



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

**MINUTES**

**of the meeting of the  
COMMISSION ON ETHICS**

**November 9-10, 2010**

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics. A verbatim transcript 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 Tuesday, November 9, 2010, beginning at 1:00 p.m. at the following locations:

Nevada Legislative Building  
Room 3143  
401 S. Carson Street  
Carson City, NV 89701

and via video-conference to:

Grant Sawyer State Building  
Room 4412  
555 E. Washington Avenue  
Las Vegas, NV 89101

Some Commissioners appeared via video tele-conferencing to Las Vegas.

1. Call to Order, Roll Call.

Chairman J.T. Moran, III called the meeting to order at 1:00 p.m.

Present in Carson City were Commissioners James Shaw, Paul Lamboley, Esq., John Marvel and George Keele, Esq. Also present in Carson City were Executive Director Caren Jenkins, Esq. and Commission Counsel Yvonne Nevarez-Goodson, Esq.

Present in Las Vegas were Chairman J.T. Moran, III, and Commissioner Gregory Gale, C.P.A. Commissioner Magdalena Groover was excused from the meeting.

2. Open session for discussion and possible action to approve the minutes of the Nevada Commission on Ethics meetings held October 18, 2010.

Commissioner Shaw moved to approve the Minutes. Commissioner Keele seconded the motion. The motion was passed unanimously.

3. Closed Session pursuant to NRS 281A.440(15) to hear testimony, receive evidence, deliberate and render an opinion regarding Request for Opinion No. 10-73A, submitted pursuant to NRS 281A.440(1). This portion of the meeting will not be available to the public.

The proceedings of this closed session are confidential; and thus are not reported here.

4. Closed Session pursuant to NRS 281A.440(15) to hear testimony, receive evidence, deliberate and render an opinion regarding Request for Opinion No. 10-70A, submitted pursuant to NRS 281A.440(1). This portion of the meeting will not be available to the public.

The proceedings of this closed session are confidential; and thus are not reported here.

Commissioner Gale was excused from the remainder of the meeting.

5. Closed session pursuant to NRS 281A.440(15) to consider a proposed stipulation in consolidated Requests for Opinion Nos. 10-26C, 10-27C and 10-42C regarding the conduct of Don Parsons, City Councilman, City of Fernley. This portion of the meeting will be closed to the public.

The proceedings of this closed session are confidential; and thus are not reported here.

6. Open session to take action on a proposed stipulation in consolidated Request for Opinion Nos. 10-26C, 10-27C and 10-42C regarding the conduct of Don Parsons, City Councilman, City of Fernley.

Don Parsons' counsel, Brian Brown, Esq. was present at the meeting. Chairman Moran moved to amend the stipulated agreement to consider the remarks made by Commissioner Keele, Commissioner Lambolely and Commissioner Shaw in the previous closed agenda item. Commissioner Lambolely seconded the motion. A discussion ensued. Chairman Moran amended his Motion to accept the stipulation with various changes, as follows: page 8 of 11 of the stipulation, paragraph 6C, we are deleting the word "his" and substituting "a". Page 10 of 11, paragraph 8, subsection A, on line 2 of paragraph A, subparagraph a, add "Subject" between "and" and "to", and "subject to final approval." Commissioner Lambolely seconded the amendment. Chairman Moran held a roll call vote. Commissioner Keele voted "aye;" Commissioner Lambolely voted "aye;" Commissioner Shaw voted "no;" Commissioner Marvel voted "aye," and the Chair voted "aye." The motion passed.

7. Open Session for Agency Status and Operations Update.

Executive Director Caren Jenkins reported that Executive Assistant Michelle Ene had left the Commission. She has begun a search for a new Executive Assistant.

Ms. Jenkins also stated that by the first of December the clerks of cities and counties, the registrars of voters, the Secretary of State, the Governor, and the Legislative Counsel Bureau must provide lists of public officers in their jurisdictions. The reminder of this duty has gone out, and the Commission was receiving a nice response.

Ms. Jenkins stated that the Commission received a draft copy of the regulations submitted to the Legislative Counsel Bureau in June of this year. The consideration of those regulations has been posted on the Agenda for the December meeting. The December meeting will include a public workshop on considering the Commission's regulations. Copies of the regulations will be sent to all Commissioners.

Ms. Jenkins also discussed the invoice for \$2,000 received from Legislative Counsel Bureau (LCB), Brenda Erdoes, Esq., for attorney's fees for 40 hours on the LCB's legal division's part to develop the regulations. LCB has agreed to waive the entirety of the \$2,000 legal fee.

Ms. Jenkins reported to the Commission that she has conducted training in this fiscal year to date at the Nevada League of Cities conference, the Carson City Sertoma Club, the Carson City Men's Club, the Department of Internal Audits in the Budget Division, the Attorney General's Office's Annual Boards and Commissions training both in Las Vegas and Carson City, as well as the Regional Transportation Commission and the Certified Public Manager program in Carson City. Ms. Jenkins continues to hold 2-3 trainings per month. Within the next 2 months she is scheduled to appear at the Nevada Association of Counties POWER conference, provide another training to the Regional Transportation Commission, and appear before the State Contractors Board, the Certified Public Manager program in Las Vegas, county officials in Lyon County, and the Carson City Kiwanis Club regarding ethics in government.

Ms. Jenkins stated that she has media releases regarding the Carrigan case in the United States Supreme Court. She appeared on two television shows called "Observations" with the Nevada Broadcasters Association and "Face to Face" with John Ralston. Both shows got a lot of coverage and brought attention to the commission.

Ms. Jenkins stated that she has asked for \$4,900 from the state contingency fund to pay for the Supreme Court Appeal. It was approved without question, however, the Interim Finance Committee does not meet until December, at which time the Commission will have final approval.

Ms. Jenkins defended the Commission's biennial budget to the Department of Administration and explained that an additional cut to our budget would leave us unable to fulfill our mission.

Commission Counsel Yvonne Nevarez-Goodson updated the Commission on the United States Supreme Court case regarding Commission v. Michael Carrigan.

Ms. Nevarez-Goodson also reported that the Nevada Supreme Court has not yet issued an opinion on the second Carrigan case that was appealed in July.

A discussion ensued regarding Carrigan.

8. Open Session for Commissioner comments on matters including, without limitation, future agenda items, upcoming meeting dates and meeting procedures.

No Commissioner comments were made.

Chairman Moran recessed the meeting at 5:06 p.m. to be reconvened on Wednesday, November 10, 2011 at 9:30 a.m.

**Wednesday, November 10, 2010.**

Commissioner Lamboley, as acting chair, called the meeting to order at 9:48 a.m.

Present in Carson City were Commissioners James Shaw, Paul Lamboley, Esq., John Marvel and George Keele, Esq. Also present in Carson City were Executive Director Caren Jenkins, Esq., Commission Counsel Yvonne Nevarez-Goodson, Esq. and Legal Researcher Kelly Buschman. Chairman J.T. Moran, III arrived late and resumed his role as chair.

Commissioner Magdalena Groover and Commissioner Gregory Gale, C.P.A. were excused from this meeting.

9. Open session to hear testimony, receive evidence, deliberate, and render an opinion relating to Request for Opinion No 10-48C submitted pursuant to NRS 281A.440(2), alleging that certain conduct of Dennis W. Stark, former County Manager of Lyon County, violated the provisions of NRS 281A.400(1), (2), (6) and (9) 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.

The Commission heard testimony and argument, and after a full day of hearing, this item was continued to be heard at a future date.

10. Open Session for public comment. Limited to not more than three (3) minutes per person. No action may be taken on any matter referred to in remarks made hereunder.

No public comments.

11. Adjournment.

Chairman Moran adjourned the meeting at 4:48 p.m.

Minutes prepared by:

Valerie Carter  
Executive Assistant

Minutes approved September 13, 2011:

Erik Beyer  
Erik Beyer, P.E.  
Chairman