



STATE OF NEVADA
COMMISSION ON ETHICS
<http://ethics.nv.gov>

MINUTES
of the meeting of the
COMMISSION ON ETHICS

July 8, 2010

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics.
An audio recording of the open session proceeding is available for inspection at
the Commission office in Carson City.

The Commission on Ethics held a public meeting on Thursday, July 8, 2010, beginning at
9:00 a.m. at the following location:

Nevada Legislative Building
Room 3143
401 South Carson Street
Carson City, NV

or via video-teleconference at

Grant Sawyer Building
Room 4412
555 E. Washington Avenue
Las Vegas, NV

Call to Order, Roll Call.

In Carson City, Acting Chairman George M. Keele, Esq. called the meeting to order and
called the roll at 9:07 a.m., Thursday, July 8, 2010.

Present in Carson City were Commissioners George M. Keele, Esq., Paul H. Lamboley,
Esq. and John W. Marvel. Commissioner James M. Shaw was present via telephone.
Commissioners Gregory Gale, C.P.A. and Magdalena M. Groover attended in Las Vegas.
Commission Chairman John T. Moran, III, Esq. and Vice-Chairman Erik Beyer, P.E. were
excused.

Also present in Carson City was Executive Director, Caren Jenkins, Esq., Commission Counsel, Yvonne Nevarez-Goodson, Esq., and Legal Research Assistant, Kelly Buschman. No members of the public were present in either location at any time during the meeting.

1. Closed session pursuant to NRS 281A.440(15) to hear testimony, receive evidence, deliberate and render an opinion regarding Request for Opinion No. 10-52A, submitted pursuant to NRS 281A.440(1). This portion of the meeting was not available to the public.

The subject, Lost City Museum employee Thomas Cunningham, waived his right to confidentiality. Mr. Cunningham appeared without counsel, made an opening statement and answered questions from Commissioners. After significant discussion, Commissioner Gale moved that the Commission on Ethics find, under the unique circumstances presented, that by displaying his photographs at the Lost City Museum, under his specific circumstances, Mr. Cunningham would not violate the Ethics in Government laws although he is a public employee, and is employed by the museum where the work will be shown. Commissioner Lamboley seconded the motion and the motion carried unanimously.

Commissioner Shaw disconnected from the Commission meeting at 10:45 a.m.

The meeting recessed at 10:45 a.m. and resumed at 10:53 a.m.

2. Open session for the Executive Director's Annual Report regarding the state of the operational, fiscal, regulatory and legislative matters for 2009-2010 and 2010-2011, as required by NAC 281A.180(2).

Executive Director Caren Jenkins presented her Annual Report to the Commission. The Commissioners discussed and commented on the written Annual Report. Commissioner Lamboley moved that the Commission accept the report as presented and approve the goals set forth in the Executive Director's Annual Report. The motion was seconded by Commissioner Marvel and passed by unanimous vote.

3. Open session to discuss agency status presented by the Executive Director and Commission Counsel.

Executive Director, Caren Jenkins, and Commission Counsel, Yvonne Nevarez-Goodson, described the current status of the agency to the Commission.

4. Open Session for discussion and possible action regarding recent Order in *Carrigan v. Commission*.

Commission Counsel, Yvonne Nevarez-Goodson, presented the procedural and substantive history of the *Carrigan v. Commission* matter and summarized and opined regarding the Second Judicial District Court's recent Order. The Commission briefly discussed the matter and determined to hold a telephone discussion, closed pursuant to NRS 241 to discuss pending litigation, between Commission Counsel and the attorneys on the Commission on Monday, July 12, 2010 to address potential responses after having an opportunity to review the order.

5. Open session for discussion and possible action regarding changes to statutes, regulations and policies.

Yvonne Nevarez-Goodson reported the status of the proposed regulation changes to NAC and legislative changes to NRS.

6. Open session for Commission comments.

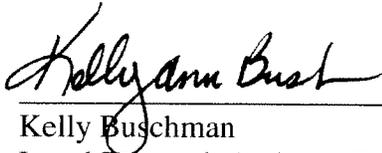
Commissioners had no further comments.

7. Open session for Public Comment.

No public comment was made.

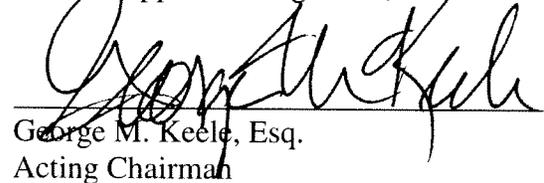
Acting Chairman Keele adjourned the meeting at 12:54 p.m.

Minutes prepared by:



Kelly Buschman
Legal Research Assistant II

Minutes approved August 12, 2010:



George M. Keele, Esq.
Acting Chairman