



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

**MINUTES**

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

**December 9, 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 Thursday, December 9, 2010, beginning at 9:00 a.m. at the following location:

Nevada State Gaming Control Board  
Board Room  
1919 East College Parkway  
Carson City, Nevada

And via video-teleconference at

Nevada State Gaming Control Board  
Board Room  
Grant Sawyer State Building  
555 E. Washington Ave.  
Las Vegas, Nevada

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

1. Call to Order, Roll Call.

In Carson City, Acting Chairman Paul H. Lamboley, Esq. called the meeting to order and called the roll at 9:07 a.m. Thursday, December 9, 2010.

Also present in Carson City were Commissioners James Shaw and John Marvel. Also present in Carson City were Executive Director Caren Jenkins, Esq., Commission Counsel Yvonne Nevarez-Goodson, Esq. and Executive Assistant Janet Jacobsen.

Present telephonically in Las Vegas were Commissioners Magdalena Groover, Gregory Gale, C.P.A. Investigator Michel Vavra was present as well.

Commissioner Erik Beyer was excused from the meeting.

2. Open session to hear testimony, receive evidence, deliberate, and render an opinion relating to Request for Opinion No 10-12C submitted pursuant to NRS 281A.440(2), alleging that certain conduct of Andrew Borasky, Nye County Commissioner, violated the provisions of NRS 281A.400(2), (7) and (9).

Commission Counsel Yvonne Nevarez-Goodson, Esq., proffered a Stipulation negotiated with Mr. Borasky's counsel, Mr. Loomis. A discussion ensued regarding the details of the stipulation.

Commissioner George Keele, Esq. arrived during the discussion.

A recess was taken at 9:59 a.m. for Commission Counsel to contact Mr. Loomis regarding proposed changes to the Stipulation.

Closed session for purposes of receiving information regarding the terms of the stipulation relating to Request for Opinion No. 10-12C submitted pursuant to NRS 281A.440(2), alleging the certain conduct of Andrew Borasky, Nye County Commissioner, violated the provisions of NRS 281A.400(2), (7) and (9).

This portion of the meeting was closed to the public.

Open session for consideration of the stipulation relating to Request for Opinion No. 10-12C submitted pursuant to NRS 281A.440(2), alleging the certain conduct of Andrew Borasky, Nye County Commissioner, violated the provisions of NRS 281A.400(2), (7) and (9).

Acting Chairman Lamboley inquired as to whether Mr. Borasky and his counsel had reviewed and understood the terms of the Stipulation, and moved to approve the Stipulation as presented. The motion was seconded by Commissioner Shaw. The motion carried unanimously. Commissioner Keele was excused as he had participated in the panel.

3. Open session pursuant to NRS 233B.061 for a workshop to solicit public comment regarding proposed permanent regulations of the Commission (LCB File 134-10).

No public comment.

4. Open session pursuant to NRS 233B.061 to consider and adopt proposed permanent regulations of the Commission (LCB File 134-10).

Consideration and discussion of proposed permanent regulations of the Commission.

Chairman J. T. Moran, III, Esq., arrived and assumed the Chair.

Discussion and consideration of proposed permanent regulations of the Commission. Commissioner Keele moved to forward the regulations with the proposed changes except for

the word "adjudicatory" to LCB. The motion was seconded by Commissioner Lamboley and additional discussion ensued. Executive Director Caren Jenkins indicated that a motion was not required and that direction to staff was sufficient. No vote was taken.

5. Closed session pursuant to NRS 281A.440(2)(c) for the Commission to consider pursuing a request for opinion on its own motion regarding the propriety of conduct of a former public officer that may have violated certain provisions of NRS 281A.

This portion of the meeting was closed to the public.

6. Open Session for Agency Status and Operations Update.

Ms. Jenkins stated that Kelly Buschman, Legal Research Assistant II, passed the California Bar. Ms. Jenkins introduced Jan Jacobsen as the new Executive Assistant. Ms. Jenkins discussed a letter from Mr. Stark to the Governor regarding the Commission's process taking too long. Ms. Jenkins then discussed the Commission's current workload and backlog and some proposed solutions to some of the Commission's concerns. A discussion ensued regarding the problems and proposed solutions.

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

No comments.

8. Open Session for public comment.

No public comment was made.

9. Adjournment.

Chairman Moran adjourned the meeting at 2:16 p.m.

Minutes prepared by:



Valerie Carter  
Executive Assistant

Minutes approved September 13, 2011:



Erik Beyer, P.E.  
Chairman