PALOMINO VALLEY GENERAL
IMPROVEMENT DISTRICT

BOARD MEMBER'S HANDBOOK

CHAPTER I

TRUSTEES

REVISED October 16, 2025

Membership of Board of Trustees

Per Nevada Revised Statutes (NRS), Chapter 318, General Improvement Districts (GIDs) are administered by a five (5) member Board of Trustees, duly elected by the registered voters within the District. Any candidate for election or appointment, must be a registered voter of the District, and whose primary residence is within the District's boundaries. A person owning property in the District, but living outside of the District does not qualify to be a trustee.

A roster of the current Board of Trustees can be found on the home page of the PVGID's website [as of 2024: palominovalleygid.com].

Trustee Terms of Office and The Election Process

NRS Chapter 318 addresses elections and terms of office for the Board of Trustees. Please refer to the most current Nevada Revised Statute text at the Nevada Legislature's website, Law Library section (https://www.leg.state.nv.us) for election processes not addressed here or requiring further explanation. Note: Additional statutes may have to be researched to find information regarding elections.

Terms of Office

All trustee terms of office are for four (4) years. The elections are staggered; two seats are up for election during one biennial election and three seats during the next biennial election. Note: Any trustee seat filled by appointment, is open for election during the next biennial election.

Term Limits

Term limits were passed by the voters and took effect in 2010. PVGID trustees are subject to term limits; which is 12 years. Note: If the 12-year limit occurs mid-term, the trustee finishes the current term.

Election Process

The general election laws of the State apply to trustee elections. Any special circumstances that apply to GIDs are outlined in NRS 318. Local elections are administered by the **Washoe County Registrar of Voters' office**. Candidates must apply in person.

- Candidates must file a declaration of candidacy during the designated filing period. Candidates should verify the filing period dates each election year, as these dates are subject to change.
- Candidates must have a driver's license or some other form of photo ID. If the photo ID does not list the candidate's physical residence (within the District's boundaries), the candidate must bring evidence of physical address (i.e. electric bill, vehicle insurance card, etc.).
- As long as PVGID trustees do not receive compensation, the filing fee is waived.

Trustee Terms of Office and The Election Process (Contd.)

Election Process (Contd.)

- Pay careful attention to report filing deadlines. Several Contributions and Expenses Reports (C & E) are filed online at the Secretary of State's website (https://nvsos.gov/). Because a hefty fine is imposed for late filing of or failure to file these reports, it is strongly recommended that candidates fill out all the scheduled C & E reports online within a few days of filing for candidacy (with all amounts as zero ($0)). Note: If the candidate later receives individual contributions of $100 or more or has expenses of $100 or more, amended returns can be filed, but must be done by the filing deadline (look for important candidate filing dates on the Secretary of State's website).
- Candidates will also be required to file a Financial Disclosure Statement online with the Secretary of State (https://nvsos.gov/) within 10 days after the last day of close of candidate filing (verify by looking for important candidate filing dates on the Secretary of State's website).
- If a candidate files for office, but decides not to run, he/she must withdraw during the withdrawal period. Check with the Washoe County Registrar's office for withdrawal period dates.
- A primary election is held only if the number of candidates is more than twice the number of seats up for election. For example: For two open seats, there must be at least five candidates running for office to trigger a primary run-off.
- A general election is held if the number of candidates exceeds the number of open seats. The top vote getter gets the longest available term. For example: There are two expired-term seats (4-year terms) and one unexpired-term seat (2 years remaining). Four candidates run for the three seats. The candidate with the most votes gets one of the 4-year term seats. The candidate with the second highest number of votes gets the other 4-year term seat. The candidate with the third highest number of votes gets the unexpired-term seat with two years remaining. The fourth candidate is not elected.
- If the number of candidates equals the number of open seats, no election is held; the candidates are deemed elected. If the terms are not of equal lengths (as in the example above), which candidate(s) gets the longest term seat(s), is determined by drawing cards. The drawing of cards will be conducted at the next meeting of the Board after the general election. Each candidate will draw a card from a deck of playing cards, and whoever draws the highest card will fill the longest term seat.

Trustee Terms of Office and The Election Process (Contd.)

Election Process (Contd.)

Oath of Office

For newly elected trustees, there are two ways to sign the Oath of Office:

1. There is a swearing-in ceremony at the Washoe County Commission Chambers (9th Street and Wells Avenue) in January. You should receive a letter from the County Clerk's Office informing you of the date and time. If you opt to go to this ceremony, you do not have to sit through the ceremony. The Clerk's Office will have the oaths on the table at the back of the chambers and you can sign your oath and leave.
2. If you do not want to wait till the January ceremony or you can't attend the ceremony, you can sign your oath at the County Clerk's Office. Be sure to call (775-328-2003) first and set up an appointment. Note: Wait until you receive official notification of winning the election.

Filings

See Addendum 1 at the end of this chapter for *important* information regarding filing deadlines for various reports and statements.

Vacancies and Trustee Appointment Process

There may be circumstances when a trustee can no longer serve on the Board. If a trustee decides to resign, the trustee should notify the Board President, in writing, at the earliest opportunity. Per NRS (see below), such mid-term vacancies must be filled within 30 days.

> *NRS 318 A vacancy on the board must be filled by a qualified elector of the district chosen by the remaining members of the board, the appointee to act until a successor in office qualifies as provided in NRS 318.080 on or after the first Monday in January next following the next biennial election, held in accordance with NRS 318.095, at which election the vacancy must be filled by election if the term of office extends beyond that first Monday in January. Nominations of qualified electors of the district as candidates to fill unexpired terms of 2 years may be made the same as nominations for regular terms of 4 years, as provided in NRS 318.095. If the board fails, neglects or refuses to fill any vacancy within 30 days after the vacancy occurs, the board of county commissioners shall fill that vacancy.*

When such a vacancy occurs, the Assistant to the Secretary will inform the Registrar of Voters' Office and post a notice advertising the vacant seat on the PVGID's website and on local social media sites. Sample notice from Nextdoor:

Palomino Valley General Improvement District
9732 Pyramid Hwy #324 Sparks, NV 89441
June 21, 2024
ATTENTION PALOMINO VALLEY RESIDENTS RE: OPEN TRUSTEE POSITION

The Palomino Valley General Improvement District is soliciting applicants to fill an open Trustee position. A new Trustee will be appointed at the July 18, 2024 Board meeting. If you are interested, please send a resume with cover letter stating your qualifications and reason you wish to be considered for the Board position. All Applicants must be residents and registered voters of Palomino Valley.

Email the above to palominovalleygid@gmail.com Subject: Open Trustee Position or send your application to the above mailing address. All requests need to be received on or before July 16, 2024 to be considered.
Be prepared to discuss, before the Board, your qualifications and reasons for wanting to serve in this position.

Vacancies and Trustee Appointment Process (Contd.)

At the GID meeting stated in the notice, the presiding trustee shall ask the applicants if their primary residence is in the District and if they are registered to vote in the District. Any applicants who don't meet both of these requirements, are ineligible and cannot be considered. The Board members shall review all applications submitted and interview the qualified applicants. Nominations are made (no second required), and an open, verbal vote shall be taken and recorded. The nominee who receives a majority of the votes, is thereby appointed to the Board.

Oath of Office and Notification to the Registrar of Voters' Office

The Assistant to the Board shall have the meeting minutes transcribed and a copy given to the newly appointed trustee. The trustee needs to contact the County Clerk's Office (775-328-2003). Tell the Clerk that you were recently appointed to the Palomino Valley GID Board of Trustees and that you need to sign the Oath of Office. The Clerk will set up an appointment for you to come by the Clerk's Office. Be sure to have the copy of the minutes with you.

After you have signed your Oath of Office, notify the Assistant to the Board who will then notify the Registrar of Voters' Office that an appointment has been made and qualified (Oath of Office has been executed). The notification should include the following:

- Name of newly appointed trustee
- Name of trustee being replaced
- Trustee's address and phone number

Filings

See Addendum 1 at the end of this chapter for *important* information regarding filing deadlines for various reports and statements.

Election of Officers

The officers are nominated and elected annually by the Board during the January meeting. The officers are as follows: President, Vice President, Secretary, and Treasurer. (Note: the Secretary and Treasurer can be the same trustee.)

Duties of Officers

- President

  Prepares agendas and calls special meetings when necessary; conducts and presides over meetings; signs legal documents for and on behalf of the GID; is the primary contact person/supervisor for the Road Maintenance Operations Manager (the President may designate another trustee to be the OM's primary contact/supervisor).

  Special note regarding agendas: If the majority of trustees wants an item placed on a future agenda, the President will honor that request and agendize the item.

- Vice President

  Conducts and presides over meetings when the President is unavailable; assists and supports the President in GID activities.

- Secretary

  Maintains minutes, files, and other records of the GID with the assistance of an independent contractor.

- Treasurer

  Maintains financial records of the GID with the assistance of an independent contractor.

Trustee Responsibilities

- Trustees are responsible for attending all regular and special GID meetings. A trustee should notify the President of the Board in advance of a meeting if the trustee will be unable to attend (the more notice, the better).
- Trustees are responsible for setting and carrying out the policies related to the basic power(s) granted to the District (as modified in October 1975): operation, maintenance and repair of roads.
- The trustees, as a group, are responsible for the general direction of the GID; not the day-to-day operations.

  Questions or concerns about the day-to-day operations should be directed to the Road Maintenance Operations Manager's (OM's) primary contact person/supervisor.
- General direction policies are established through an affirmative vote of no less than a quorum of the Board (three trustees) during a public, open meeting. Note: NRS 241 does not allow a trustee to designate someone to attend a meeting in their place, and does not allow for proxy voting.

Trustee Responsibilities (Contd.)

- Trustees who are contacted by property owners with road maintenance concerns or complaints, are to refer the property owner to the following procedure:

  Road Maintenance and Repair Requests

  To notify the PVGID of road maintenance needs, please send an email to palominovalleygid@gmail.com. Please include "Road Maintenance Request" in the subject line, and include the name of the road, the approximate location, and a brief description of the problem.

  Urgent requests

  To notify the PVGID of an urgent problem, please call the Operations Manager at 775-848-6788.

- Trustees who are approached by constituents requesting special road maintenance or a road improvement project, shall inform the constituent that their project request must be agendized for discussion and consideration by the Board after hearing public comment, if any, on the matter.

- Trustees, when communicating with the public, need to thoroughly explain the policies and procedures which pertain to the particular situation. Trustees should be sure the constituent is fully aware of and understands their responsibilities in the process.

Subcommittees

In the distant past, there were a number of subcommittees established: Judicial, Road Maintenance, Financial, etc. More recently, there was a Road Committee consisting of two trustees and the operations manager.

Subcommittees were limited to no more than two trustees because more than two trustees constituted a quorum and meetings of such a subcommittee would have had to have been open and fully compliant with Nevada's Open Meeting Law (OML).

Then, in 2019, the Legislature passed a bill that changed the definition of a “public body” to include “a subcommittee or working group consisting of at least two [trustees]” (see NRS Chapter 241 - Open Meeting Law). With the new legislation, subcommittees could no longer have two trustees without abiding with Open Meeting Laws.

At the March 17, 2022 Board of Trustees meeting, Louie Test (attorney of record) explained the new legislation as it applied to the Road Committee. Mr. Test stated he had a discussion with the Attorney General’s Office and even if the trustees on the Road Committee weren’t deliberating, it could be perceived that they were. Mr. Test said there was “no deliberation with one person” and advised the Board to eliminate the Road Committee. The Board heeded Mr. Test’s advice, and eliminated the Road Committee.

Trustees -- Conflicts

NRS Chapter 318 - General Improvement Districts, and, more so, NRS Chapter 281A - Ethics In Government, address conflicts of interest.

NRS 281A states, in part:

- A public office is a public trust and shall be held for the sole benefit of the people.
- A public officer or employee must commit himself or herself to avoid conflicts between the private interests of the public officer or employee and those of the general public whom the public officer or employee serves.

There are special circumstances in which trustees can enter into personally beneficial (directly or indirectly) contracts for goods or services with the GID. When circumstances warrant and such an agreement is permissible, the trustee(s) with interest must abstain from voting on the agreement/contract and any approvals of payment.

Note: It is strongly suggested that the GID's legal counsel be consulted whenever such a situation arises, and allow legal counsel to review and interpret the applicable statute.

Trustee Compensation and Reimbursement

Trustee Fees

According to NRS 318, trustees may receive not more than $6,000 per year in compensation for their service.

Beginning with January 1974 and continuing until August 1991, the trustees received $75 per month (paid quarterly). At the August 27, 1991 meeting the Board voted to "eliminate trustee's fees until such time as the Palomino Valley General Improvement District's income is adequate to finance the budget." Then, at the May 20, 1993 meeting, the Board voted to reinstate the $225 quarterly trustee fee for President Weintritt, "because of the large amount of time she devotes to PVGID work." President Weintritt resigned on November 20, 1995. On January 23, 1996, the Board voted to eliminate the trustee fees for the President, "until such time as the budget warrants reinstatement of fees for all the trustees."

In February and March of 2006, the matter of trustee compensation was addressed, but could not be voted on because the GID's attorney, Louie Test stated, "the current Board members could not take [compensation] because they are elected officials and you cannot increase [your] salary once you have been elected."

Mr. Test was referring to the following statement from NRS 318:

> *If a majority of the members of the board vote in favor of an increase in the compensation of the trustees, the increase may not become effective until January 1 of the calendar year immediately following the next biennial election of the district …*

As of this revision (October 16, 2025), trustee fees have not been reinstated.

Reimbursement for Out-of-Pocket Expenses

Trustees will be reimbursed, upon presentation of receipts, for reasonable expenses incurred in connection with an approved, GID-related project. Any personal car mileage will be reimbursed at the rate set by the IRS for business miles driven.

An example of an approved, GID-related project would be the time when FEMA assistance was pursued after the 2005 New Year's Eve Flood. Trustee Glatthar attended FEMA briefings and numerous meetings with FEMA's Public Assistance Coordinator, and set up spreadsheets and files in order to meet FEMA reporting requirements. Trustee Glatthar had mileage, copying, and supplies expenses that she was reimbursed for.

Meeting Management

Nevada's Open Meeting Law

The GID is a "Public Body" and is therefore subject to Nevada's Open Meeting Law (OML) (NRS Chapter 241). The Attorney General's Office publishes an Open Meeting Law Manual which is a valuable tool to help in understanding the laws which govern meetings of public bodies. The most current edition of the OML manual can be accessed from the Attorney General's website:

https://ag.nv.gov/About/Governmental_Affairs/OML/

Avoid Serial Communications: A Violation of the OML

A subsection of the OML (NRS Chapter 241) states:

"In enacting this chapter, the Legislature finds and declares that all public bodies exist to aid in the conduct of the people's business. **It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.**" [Emphasis added]

In other words, matters over which the Board has control or jurisdiction, are to be discussed and acted upon during a properly-noticed, public meeting.

Serial communications (aka "Walking Quorum") occur outside of a public meeting between a quorum of the Board (three or more trustees). The communication can be in person, by phone, text, email (especially "reply all" emails), and other electronic means. Such instances of serial communication between a quorum of the Board to deliberate or make a decision (take action) is prohibited.

Definitions:

- Deliberate: collectively examine, weigh, and reflect upon the reasons for or against an action. The term includes, without limitation, collective discussion and the collective acquisition or exchange of facts preliminary to the ultimate decision.
- Action: a decision, commitment, or promise made by a majority of the members present during a meeting.

Example of serial communications:

A PVGID trustee meets with another trustee and discusses a GID matter, states his/her opinions on the matter, and states what action he/she would take. The initiating trustee then makes a phone call to a third trustee and has the same discussion with that third trustee. A quorum (three trustees) has deliberated on an issue outside of a public meeting. Such serial communications constitute an OML violation.

Regular Meetings - Date, Time, and Location

Regular Board of Trustees meetings are held monthly on the third Thursday, beginning at 6:00 p.m. at the Regional Shooting Facility located at 21555 Pyramid Highway, Reno.

Special Meetings

Special meetings may be held for various reasons; the most common of which occur when a regular meeting date falls on a holiday and must be rescheduled, or regular meetings in which a quorum of the Board is not present, causing the regular meeting to be canceled and then rescheduled.

Each year, a public hearing for the final budget is held during the May meeting. Per NRS Chapter 354 (as of the 12/1/2024 BMH revision), the budget hearing must be held no sooner than the third Monday in May and no later than the last day in May. Therefore, if the third Thursday in May does not fall between the statutory dates, the meeting is rescheduled, and becomes a special meeting.

Emergency Meetings

Emergencies occur and the NRS allows for exceptions to the 3-day noticing requirement in the case of an emergency.

NRS 241 (as of the 12/1/2024 BMH revision), defines an “emergency” as, “an unforeseen circumstance which requires immediate action and includes, but is not limited to: (a) Disasters caused by fire, flood, earthquake or other natural causes; or (b) Any impairment of the health and safety of the public.”

An emergency meeting may be called on an emergency basis only:

- Where the need to discuss or act upon an item truly is unforeseen at the time the meeting agenda is posted and mailed, or before the meeting is called; and
- Where an item is truly of such a nature that immediate action is required at the meeting.

In an emergency:

- A meeting may be scheduled with less than three days’ notice if the meeting is limited only to the matter which qualifies as an emergency. The minutes of the meeting should reflect the nature of the emergency and why notice could not be timely given.

Meeting Noticing/Posting of Agendas

The GID meeting agendas act as the meeting notices. Below are the general requirements for posting agendas. More details can be found in the Open Meeting Law Manual on the Attorney General's website:

https://ag.nv.gov/About/Governmental_Affairs/OML/

- Agendas must be posted no later than 9 a.m. on the third working day before the meeting (three days before does not include the day of the meeting). Typically by 9 a.m. the Monday before the meeting. If a Nevada State holiday falls on that Monday, the agenda must be posted by 9 a.m. on the Friday before the meeting.
- Agendas are sent to trustees and constituents (on the email list to receive such notices) via blind carbon copy (bcc) email, posted on the PVGID's website, posted on the State's website at notice.nv.gov, and posted on sign boards at the following locations:
    1. GID Yard at 5105 Wayside Road
    2. Axe Handle Road and Hwy 445
    3. Ironwood Road and Hwy 445
    4. Range Land Road and Hwy 445
    5. Whiskey Springs Road and Hwy 445

  Note: A statement of compliance with the statutory posting requirements must be made by the person who posted the notice and it must include: (1) date and time of posting, (2) address of location of posting, and (3) name, title, and signature of person who posted the public notice. This statement should be filed with the agenda in the minutes' binder.
- Agendas must include:
    a. The date, time, and location of the meeting.
    b. Disclosures on how the meeting will be conducted, including:
        - Items may be taken out of order;
        - Items may be combined for consideration by the public body; and
        - Items may be removed from the agenda or discussion of an item or items may be deferred at any time.
        - If an item is removed or discussion is deferred, public comment will still be allowed on that item.
    c. A list of the locations where the notice has been posted.
    d. A list of the topics scheduled to be considered during the meeting; clearly denoting which items action may be taken on by placing next to the agenda item, the phrase "for possible action." [Note: Per OML NRS 241, it is not sufficient to place "action" next to the item or to place an asterisk next to the item to signify an action item. The phrase "for possible action" must be used.]

Meeting Noticing/Posting of Agendas (Contd.)

e. Two Public Comment periods. Note: No action may be taken upon a matter raised under Public Comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken.

   Per NRS 241, public bodies are required to adopt one of two alternative public comment scenarios, as follows:

   (1) First, a public body may comply by agendizing one public comment period before any action items are heard by the public body and then provide for another period of public comment before adjournment.

   (2) The second alternative also involves multiple periods of public comment but only after discussion of each agenda action item and before the public body takes action on the item.

   Finally, regardless of which alternative is selected, the public body must allow the public time to comment on any matter not specifically included on the agenda as an action item some time before adjournment. A public body may combine these two public comment alternatives, or take portions of one to add to the requirements of the other.

   The PVGID does use a combination of the two alternatives by having two public comment periods for items not listed on the agenda, and by allowing public comment on any items marked “for possible action.”

   Each meeting agenda should include a public comment notice, such as:

> PUBLIC COMMENT NOTICE
>
> The PVGID Board of Trustees welcomes and allows pertinent and specific public comment during individual agenda items, and provides a general public comment segment at the beginning and end of each meeting. Any person wishing to speak, must state their name for the record and will have three (3) minutes to speak. However, if the number of persons wishing to speak is excessive, the presiding trustee may reduce the time allowed per speaker. Your cooperation in adhering to the stated time limit, and staying on topic, will be greatly appreciated. Note: No action may be taken upon a matter raised under Public Comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. The Board is not required to respond to public comment. Any person who reads a statement into the record and/or presents any material, is requested to supply the Board Members and the Assistant to the Board with a copy for the record.

f. If any portion of the meeting will be closed to consider the character, alleged misconduct or professional competence of an employee, that agenda item must include the name of the employee. And, for any meeting with a closed session, the agenda must include a “New Business” item called, “Action on Closed Session (if any).”

g. The name and contact information for the person from whom a member of the public may request the supporting material for the meeting.

h. A statement informing the public that the public body will make reasonable efforts to assist and accommodate persons with physical disabilities desiring to attend a meeting; include the name and contact information of a person who may be contacted so arrangements can be made in advance.

Meetings -- Order of Business:

Note: Following this section, special circumstances, such as emergency agenda items, closed sessions, and public hearings, will be addressed.

1. Call to Order and Roll Call

   Comments: The presiding trustee calls the meeting of the Palomino Valley General Improvement District to order, stating the date and the time, for the record. Also, roll call is taken and the presiding trustee states which trustees are absent, if any. [Note: It must be determined that a quorum exists before proceeding with the meeting. Three (3) trustees constitutes a quorum.]

2. Pledge of Allegiance

3. Public Comment on matters NOT listed on this agenda (Anyone commenting must state their name and there is a three-minute limit per person)

   Comments: No action may be taken upon a matter raised under this item until the matter appears as an item for possible action, on a future agenda.

4. Approval of Minutes from Previous Meeting(s)

   Comments: Trustees are responsible for reviewing the minutes and being prepared to propose amendments and corrections, if any. A motion must be made, seconded and voted on, to approve the minutes “as written” or “as amended.”

5. Financial Matters

   Comments: This item will normally consist of a monthly transaction report which lists the bank account balances, income received, payments that have already been made (via auto pay, bill pay, etc.), and payments by check that will be countersigned at the meeting. Trustees are to review the report and if there are any specific questions pertaining to the payments, the supporting documentation for the bills will be available for review. A motion must be made, seconded and voted on, to approve the bills as submitted or with changes, as noted for the record.

   Other financial matters may include the Estimated Net Operating Funds for Road Improvements report, the annual budget, the capital outlay budget, the annual audit of the financial reports, and any other financial matters that may arise.

6. Judicial/Government Affairs

7. Road Reports:

   Comments: This item is for road operations and maintenance reports, road improvement projects, and any other road-related matters.

8. Old or Unfinished Business

   Comments: Any items listed here must have appeared on a prior agenda.

9. New Business

10. Correspondence

Meetings -- Order of Business (Contd.):

11. Calendar Review

    Comments: The list of Important Dates is reviewed.

12. Public Comment on matters NOT listed on this agenda (Anyone commenting must state their name and there is a three-minute limit per person)

13. Board Member and Staff Items

    Comments: Limited to requests for items or topics for future agendas, statements relating to items not on the agenda, announcements, etc. Note: For information only - no discussion or action may be taken under this item.

14. Adjournment

    Comments: A trustee needs to make a motion to adjourn the meeting, it needs to be seconded, and voted on. The presiding trustee will announce the time of adjournment for the record. Note: The minutes should include the time of adjournment.

Meetings -- Order of Business -- Special Circumstances

- Emergency Agenda Items:

  NRS 241 (as of the 12/1/2024 BMH revision), defines an “emergency” as, “an unforeseen circumstance which requires immediate action and includes, but is not limited to: (a) Disasters caused by fire, flood, earthquake or other natural causes; or (b) Any impairment of the health and safety of the public.”

  An emergency item may be taken up on an emergency basis only:

  1. Where the need to discuss or act upon an item truly is unforeseen at the time the meeting agenda is posted and mailed, or before the meeting is called; and
  2. Where an item is truly of such a nature that immediate action is required at the meeting.

  There are two situations on how to handle noticing if an emergency arises that must be dealt with at a meeting that has already been noticed:

  1. If the agenda has already been posted, but there are more than three working days before the scheduled meeting, an amended agenda should be posted, or
  2. If there are less than three working days before the meeting, the emergency item may be added to the agenda at the meeting.

  If situation number 2 occurs, where an emergency item needs to be added to the agenda at the meeting (without prior notice), an announcement should be made after roll call and a quorum is determined. The announcement should reflect the nature of the emergency item and why notice could not be made in a timely manner. Also, a motion should be made to add such an emergency item to the agenda, seconded, and voted on.

Meetings -- Order of Business -- Special Circumstances (Contd.)

- Closed Meetings/Sessions:

  Per Nevada's Open Meeting Law (OML) statutes, Chapter 241, all meetings are to be open and public "except as otherwise provided by specific statute." There is one exception that has been utilized by the GID: An OML statute allows for a closed session, "to consider character, alleged misconduct, professional competence, or the physical or mental health of a person …" Although the statute says such a session "may" be closed, the PVGID's current and past practice has been to hold closed sessions to handle interviews of candidates for the Operations Manager's position, the Operation Manager's appraisal, and other such personnel matters.

  See Appendix B for a "script" to follow for closed meetings/sessions.

  Closed meetings/sessions may **NOT** be held:

  1. To discuss the appointment of a new trustee to fill a vacancy.
  2. To consider the character, alleged misconduct, or professional competence of a trustee (whether elected or appointed) or a person who serves at the pleasure of a public body as a chief executive or administrative officer or in a comparable position, including, without limitation, a president of a university, state college, or community college within the Nevada System of Higher Education, a superintendent of a county school district, a county manager, and a city manager.

     Important note: The PVGID's Operations Manager (OM) does not meet the definition of a chief executive officer, or administrative officer, or a "comparable position" because the OM does not manage all the aspects of the PVGID; the OM does not oversee the independent contractors or the attorney, the budget, the audit, etc., the OM only manages the road maintenance operations.

- Public Hearings:

  Public hearings are held under special circumstances such as the annual budget hearing or when a property owner petitions to be excluded from the District.

  Procedure:

  1. Presiding trustee announces the agenda item.
  2. Trustee/Staff/Petitioner makes presentation.
  3. Presiding trustee will ask other Board members if they have any questions of the presenter.
  4. Presiding trustee opens the public hearing. The public is allowed to speak for three (3) minutes, unless otherwise designated by the presiding trustee. Speakers must state their name for the record.
  5. Presiding trustee closes the public hearing.
  6. The Board deliberates on the matter. A trustee must make a motion stating the action to be taken. A second is required. Then the vote is taken.

Meetings -- Decorum:

One of the responsibilities of the presiding trustee is to maintain an overall meeting decorum that is professional, productive, open but disciplined, and conducive to timely and successfully accomplishing the business before the Board.

All trustees are responsible for contributing to meeting decorum by:

- Refraining from making offensive remarks
- Refraining from disturbing the meeting
- Confining remarks to the agenda item under discussion

Per NRS Chapter 241, the presiding trustee may, without a vote of the board, declare a recess to remove a person who is willfully disrupting a meeting.

Resolutions and Motions

It's important that trustees understand the distinction between resolutions and motions.

- Resolutions

  A formal resolution is necessary when a major policy is being proposed or when an existing resolution is to be amended or repealed.

  Before a new resolution is drafted, the topic should be agendized as an item “for possible action.” The trustee who is proposing a matter for consideration as a new resolution, should present the matter, and after public comment, the board should discuss the matter and whether or not a resolution should be drafted.

  If the board agrees to move forward, the resolution should be drafted and marked with a “DRAFT” watermark and presented at a meeting for the introduction and first reading of the resolution. Changes to the resolution can be discussed and formulated at the “first reading” meeting. Per Resolution F16-R3, “… a second reading at a second meeting at least two weeks after the first reading” is required. At the second meeting, there must be an agenda item for the “second reading and possible adoption” of the resolution.

  A resolution to amend or repeal an existing resolution, must also go through the “two readings at two meetings” process.

- Motions

  Motions are used for many routine actions such as approval of the minutes, approval of the payment of bills, etc. A motion is also used for minor additions or changes to policies and procedures, such as a change in the amount of the petty cash fund.

Meeting Recordings and Minutes:

NRS Chapter 241 states, "… a public body shall, for each of its meetings, whether public or closed, record the meeting on audiotape or another means of sound reproduction or cause the meeting to be transcribed by a court reporter who is certified pursuant to chapter 656 of NRS." Meeting audio recordings or transcripts, "must be retained by the public body for at least 3 years after the adjournment of the meeting at which it was recorded or transcribed."

Written minutes must be kept by all public bodies of each meeting they hold regardless of whether the meeting was open or closed to the public. The State Library, Archives and Public Records Administrator has adopted regulations that establish minimum periods of retention for records of local governments. Meeting minutes are considered to have "permanent value," and must be kept in perpetuity.

The minutes must include:

a. The date, time, and place of the meeting;
b. The names of the members of the public body who were present and the names of those who were absent;
c. The *substance* of all matters proposed, discussed, or decided and, at the request of any member, a record of each member's vote on any matter decided by vote;
d. The substance of remarks made by any member of the general public who addresses the body if he or she requests that the minutes reflect his or her remarks, or if he or she has prepared written remarks, a copy of his or her written remarks if he or she submits a copy for inclusion; and
e. Any other information that any member of the body requests be included or reflected in the minutes.

Minutes or audio recordings of public meetings are declared by the Open Meeting Law to be public records and must be available for *inspection* by the public within 30 *working* days after the meeting is adjourned. Because formal approval of the minutes does not occur until the next meeting, the unapproved minutes will be watermarked "DRAFT." Once approved, and any corrections or amendments are made, the watermark will be removed and the finalized minutes will become the permanent record of that meeting. Note: Per NRS Chapter 241, "Unless good cause is shown, a public body shall approve the minutes of a meeting within 45 days after the meeting or at the next meeting of the public body, whichever occurs later."

The minutes' binders shall contain the agenda, all handouts - financial reports, operations reports, etc., any written public comments and any materials presented, the sign in sheet, and the final, approved minutes (as written or amended).

Note: Minutes of meetings closed pursuant to NRS Chapter 241, become public records whenever the public body determines that the matters discussed no longer require confidentiality ***and*** the person whose character, conduct, competence, or health was discussed has consented to their disclosure.

Employees:

Note: See Appendix A for the Employee Handbook.

Operations

The basic power granted to the PVGID is the operation, maintenance and repair of the roads within the District which have been accepted for maintenance (see Chapter IV – Roads). The day-to-day operations of the GID are performed by the road maintenance crew, under the direction of the Road Maintenance Operations Manager (OM). The OM is the immediate supervisor of the road maintenance crew. The President of the Board (or his/her designee) is the primary contact/supervisor of the OM.

The OM attends all meetings of the Board, and is responsible for reporting on the road operation activities that have occurred since the last meeting. The OM may also bring requests to the Board for funding of projects, both routine and special, purchase requests, future planning ideas, etc.

Hiring and Dismissal

Hiring

- Operations Manager: Is hired by an affirmative vote of a quorum (3) of the Board. A new OM can be hired from within or outside the GID; there is no requirement to advertise the job opening. The Open Meeting Laws (NRS Chapter 241) currently allow employment interviews to take place in closed sessions (the trustees cannot narrow down the list of candidates or begin the selection process during a closed session). The selection of the new OM must take place under an agenda item during the open session of the meeting.
- Road Maintenance Crew: For *existing* positions, the Operations Manager (OM) does the hiring. The Board must approve any *new* positions before the OM can proceed with hiring. The OM may hire temporary/seasonal workers as needed, not to exceed the annual budget.

Dismissal

Note: It is the responsibility of an employee's immediate supervisor to document any infractions or disciplinary action taken against that employee. Such records are to be kept private and confidential.

- Operations Manager: May be dismissed by an affirmative vote of a quorum (3) of the Board.
- Road Maintenance Crew: May be dismissed by the Operations Manager (OM), who shall first confer with the President of the Board. Note: Road maintenance crew employees may appeal their dismissal to the Board.

Performance Appraisals

Employee performance appraisals (PAs) are to be conducted on an annual basis (in June, as of 12/1/2024). The President of the Board (or his/her designee) is responsible for the Operations Manager's (OM's) PA. Trustees are encouraged to submit comments regarding the OM's performance to the President (or his/her designee) for consideration of inclusion in the PA. The OM is responsible for the road maintenance crew's PAs.

The President of the Board (or his/her designee) will review the road maintenance crew's appraisals. Appeals by road maintenance personnel will be heard by the Board.

Review of the OM's PA, and any appeals by the road maintenance crew, are conducted during separate closed sessions for each employee.

Per NRS Chapter 241, any employee who is the subject of a closed session is allowed to be present during the portion of the closed session which pertains to him/her. Other specifics of noticing and conducting closed sessions, can be found in the "Meetings -- Order of Business -- Special Circumstances" section of this chapter.

Once in the closed session, the Board President (or his/her designee) will review his/her evaluation of the OM. Per Nevada's Open Meeting Law, "… while the delineated attributes of existing employees may be discussed in closed session … evaluation forms may not be filled out during the closed session, nor may the public body form recommendations or decisions about a rating or an action to take. Those tasks must be done in an open meeting or delegated to a member to handle." The Board President (or his/her designee) may take notes regarding comments made by other trustees, and later (outside of the meeting), incorporate those comments into the PA. The PA is then finalized and signed by the President (or his/her designee) and the OM and filed in the OM's personnel file.

No discussion on any possible action based on a PA may be taken during the closed session. Action, if any, may only take place during the open session of a meeting and there must be a specific item listed on the agenda.

Compensation

[Pending]

ADDENDUM 1

TRUSTEE FILINGS IMPORTANT DEADLINES

Trustee's Status	Form	Cycle	Due Date
Current Trustee	C&E	Annual	January 15
	FDS	Annual	January 15
	AES	Once per Term	January 15
Candidate	C&E	Four Times	See Sec of State's Website
	FDS	When Filing for Office After Election	Within 10 days of last day to file January 15
Newly Elected Trustee	AES	Once per Term	January 15
Appointed Trustee	C&E	Annual	January 15
	FDS	After Appointment	Within 30 days
	AES	After Appointment	Within 30 days

Key: C&E = Contributions & Expenses Report; FDS = Financial Disclosure Statement; AES = Acknowledgment of Ethical Standards

***** Don't find yourself in non-compliance with the filing of these reports, as monetary penalties may apply. *****

All filings are done online:

For C&E and FDS, go to Nevada Secretary of State's website: https://nvsos.gov

For AES, go to Nevada Commission on Ethics' website: https://ethics.nv.gov