



NEVADA STATE BOARD OF DENTAL EXAMINERS



Meeting Location:

Nevada State Board of Dental Examiners
6010 S. Rainbow Blvd, Suite A-1
Las Vegas, NV 89118

Video Conferencing was not available for this meeting

Meeting Date & Time

Saturday, March 7, 2020
9:06 a.m.

MINUTES

NOTICE OF AGENDA & TELECONFERENCE MEETING FOR THE EMPLOYMENT COMMITTEE

(David Lee, DMD, (Chair); J. Brian Allman, DDS; Ronald West, DMD; D. Kevin Moore, DDS; Jana McIntyre, RDH)

PUBLIC NOTICE:

The Nevada State Board of Dental Examiners may hold board meetings via video conference or telephone conference call. The public was welcome to attend the meeting at The Board of Dental Examiners office located at 6010 S. Rainbow Blvd, Suite A1 Las Vegas, NV 89118.

Public Comment time is available after roll call (beginning of meeting) and prior to adjournment (end of meeting). Public Comment is limited to three (3) minutes for each individual. You may provide the Board with written comment to be added to the record.

Persons wishing to comment may appear at the scheduled meeting/hearing or may address their comments, data, views, arguments in written form to: **Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, A-1, Las Vegas, Nevada 89118, Attn: Angelica Bejar; FAX number (702) 486-7046; e-mail address nsbde@nsbde.nv.gov** . Written submissions should be received by the Board on or before **March 6, 2020** in order to make copies available to members and the public.

The Nevada State Board of Dental Examiners may 1) address agenda items out of sequence to accommodate persons appearing before the Board or to aid the efficiency or effectiveness of the meeting; 2) combine items for consideration by the public body; 3) pull or remove items from the agenda at any time. The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. See NRS 241.030. Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment. See NRS 233B.126.

Persons/facilities who want to be on the mailing list must submit a written request every six (6) months to the Nevada State Board of Dental Examiners at the address listed in the previous paragraph. With regard to any board meeting or telephone conference, it is possible that an amended agenda will be published adding new items to the original agenda. Amended Nevada notices will be posted in compliance with the Open Meeting Law.

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Angelica Bejar, at (702) 486-7044, option 4, no later than 48 hours prior to the meeting. Requests for special arrangements made after this time frame cannot be guaranteed.

Pursuant to NRS 241.020(2) you may contact Angelica Bejar at (702) 486-7044, option 4, to request supporting materials for the public body or you may download the supporting materials for the public body from the Board's website at <http://dental.nv.gov> In addition, the supporting materials for the public body are available at the Board's office located at 6010 S Rainbow Blvd, Ste. A-1, Las Vegas, Nevada.

Note: Asterisks (*) "**For Possible Action**" denotes items on which the Board may take action.

Note: Action by the Board on an item may be to approve, deny, amend, or tabled.

1. Call to Order

- Roll call/ Quorum

Dr. Lee called the meeting to order and Ms. Stratton conducted the following roll call:

Dr. J. Brian Allman -----	Present
Dr. Ronald West -----	Present
Dr. David Lee (Chair)-----	Present
Dr. D. Kevin Moore-----	Present
Mrs. Jana McIntyre -----	Present

Others Present: Brad Slighting, Interim General Counsel; Candice Stratton, Interim Executive Director.

Public Attendees: Terri Chandler, RDH, Future Smiles; Joan Shadler, RDH; Daniel Bouer, Cameraman for LVDA; Jonathan Callister, Esq.; Adam Honey, Esq.; Sharon Green, Esq.; Jeffrey Pitegoff, Esq.; Frank DiMaggio; Karri Meldrum; Thomas Wilczek.

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2. **Public Comment:** The public comment period is limited to matters specifically noticed on the agenda. No action may be taken upon the matter raised during public comment unless the matter itself has been specifically included on the agenda as an action item. Comments by the public may be limited to three minutes as a reasonable time, place and manner restriction, but may not be limited based upon viewpoint. The Chairperson may allow additional time at his/her discretion.

Ms. Terri Chandler commented that if any committee member had any personal contact or affiliation with an applicant to please be sure to disclose of it on the record.

***3. Chairman's Report:** *David Lee, DMD* (For Possible Action)

(a) Request to remove agenda item(s) (For Possible Action)

No items were removed.

(b) Approve Agenda (For Possible Action)

MOTION: Committee Member Moore motioned to approve the agenda as outlined. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

***4. Committee to conduct interviews with each one of the Committee member's selection for the unclassified General Counsel Position and Discussion – NRS 631.190** (For Possible Action)

(Pursuant to NRS 241.030, the board may, by motion, enter into closed session to consider the character, alleged misconduct, professional competence, or physical or mental health of a person.)

- 1) Jonathan Callister, Esq.
- 2) Adam Honey, Esq.
- 3) Sharon Green, Esq.
- 4) Janet Merrill, Esq.
- 5) Jeffrey Pitegoff, Esq.

Mr. Jonathan Callister was available via teleconference. Mr. Callister gave a brief introduction of himself. The committee asked Mr. Callister several questions related to the Board, their purpose, complaints, priorities if hired, scenarios that may arise in the workplace, and how he would add value to the Board and help the Board regain the trust and restore the Board's reputation. Mr. Callister responded how we would work to help the transition the board to restore trust and help the Board regain a solid reputation of carrying out the Board's mission. There was extensive discussion of his background in law, what his priorities would be within the first 306 months, and his familiarity of working with Boards.

Mr. Adam Honey was present for his interview.

MOTION: Committee Member Moore motioned to go into closed session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

MOTION: Committee Member Moore motioned to return to open session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

The committee members thanked Mr. Honey for his time and that they would notify him of their recommendations to the Board.

Ms. Sharon Green was present for her interview. Ms. Green gave an introduction of herself. She noted that she was ready to return home to Las Vegas and was looking for a position that would be less stressful and have more reasonable hours than what she currently works now. The committee proceeded with asking the same group of questions. Ms. Green discussed her legal background and explained how she felt her experience would fit the Board's desire in an ideal candidate. She believed that she possessed the kind of judgement that would be helpful to the board. Ms. Green described the board's purpose as being similar to that of the State Bar. There was additional discussion of her understanding of the Board's mission and needs.

128 Mr. Jeffrey Pitegoff was present for his interview. Mr. Pitegoff gave an introduction of himself. The
129 committee proceeded with asking Mr. Pitegoff a group of questions. Mr. Pitegoff discussed his legal
130 background and extensive experience with handling litigation for public entities. He noted that he was
131 counsel to the panel of the SNHD. He discussed his successful practice but that he was ready to scale
132 back on his workload and style of law. There was discussion of what he believed would help the Board
133 over the first 3-6 months to rebuild the reputation of the Board. There was lengthy discussion of his
134 understanding of Chapter 631 and the role he would play as the General Counsel if selected.
135 There was discussion regarding the complaint process and how he believed that if both parties left a
136 hearing upset, then the board would have been successful in being fair and resolving a matter correctly.
137 He added that the Board should show a position that they are serious about ensuring they are fair all
138 across and set a precedence by taking an approach that shows them they stand firm on enforcing their
139 rules. Mr. Pitegoff discussed what his priorities would be his first 3-6 months if hired. After brief discussion
140 with the committee regarding their processes, Mr. Pitegoff noted that he understood the board had
141 some big tasks ahead of them.

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143 ***5. Committee to vote for top candidate for recommendation to the Board to approve unclassified**
144 **General Counsel applicant for hire pursuant to NRS 631.190** (For Possible Action)

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146 Chairman Lee opened the floor for discussion for the committee members to discuss the interviews held
147 for the General Counsel position and asked the committee to list their top candidates.

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149 Committee Member West discussed each candidate and noted his impression of what each candidate
150 had to offer the Board. The committee addresses concerns that related to salaries, current positions held
151 by some applicants. There was discussion of some applicants appearing to be overqualified and/or
152 underqualified. After additional discussion, Committee Member Allman suggested that the Committee
153 continue to advertise for the General Counsel position in hopes in finding their ideal candidate.
154 Committee Member West stated that he would like to revisit and reconsider Mr. Adam Honey for the
155 position. The Committee members also noted that they would like to meet in person with Mr. Callister for
156 a second interview.

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158 MOTION: Committee Member Moore motioned to recommend to the Board they continue to advertise
159 for the General Counsel position, to perhaps ask Mr. Slighting to consider applying for the position, and to
160 request for a second interview with Mr. Callister in person. Motion seconded by Committee Member
161 McIntyre. All were in favor, motion passed.

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164 ***6. Committee to conduct interviews with each one of the Committee member's selection for the**
165 **unclassified Executive Director Position and Discussion – NRS 631.190/NRS 622.220** (For Possible Action)

166 (Pursuant to NRS 241.030, the board may, by motion, enter into closed session to consider the character,
167 alleged misconduct, professional competence, or physical or mental health of a person.)
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- 169 1) Ian J. Allan – *withdrew*
- 170 2) Frank DiMaggio
- 171 3) Courtney K. Lee – *withdrew*
- 172 4) Karri Meldrum
- 173 5) Tom Wilczek

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175 Chairman Lee stated that Mr. Allan and Ms. Courtney Lee had withdrawn their applications.

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177 Mr. DiMaggio was present for his interview.

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179 MOTION: Committee Member Moore motioned to go into closed session. Motion seconded by
180 Committee Member McIntyre. All were in favor, motion passed.

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182 MOTION: Committee Member Moore motioned to return to open session. Motion seconded by
183 Committee Member McIntyre. All were in favor, motion passed.

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185 The Committee members thanked Mr. DiMaggio for his time and that they would notify him of their
186 recommendations to the board.

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Ms. Meldrum was present for her interview.

MOTION: Committee Member Moore motioned to go into closed session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

MOTION: Committee Member Moore motioned to return to open session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

The Committee members thanked Ms. Meldrum for her time and that they would notify her of their recommendations to the board.

Mr. Tom Wilczek was present for his interview.

MOTION: Committee Member Moore motioned to go into closed session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

MOTION: Committee Member Moore motioned to return to open session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

The Committee members thanked Mr. Wilczek for his time and that they would notify him of their recommendations to the board.

***7. Committee to vote for top candidate for recommendation to the Board to approve unclassified Executive Director Applicant for hire pursuant to NRS 631.190 (For Possible Action)**

Committee Member Lee asked for a motion to go into closed session to discuss the candidates that they interviewed.

MOTION: Committee Member Moore motioned to go into closed session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

MOTION: Committee Member Moore motioned to go return to open session. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

Committee Member Lee stated that after discussing the candidates interviewed for the position, he believed the committee had reached a unanimous decision on a candidate and called for a motion.

MOTION: Committee Member Allman motioned that the committee recommend to the Board Frank DiMaggio as the candidate for the Executive Director Position. Motion seconded by Committee Member West. All were in favor, motion passed.

Chairman Lee stated that he would like the committee to go back and make the closed sessions and discussions open to the public.

MOTION: Committee Member Moore made the motion to make all discussion and interviews held public. Motion seconded by Committee Member McIntyre. All were in favor of the motion, motion passed.

[This draft of the original open session does not include the details/minutes from the closed session until all parties of the closed sessions have approved the release of those discussions/interviews]

The committee took a Lunch break until the next group of scheduled interviews.

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8. Public Comment: This public comment period is for any matter that is within the jurisdiction of the public body. No action may be taken upon the matter raised during public comment unless the matter itself has been specifically included on the agenda as an action item. The Chairperson of the Board will impose a time limit of three (3) minutes. The Chairperson may allow additional time at his/her discretion.

There was no public comment.

9. Announcements

Chairman Lee stated that they will be placing Mr. DiMaggio on the March 12 Board meeting agenda for approval; and furthermore, would give an update on the General Counsel position.

***10. Adjournment** (For Possible Action)

Committee Member Lee called for adjournment.

MOTION: Committee Member Moore motioned to adjourn the committee meeting. Motion seconded by Committee Member McIntyre. All were in favor, motion passed.

Meeting adjourned at 2:51 p.m.
Respectfully submitted:



Frank DiMaggio, Executive Director