



STATE OF NEVADA

**In the Matter of the Request for Opinion  
Concerning the Conduct of DON PARSONS,  
City Councilman, City of Fernley,  
State of Nevada,**

**Requests for Opinion Nos.: 10-26C, 10-27C  
and 10-42C.**

**Subject. /**

**PANEL DETERMINATION**

NRS 281A.440(5); NAC 281A.440

Facts and Jurisdiction

In April 2010, the Nevada Commission on Ethics received three Requests for Opinion ("RFO") regarding the conduct of Don Parsons, City of Fernley City Councilman, alleging certain violations of the Ethics in Government Law set forth in NRS 281A . Commission staff presented the Investigatory Panel with the allegations in the RFO that Parsons violated:

1. NRS 281A.400(1) by seeking or accepting a favor that would tend improperly to influence a reasonable person to depart from the faithful and impartial discharge of the public officer or employee's duties;
2. NRS 281A.400(2) by using his position in government to secure unwarranted benefits or preferences for the benefit of his commitment in a private capacity to the interests of his employer;
3. NRS 281A.400(7) by using government resources for personal purposes; and
4. NRS 281A.400(9) by seeking to benefit his personal or financial interest through the influence of a subordinate.

At the time of the alleged conduct, Parsons was (and still is) a member of the Fernley City Council, and as such, was a public officer as defined in NRS 281A.160. The Commission has jurisdiction over the conduct of public officers pursuant to NRS 281A.280. Therefore, the Commission has jurisdiction in this matter.

Panel Proceeding

On August 12, 2010, pursuant to NRS 281A.440(5), an Investigatory Panel consisting of Commissioners Erik Beyer and Gregory Gale reviewed: 1) the Request for Opinion; 2) Mr. Parsons response, 3) the Investigator's Report; and 4) the Executive Director's Recommendation and Approval of Investigator's Report. The following are the Panel's unanimous findings and conclusions as to the allegations.

Credible evidence **does not exist** for the Commission to render an opinion whether:

1. On July 9, 2009, Parsons violated NRS 281A. 400(1) when he sought a favor from a Building Department employee and demanded assistance before business hours.
2. Between November 2009 and April 2010, Parsons violated NRS 281A. 400(2) by securing privileges and exemptions from the City of Fernley when he received a discount on his water bill to which he was not entitled.
3. On March 9, 2009, Parsons violated NRS 281A. 400(1), when he sought a favor from Building Department employee William Cadwallader by requesting that re-zoning on his daughter's home be completed sooner than anticipated.

Therefore, the Investigatory Panel **will not refer** these allegations to the Commission for a hearing.

However, the Investigatory Panel found that just and sufficient cause **exists** for the Commission to render an opinion regarding each of the remaining allegations in the Request for Opinion. The panel found that a minimum level of reliable and competent evidence exists to support a reasonable belief that the matters alleged are true. Therefore, the Investigatory Panel **refers the remaining allegations to the Commission for a hearing and the rendering of an opinion** whether:

1. On April 9, 2010, Parsons violated NRS 281A. 400(1) by seeking a favor when he asked the City of Fernley Building Inspectors Jeff Ball and Ron Wise to condemn the building at 215 Lyon Drive so he might negotiate a lower purchase price for his employer.
2. On April 9, 2010, Parsons violated NRS 281A. 400(2) by securing an unwarranted privilege or exemption from the City of Fernley Building Inspectors Ball and Wise, when he asked them to inspect the building at 215 Lyon Drive for a private potential buyer.
3. On April 9, 2010, Parsons violated NRS 281A. 400(7) by using government time for an inspection of a privately owned building.
4. On April 9, 2010, Parsons violated NRS 281A. 400(9) by attempting to influence his subordinates, City Inspectors Ball and Wise, when he asked them to condemn the building at 215 Lyon Drive so he might negotiate a lower purchase price for his employer.

Date: August 17, 2010

  
Caren Jenkins, Esq., Executive Director

**CERTIFICATE OF MAILING**

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I placed a true and correct copy of the **PANEL DETERMINATION in Requests for Opinion No. 10-26C, 10-27C and 10-42C**, in an envelope and caused same to be mailed via certified mail, return receipt requested, through the State of Nevada Mailroom to the Subject Don Parsons and his counsel, Brian Brown, Esq., and a true and correct copy of the **PANEL DETERMINATION in Request for Opinion No. 10-26C, 10-27C and 10-42C** to the Requesters, Jeff Ball, Fred Turnier and Robert Auer, via regular mail through the State of Nevada Mailroom, addressed as follows:

Brian Brown, Esq.  
Thorndal Armstrong et al.  
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DATED: 08/17/10

  
An employee, Nevada Commission on Ethics