

## NOTICE OF MEETING OF THE NEVADA OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD

You are hereby given notice that a meeting of the NEVADA OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD will be conducted on **Wednesday**, the 13<sup>th</sup> of December, 2017 at the **DEPARTMENT OF OCCUPATIONAL SAFETY AND HEALTH**, 4600 Kietzke Lane, Building I, Suite 204, Reno, Nevada, commencing at 9:00 o'clock a.m. and terminating immediately after the conclusion of the matters hereinbelow referenced.

### AGENDA ITEMS SUBJECT OF MEETING

1 Contested Case Hearings for possible action:

NONE

2. The contested matters shall be heard in a quasi-judicial forum pursuant to Chapter 618 of the Nevada Administrative Code and applicable Nevada Revised Statutes conferring jurisdiction. The hearing proceedings will be transcribed by a certified court reporter. You are further notified: meetings and contested hearings are open to the public; deliberations which involve alleged misconduct, professional competence, and/or character may be held privately; any final decisions will be made publicly - all in accordance with Chapter 241 of Nevada Revised Statutes, commonly known as the Nevada Open Meeting Law.

3. The contested cases may be set as either primary or alternate settings and subject to change as to time of commencement by the Nevada Occupational Safety and Health Review Board.

**The board regularly meets on the second (2<sup>nd</sup>) Wednesday and Thursday of each month. All contested cases are noticed for hearing at 9:00 a.m. on Wednesday. Hearing times, order of case presentation, and/or the agenda for administrative matters can vary depending upon settlements, continuances, and/or cancellations. Any interested persons may contact the review board legal/administrative office for advance or additional scheduling information at (775) 882-4577 or by mail directed to Board Chairman, 600 E William St., Ste. 300, Carson City NV 89701. Additional information may be obtained by contacting the Department of Occupational Safety and Health at the address/telephone below referenced.**

4. Items to be discussed at the administrative portion of the Review Board meeting. Members may participate **telephonically** in meetings which involve **only** administrative issues (non-contested hearings).

- A. Approval of the previous Review Board minutes.
- B. Schedule of hearings on pending cases, calendar and status report.
- C. Review contested case settlements, motions, draft decisions, or procedural issues pending on status report, for approval and issuance of final orders - **for possible action:** LV 17-1909, Earth Resource Group; LV 18-1924, Morpheus Investment
- D. Review of draft decisions in process - **for possible action:** RNO LV 17-1881, Pelican, LLC
- E. Legal counsel contract status update report - **for possible action**
- F. General administration and/or procedural issues.
- G. Discuss matters for next published meeting agenda.
- H. Public comment:

**Jurisdiction of the Review Board is limited to formal adjudication of contested cases emanating from citations issued under the Nevada Occupational Safety and Health Act. Public comment is restricted and not permitted during Review Board contested hearings which are specifically governed by NRS 618, NRS 233B, and NAC 618. No comments may be made regarding a matter that is or may be subject of a formal complaint before the Review Board. The applicable legislation and codified procedures mandate assurance of a fair and impartial administrative hearing, a transcribed record, and a protected appellate process for an aggrieved party to seek redress in the district courts.**

**Public comment is restricted and not permitted during Review Board contested hearings which are specifically governed by NRS 618, NRS 233B, and NAC 618. The applicable legislation and codified procedures mandate assurance of a fair and impartial administrative hearing, a transcribed record, and a protected appellate process for an aggrieved party to seek redress in the district courts.**

5. Any persons with a disability as defined by the Americans with Disabilities Act, and requiring special assistance to participate in the meeting, may contact the Board at least five (5) days prior to the meeting to endeavor the arrangement of reasonable accommodations.

DATED this 27<sup>th</sup> day of November 2017.

NEVADA OCCUPATIONAL SAFETY AND  
HEALTH REVIEW BOARD

By: /s/  
JAMES BARNES, Chairman

Contact information pursuant to NRS 241.020(2):

Nevada OSHA General Legal Counsel  
Donald C. Smith, Esq.  
1301 N. Green Valley Pkwy # 200  
Henderson, NV 89074  
(702) 486-9070

Nevada OSHA Legal Counsel  
Salli Ortiz, Esq.  
400 W. King Street, Ste. 201  
Carson City NV 89701  
(775) 684-7286

NV OSHA Review Board Legal Counsel  
Fred Scarpello, Esq.  
600 E William St., Ste. 300  
Carson City NV 89701  
(775) 882-4577

This notice and agenda has been posted on or before 8:30 a.m. on the third working day before the meeting at the following locations:

Clark County Library  
833 Las Vegas Blvd. North  
Las Vegas, NV

District III OSHES Office  
1301 N. Green Valley Pkwy, Suite 200  
Henderson NV 89074

Clark County Court  
Regional Justice Center  
200 Lewis Avenue  
Las Vegas NV

Enterprise Library  
25 E. Shelbourne  
Las Vegas NV 89123

Carson City Library  
900 North Roop Street  
Carson City, NV 89701

Department of Occupational Safety and Health  
4600 Kietzke Lane, Building I, Suite 204  
Reno, NV 89509

Washoe County Courthouse  
75 Court Street  
Reno, NV 89509

Nevada Public Notice Website  
[www.notice.nv.gov](http://www.notice.nv.gov)