month of May immediately before the officers' terms expire. Additionally, Board members who desire to serve as an officer will be presented to the respective Committee for consideration after the Board members desiring to serve have submitted to Staff their names, resumes, and the office in which they desire to serve. Staff will provide information regarding those Board members running for office to each respective Committee member.

(b) The respective Committee will hold a meeting, before the officers' terms expire, where the election of officers will occur. During this meeting, the Committee chairperson will ask the Committee members to provide nominations for potential officers. Any qualifying Board member, who is nominated and seconded, will be an officer candidate, unless that Board member does not accept the nomination. The respective Committee members will then vote on those members who accept their nominations. The candidate for office who receives the most votes for that office prevails and will serve in that office. In the event qualifying nominated candidate(s) do not exist, then the Board Chairperson shall appoint a temporary Committee officer, as needed, who shall serve until a qualified nominated candidate(s) may be elected, which election shall be agendized in each subsequent Committee meeting until the officer(s) are elected.

**5.4 Vacancies.** The Board shall elect successors to fill the unexpired term of any officer within two months after the office becomes vacant. The Board member who is elected to fill a vacant office shall only serve to the end of the original term for which the vacancy was filled.

**5.5 Removal.** Officers will be automatically removed from office under the following conditions: (1) by a majority vote of a quorum of Board members; (2) if the Officer does not qualify under WIA to serve as in the office; (3) if the LEOs remove the Officer from the Board, or (4) if the Officer ceases to be a Board member for any reason.



## **ARTICLE VI5.5**

### **AUTHORIZATION TO INCUR DEBT (not to exceed \$25,000)**

**5.6** When necessary to ensure the continued operations and functions of the Board, the ED, or a Staff management member to whom the ED has designated specific authority in writing, may incur debt in the name of the Board for allowable expenditures in accordance with federal, state and local laws, statutes, regulations, and policies, not to exceed \$25,000.00 annually. Whenever finances are expended pursuant to Article VI, Staff will provide the Board a summary and justification of the purchase during the next Board meeting.

## **ARTICLE VIIARTICLE VI LITIGATION**

**7.16.1** The Board will maintain its own legal counsel for all matters related to the Board. However, if there is litigation or claims against the Board, then the Board's counsel may, subject to the LEOs approval, also represent the LEOs in a limited capacity with respect to the litigation or claims, because the LEOs' municipalities may ultimately be fiscally responsible to pay any award of damages or settlement resulting from the litigation.

**7.26.2** The LEOs shall have exclusive authority to settle monetary damage claims made against the Board and to direct the ED with respect to how to respond to litigation and claims against the Board. The Board's attorney shall take instruction from the ED regarding litigation and settlement strategy, subject to LEO direction and approval. To avoid waiving the attorney client privilege, litigation shall not be discussed with the Board in Board meetings. Moreover, to preserve the confidential nature of the Board's strategy, litigation shall not be discussed with Board members unless the need arises, e.g. the Board member is a witness.

## **ARTICLE VIIIARTICLE VII REVISIONS AND AMENDMENTS**

The Board understands and agrees that although the Board has duties and responsibilities to comply with applicable federal and state laws, that pursuant to 29 U.S.C. § 2832(d)(3)(B)(i)(I) and the Organizational Agreements the LEOs respective municipalities are responsible to ensure that WIA funds are properly awarded and spent. As such, the Board will be governed in accordance with these By-Laws, which must be approved by the LEOs. If it is ever determined that WIA or another applicable law conflicts with these By-Laws, then the WIA or applicable law shall be followed.

**8.17.1** These By-Laws may only be amended by a majority vote of the LEOs during a LEOs Consortium meeting.

**RATIFICATION SIGNATURES ON THE NEXT PAGE**

## LEO RATIFICATION

These By-Laws having been reviewed and considered by the LEO Consortium during the January 10, 2012, LEO Consortium meeting and the LEOs having voted to approve these By-Laws; now therefore, the LEOs present these By-Laws to the Board as having been approved by the LEOs and requests the Board review these By-Laws, and consider them for approval.

Dated this \_\_\_\_\_ day of January \_\_\_\_\_, 2012

\_\_\_\_\_  
Commissioner Lawrence Weekly, LEO Consortium Chair

## BOARD RATIFICATION

These By-Laws were considered and approved by the Board during the Board Meeting held on \_\_\_\_\_ 2012.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
Hannah Brown, *workforce*CONNECTIONS Chairperson

**7. SECOND PUBLIC COMMENT SESSION:**

Members of the public may now comment on any matter or topic, which is relevant to or within the authority or jurisdiction of the Board. You may comment now even if you commented earlier, however, please do not simply repeat the same comment you previously made. Please clearly state and spell your name and state your address for the record. Each comment will be limited to three (3) minutes

<b>8. LEO Consortium Member Comments</b>
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