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**STATE OF NEVADA  
BEFORE THE NEVADA COMMISSION ON ETHICS**

**In the Matter of the Request for Opinion  
Concerning the Conduct of RONALD LYNCH,  
Trustee, Indian Hills General Improvement  
District,  
State of Nevada,**

**Request for Opinion No.: 10-33C**

**Subject. /**

**INVESTIGATOR'S REPORT (Tab A):**

**Introduction**

**1. Request for Opinion No. 10-33C (Ethics Complaint). (Tab B):**

On April 30, 2010, Requester Dianne Humble filed an Ethics Complaint against public officer Ronald Lynch, a trustee of Indian Hills General Improvement District (IHGID), alleging that Lynch violated various provisions of the Ethics in Government Law set forth in NRS 281A, including: 1) NRS 281A.420(1) when he failed to disclose his commitment in a private capacity to his employer, Douglas County, before voting to approve funds for construction of a watersupply pipeline, and 2) NRS 281.420(3) when he failed to abstain from voting on the same.

**2. Jurisdiction:**

As an IHGID Trustee, Lynch is a public officer as defined in NRS 281A.160. The Nevada Commission on Ethics has jurisdiction to investigate and take appropriate action on allegations involving public officers, and therefore has jurisdiction in this matter pursuant NRS 281A.280 and NRS 281A.440.



- 1 • Ronald Lynch, subject of RFO 10-33C. (Responses, Tab D), telephone interview on June  
2 22, 2010 incorporated in the report. (Investigator's Report, Tab A, p. 4).
- 3 • Dianne Humble, requester of RFO 10-33C, telephone interview on June 22, 2010,  
4 incorporated in the report. (Investigator's Report, Tab A, pp. 4-5).
- 5 • Darcy Worms, Douglas County Human Resources Manager. (Investigator's Report, Tab  
6 A, p. 5).

7

8 **2. Documents. (Tab F):**

9

10 I obtained and reviewed the following relevant documents and materials:

11

- 12 • Print out of Douglas County Mosquito Abatement District website. (Exhibit 1).
  - 13 • Print out of IHGID website. (Exhibit 2).
  - 14 • Agenda and minutes from July 15, 2009 IHGID Board meeting. (Exhibit 3).
- 15

16 **3. Relevant Statutes and Commission Opinions. (Tab G):**

17

- 18 • NRS 281A.420(1) and (3).
  - 19 • NRS 281A.420(8).
- 20

21 **Investigative findings:**

22

23 The Douglas County Commission appointed Lynch as a trustee of IGHID in June 2009.  
24 His term expires in December 2010. Aside from his trustee position, Lynch is employed by  
25 Douglas County Mosquito Abatement District as the assistant general manager; he has been  
26 employed there since 1969. The Douglas County Mosquito Abatement District is a special  
27 district authorized under NRS 318. The district has its own elected board, and does not operate  
28 under the jurisdiction of the Douglas County Board of Commissioners. (Exhibit 1). Therefore,

1 employees of the Douglas County Mosquito Abatement District are not Douglas County  
2 employees.

3 On July 15, 2009 the IHGID voted to approve funding and construction of a water  
4 supply pipeline, a joint project involving, among other entities, Douglas County. (Exhibit 3, ¶6).  
5 The complaint alleges that Lynch violated NRS 281A.400(1) and (3) when he failed to disclose  
6 his commitment in a private capacity to Douglas County and subsequently, he voted to fund and  
7 construct a water supply pipeline during July 15, 2009 IHGID Board meeting. (Complaint, Tab  
8 B, p.1).

9  
10 **Telephone interview with Ronald Lynch on June 22, 2010.**

11 I spoke to Lynch on June 22, 2010 and asked him about the July 15, 2009 IHGID  
12 meeting. Lynch explained that the vote related to part of multi-million dollar funding of a water  
13 supply pipeline project. The project involves several jurisdictions and it is federally mandated  
14 due to high levels of arsenic in the current water system. Lynch stated that he made no  
15 disclosure and did not abstain from the vote because he had no reason to do so. Lynch added  
16 that the complaint erroneously alleges that he is an employee of Douglas County but that he is  
17 not and never has been.

18 Lynch explained that he has been employed with the Douglas County Mosquito  
19 Abatement District for 41 years. (Responses, Tab D). However, since its formation in 1969, the  
20 district is a separate entity that is not under the jurisdiction of Douglas County Commission.  
21 (Exhibit 1).

22 As to the Requester, Lynch stated that he knows Humble only from board meetings and  
23 has no social relationship with her.

24  
25 **Telephone interview with Dianne Humble on June 22, 2010.**

26 I spoke to Humble on June 22, 2010 and questioned her regarding the request  
27 she filed with the Commission. Humble stated that Lynch appeared to be "pushing" for the  
28 water pipeline project and always appeared to be on the side of Douglas County. Humble

1 argued that Lynch is a Douglas County employee and as such, he should disclose the  
2 relationship to his employer when a project involving Douglas County comes before the Board.  
3 Furthermore, Humble stated that she is aware that Lynch has been on the Board for a relatively  
4 short time, and that she wanted to give him the opportunity to make the disclosure on several  
5 prior occasions. Since he never took the opportunity to disclose his (alleged) relationship with  
6 Douglas County, she decided to file the Complaint. Humble stated that she has no personal  
7 relationship with Lynch and that she knows him only from the IGHID Board meetings.

8  
9 **Telephone interview with Darcy Worms on June 23, 2010.**

10 I spoke to Stacy Worms, Douglas County Human Resources manager and questioned  
11 her about her May 26, 2010 letter. (Responses, Tab D). Worms confirmed its authenticity and  
12 affirmed that Douglas County Mosquito Abatement district is a separate entity and its  
13 employees are not considered employees of Douglas County.

14  
15 **1. Allegation one: During the IHGID Board meeting on July 15, 2009 Lynch**  
16 **violated NRS 281A.420(1) by failing to disclose his commitment in a private**  
17 **capacity to his employer Douglas County before taking action on the funding**  
18 **and construction of a water supply pipeline.**

- 19  
20 ■ NRS 281A.420(1) provides, in relevant part:

21 A public officer or employee shall not approve, disapprove, vote, abstain from  
22 voting or otherwise act upon a matter:

23 (a) Regarding which the public officer or employee has accepted a gift or  
loan;

24 (b) In which the public officer or employee has a pecuniary interest; or

25 (c) Which would reasonably be affected by the public officer's or  
26 employee's commitment in a private capacity to the interest of others,  
27 without disclosing sufficient information concerning the gift, loan, interest or  
28 commitment to inform the public of the potential effect of the action or  
abstention upon the person who provided the gift or loan, upon the public  
officer's or employee's pecuniary interest, or upon the persons to whom the  
public officer or employee has a commitment in a private capacity. Such a  
disclosure must be made at the time the matter is considered. If the public  
officer or employee is a member of a body which makes decisions, the public  
officer or employee shall make the disclosure in public to the chair and other  
members of the body. If the public officer or employee is not a member of such  
a body and holds an appointive office, the public officer or employee shall make  
the disclosure to the supervisory head of the public officer's or employee's

1 organization or, if the public officer holds an elective office, to the general  
2 public in the area from which the public officer is elected.

3 As to the allegation that Lynch failed to disclose his relationship to his employer  
4 Douglas County before the vote on July 15, 2009, the allegation appears factually incorrect.  
5 Lynch is not, and has never been an employee of Douglas County. (Responses, Tab D). His  
6 employer, Douglas County Mosquito Abatement District, is an entity that is not under the  
7 jurisdiction of Douglas County Commission, but has a separate and distinct operation, budget  
8 and board. (Exhibit 1).

9  
10 **2. Allegation two: During the IHGID Board meeting on July 15, 2009, Lynch**  
11 **violated NRS 281A.420(1) by failing to abstain from the vote on funding and**  
12 **construction of a water supply pipeline.**

13  
14 ■ NRS 281A.420(3) provides, in relevant part:

15 A public officer shall not vote upon or advocate the passage or failure of, but  
16 may otherwise participate in the consideration of, a matter with respect to which  
17 the independence of judgment of a reasonable person in the public officer's  
18 situation would be materially affected by:

- 19 (a) The public officer's acceptance of a gift or loan;  
20 (b) The public officer's pecuniary interest; or  
21 (c) The public officer's commitment in a private capacity to the interests of  
22 others.

23 As to the allegation that Lynch failed to abstain from the vote on funding and  
24 construction of a water line supply during the July 15, 2009 IHGID meeting, the allegation is  
25 factually incorrect. Lynch is not, and has never been an employee of Douglas County. His  
26 employer, Douglas County Mosquito Abatement District, is a separate entity outside of the  
27 jurisdiction of the Douglas County Commission.  
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1 Dated this 23 day of June 2010.

2 NEVADA COMMISSION ON ETHICS

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6 Mike Vavra, MPA  
7 Investigator

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