STATE OF NEVADA
COMMISSION ON ETHICS
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MINUTES

of the meeting of the

COMMISSION ON ETHICS

September 9, 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, September 9, 2010, beginning at 9:00 a.m. at the following location:

Legislative Counsel Bureau
Room 3143
401 South Carson Street
Carson City, NV

1. Call to Order, Roll Call.

In Carson City, Chairman John T. Moran III, Esq. called the meeting to order and called the roll at 9:00 a.m., Thursday, September 9, 2010.

Present in Carson City Vice Chairman Erik Beyer, P.E., Commissioners George M. Keele, Esq., Gregory Gale, C.P.A., Magdalena M. Groover, Paul H. Lamboley, Esq., John W. Marvel and James M. Shaw. Also present in Carson City was Executive Director Caren Jenkins, Esq., Commission Counsel Yvonne Nevarez-Goodson, Esq., Michelle A. Ene, Executive Assistant and Michel Vavra, Investigator.

2. Closed session pursuant to NRS 281A.440(15) to hear testimony, receive evidence, deliberate and render an opinion regarding Request for Opinion No. 10-64A, submitted pursuant to NRS 281A.440(1). This portion of the meeting was not available to the public.

This portion of the meeting was confidential and held in closed session.

5. Open session for discussion and possible action to approve the minutes of the Nevada Commission on Ethics meeting held August 12, 2010.

This agenda item was called out of order. Commissioner Marvel moved to approve the August 12, 2010 minutes as presented. The motion was seconded by Commissioner Beyer and carried unanimously.

6. Open Session for Agency Status and Operations Update.

This agenda item was called out of order.

Executive Director Caren Jenkins stated the Commission had submitted its budget request to the Department of Administration for Fiscal Years 2012 and 2013 and she discussed how she calculated that budget. Ms. Jenkins discussed the status of the Commission's Bill Draft Requests. Ms. Jenkins also noted that she appeared on "Face to Face" with John Ralston to discuss the engagement of the University of Virginia's School of Law to represent the Commission in its appeal to the U.S. Supreme Court in Carrigan.

3. Closed session pursuant to NRS 281A.440(15) to hear testimony, receive evidence, deliberate and render an opinion regarding Request for Opinion No. 10-63A, submitted pursuant to NRS 281A.440(1). This portion of the meeting was not available to the public.

This portion of the meeting was confidential and held in closed session.

A lunch recess was taken at 12:25 p.m. The meeting reconvened at 1:10 p.m.

4. Open session to hear testimony, receive evidence, deliberate, and render an opinion relating to Request for Opinion No 10-05C submitted pursuant to NRS 281A.440(2), alleging that certain conduct of STEVE EVENSON, a former trustee of the Pershing General Hospital Board of Trustees, violated the provisions of NRS 281A.400(2) and (10) and NRS 281A.420(1) and (3). The Commission may consider and take action on any matter related to the request for opinion under this agenda item, including relevant motions, stipulations and similar issues. A small portion of this open session may be closed to preserve the confidentiality of certain protected information.

Commissioners John Marvel and James Shaw were precluded from participating in this matter since they served on the panel.

The subject, Steve Evenson, along with all the witnesses present were sworn in.

Alice Campos-Mercado, Esq., counsel for Steve Evenson made an opening statement.

A lengthy discussion ensued regarding possible witnesses and their testimony, and the exclusionary rule.

The following witnesses were called: Michel Vavra, Investigator for the Commission on Ethics, Todd Plimpton, Legal Counsel for Pershing General Hospital and Marjorie Skinner, Director of Finance for Pershing General Hospital.

During Marjorie Skinner's questioning, the meeting went into closed session and that portion is confidential.

Questioning of Marjorie Skinner resumed in open session.

Commission counsel Yvonne Nevarez-Goodson, Esq., presented terms of a proposed stipulation and indicated that Mr. Evenson and his counsel had agreed to accept the stipulation as presented.

8. Open session for Public Comment.

This agenda item was called out of order. No public comment was made.

7. Open session for Commission comments.

This agenda item was called out of order. Commissioners had no further comments.

9. Adjournment.

Chairman Moran adjourned the meeting at 5:20 p.m.

Minutes prepared by:

Valerie Carter

Executive Assistant

Minutes approved October 19, 2011

Erik Beyer

Erik Beyer, P.E.
Chairman