



Community Foundation
of Western Nevada

Dream Tag Advisory Board
Minutes for October 27, 2011, meeting

1. Meeting began at 2:43 p.m. Attending the meeting: Advisory Board members: Bill Bradley, Chris MacKenzie, Judi Caron, Dianna Belding. CFWN staff: Chris Askin, Tracy Turner. NDOW staff: Kim Jolly, Patrick Cates. Public: Don Sefton. Absent: Jack Robb.
2. Askin called for approval of the agenda. MacKenzie moved to approve; Bradley seconded. Unanimous in favor.
3. There was no public comment.
4. Askin called for the election of an Advisory Board Chair. MacKenzie nominated Bradley; Belding seconded. Discussion ensued regarding the term of the Chair's position. Askin suggested that the term be less than 2 years and suggested 1 year. No further discussion. Unanimous to elect Bradley. Bradley proposed a 1-year term. Caron asked whether the term was flexible or renewable. Discussion ensued with agreement that term could be renewed. Caron seconded. Unanimous in favor. Askin asked Turner to add election of a new Chair to the calendar for September 2012.
5. Discuss Job Description
 - a. NDOW: Jolly provided clarification of roles between what Nevada Wildlife Commission is responsible for and what NDOW staff is responsible for. Changes will be incorporated to the job description. Bradley postponed action until the next Advisory Board meeting.
 - b. Advisory Board: discussion ensued regarding who is responsible for marketing the program. Sefton asked whether stamps are treatable as license and whether they are revocable and reportable. Jolly and Cates said not reportable. Caron said non-consumptive users can contribute. Suggestion was to form a subcommittee to report to the Advisory Board on a marketing plan. Description will be revised based on comments and presented at the next meeting.
 - c. Community Foundation: discussion ensued regarding language clarification. Regarding a convenience fee, Jolly cited 502.118; Turner read Hullinger's email response. Sefton suggested a per-ticket fee. Bradley asked how much that would be per ticket. Sefton explained various transaction fees. Conclusion was that transaction fees can be charged separate from the raffle ticket fee. MacKenzie asked whether private entities are precluded from charging fees. Sefton gave examples of private entities charging fees and said there is no problem in doing so. Bradley asked whether a request-for-proposal process would be used to identify the raffle vendor. MacKenzie said the department approves the vendor; if NDOW approves two or more, then maybe an RFP would be warranted. Cates said there is no requirement for a competitive bid. Bradley emphasized the importance of respecting the role of the general public in the Dream Tag process. Detailed explanation of transaction fees must be included for any vendor. Sefton explained that whether his company is the vendor or not, a fee will be charged for providing the portal. Cates stated that if the Advisory Board follows the state process because of the portal, he would recommend seeking sole source vendor rather than going out for bid. Askin asked whether NDOW can provide a rationale for that. Cates said yes. Sefton stated that his business has been excluded from sole source contracts. Exigency of time is reason to go without an RFP. Bradley reiterated the importance of being fiscally responsible and spending as little money as possible on set-up. Askin asked NDOW staff for a description of how the price for each tag is set and the fair market value of



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each tag and explained that question comes from CFWN research on regulations for raffles and lotteries according to the Gaming Control Board. Also under question is whether the awarding of a tag is subject to taxes. Jolly has contacts in Arizona and Idaho and will ask how those states handle the tax issue. Sefton asked whether fair market value is the cost of the ticket or the purchase price. Bradley said these questions need to be answered so Advisory Board is aware of any potential problems created for successful bidder. Regarding potential costs related to the program, Bradley reiterated the desire to keep as much money in the Fund as possible and recommended Advisory Board members waive any reimbursement. Members concurred. Bradley recommended that waiving reimbursement be an agenda item for the next meeting. Caron suggested that existing law exempts this program from tax (462, Section 7). Action for next meeting: confirm the existing law. Askin said CFWN still needs to look at taxation for winners. Sefton asked whether there would be special pricing for purchasing multiple tickets. Caron said this was not discussed. Sefton said there is no reason to do paper tickets. All concurred. Sefton brought up the question of whether people could only apply/buy tickets for themselves or whether they could purchase for others and how this would be done to protect the integrity of the program. Bradley asked for Caron and Belding's input regarding their thoughts when drafting the program. Belding: can gift but cannot sell. MacKenzie asked about consequences for violations. Bradley asked whether the tickets can be non-saleable. Discussion ensued with the suggestion that language be included on the ticket that it is non-saleable and void if sold. Discussion ensued. Jolly said that a protocol for selecting winners needs to be established. Discussion ensued to clarify time lines of stamp, raffle ticket, and tag purchases. Regarding protocol, Bradley suggested following the same protocol as NDOW. Discussion ensued regarding being able to gift a winning tag to someone else. MacKenzie suggested that for 2012 the purchaser should be the user; changes can be considered for following years. Description will be revised based on comments and presented at the next meeting.

6. Askin noted that copies of legislation AB-246, SB-411, AB-322 was provided to Advisory Board members for reference.
7. Askin presented CFWN's draft Fund Agreement. Bradley stated that he understood the intent was to create a Fund and not a separate 501c3; he has made contact for clarification but has not yet received confirmation of Legislature's intent. Askin said that the language in Legislation is "advisory board," which is language used in relation to a Fund. Advisory Board reviewed the Area of Interest Fund Agreement.
8. Askin presented a draft—currently unfunded—program budget. Askin and Bradley are making some requests for funding and are hoping the raffle vendor will front development costs. Clarification was provided regarding investments vs. administrative costs. Sefton asked what would happen to any accumulated balance. MacKenzie stated that legislation would be needed to terminate the Fund. Bradley requested that language regarding Fund termination be included in the Variance section of the agreement.
9. Advisory Board reviewed the roster and calendar and made corrections.
10. There was no public comment.
11. Meeting was adjourned at 4:45 p.m.