



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

**MINUTES**  
**of the meeting of the**  
**COMMISSION ON ETHICS**  
**August 11- 12, 2011**

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics. A certified Court Reporter transcribed the meeting and transcripts are available for purchase from Litigation Services.

The Commission on Ethics held a public meeting on Thursday, August 11, 2011, beginning at 8:30 a.m. at the following location:

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

and via video-teleconference at

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

**Thursday, August 12, 2011**

1. Call to Order, Roll Call.

In Carson City, Chairman Erik Beyer called the meeting to order and called the roll at 8:37 a.m.

Present in Carson City was Commissioner George M. Keele, Esq. Commissioner James M. Shaw was present via telephone conference. Commissioners Gregory Gale, C.P.A., Magdalena M. Groover and Keith Weaver, Esq. attended via video-teleconference. Commissioners John Marvel and Paul H. Lamboley, Esq. were excused.

Also present in Carson City were Executive Director, Caren Jenkins, Commission Counsel, Yvonne Nevarez-Goodson, Esq., and Executive Assistant, Valerie Carter. Also present in Las Vegas was Investigator Michel Vavra. No members of the public were present.

2. Open Session for consideration and approval of Minutes from prior Commission Meetings

This matter was postponed.

6. Closed Session pursuant to NRS 281A.440(15) to hear testimony, receive evidence, deliberate and render an advisory opinion regarding First-Party Request for Advisory Opinion No. 11-52A, submitted pursuant to NRS 281A.440(1).

This item was called out of order. This matter is confidential and thus, was held in closed session.

7. Closed Session pursuant to NRS 281A.440(15) to hear testimony, receive evidence, deliberate and render an advisory opinion regarding First-Party Request for Advisory Opinion No. 11-53A, submitted pursuant to NRS 281A.440(1).

This item was called out of order. This matter is confidential and thus, was held in closed session.

8. Closed Session pursuant to NRS 281A.440(15) to hear testimony, receive evidence, deliberate and render an advisory opinion regarding First-Party Request for Advisory Opinion No. 11-61A, submitted pursuant to NRS 281A.440(1).

This item was called out of order. This matter is confidential and thus, was held in closed session.

9. Closed Session pursuant to NRS 281A.440(15) to hear testimony, receive evidence, deliberate and render an advisory opinion regarding First-Party Request for Advisory Opinion No. 11-57A, submitted pursuant to NRS 281A.440(1).

This item was called out of order. This matter is confidential and thus, was held in closed session.

3. Open Session for status update by Executive Director and Commission Counsel, including, without limitation, a report on agency operations, procedural issues and pending matters.

This item was called out of order. Executive Director, Caren Jenkins, Esq., provided the Commission an update on agency operations including a "guide" for disclosure and abstention for public officers and deliberative bodies. The document had been circulated for Commissioner feedback and several changes were incorporated. The Commissioners agreed that the Executive Director should distribute the document as presented.

Ms. Jenkins also stated that Budget Division of the Department of Administration of the executive branch of government and the Fiscal Analysis Division of the Legislative Counsel Bureau, which is the legislative branch to whom the Commission reports, have approved her proposed billing to local governments for their proportionate local

government cost share of the Commission's budget. The invoices for the August installment and the February installment generate income to the general fund for the Commission's operations.

Ms. Jenkins also discussed the Freedom of Information Act and the public records requirements in the statutes requiring the Commission to make documents available. She noted that the NCOE has not adopted a policy and hopes to propose a public information or Freedom of Information Act policy to the body in the coming months.

Also, Ms. Jenkins noted that she has been inundated with requests for trainings, including the POWER program coordinated by the University of Nevada, Reno; the Attorney General's Office's boards and commissions training; the Public Employees Benefits Program Board; and local government organizations.

Finally, Ms. Jenkins noted that per the direction of the body at a prior meeting, the Commission's regular monthly meetings will be held on the third Wednesday of each month beginning in October 2011.

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

This item was called out of order.

Chairman Beyer confirmed that the Executive Director will poll the Commissioners via email to determine the September meeting date, and the meetings will begin the third Wednesday of every month starting in October.

5. Closed Session to discuss pending litigation. This portion of the meeting will not be available to the public.

This matter is confidential and thus, was held in closed session.

The meeting recessed at 4:31 p.m., but will continue on Friday, August 12, 2011, beginning at 8:30 a.m.

### **Friday, August 12, 2011**

1. Call to Order, Roll Call:

In Carson City, Chairman Erik Beyer called the meeting to order at 8:37 a.m., Friday, August 12, 2011.

Also present in Carson City was Commissioner George M. Keele, Esq. Commissioners Gregory Gale, C.P.A., Magdalena M. Groover and Keith Weaver, Esq., attended via video-teleconference. Commissioners John Marvel, Paul H. Lamboley, Esq. and James M. Shaw were excused.

Also present in Carson City were Executive Director Caren Jenkins, Esq. and Commission Counsel Yvonne M. Nevarez-Goodson, Esq. No members of the public were present.

10. Closed Session pursuant to NRS 281A.440(15) to hear testimony, receive evidence, deliberate and render an advisory opinion regarding First-Party Request for Advisory Opinion No. 11-51A, submitted pursuant to NRS 281A.440(1).

This matter is confidential and thus, was held in closed session.

11. Closed Session pursuant to NRS 281A.440(15) to hear testimony, receive evidence, deliberate and render an advisory opinion regarding First-Party Request for Advisory Opinion No. 11-62A, submitted pursuant to NRS 281A.440(1).

This matter is confidential and thus, was held in closed session.

12. Closed Session to consider a proposed stipulation related to Consolidated Third-Party Requests for Opinion Nos. 11-09C, 11-10C, 11-11C, 11-12C, 11-13C and 11-14C, regarding the conduct of Guy M. Wells, Stephen P. Quinn, William King, Nathaniel W. Hodgson, Michael Efstratis and Kevin E. Burke, Members, Nevada Contractor's Board, submitted pursuant to NRS 281A.440(2).

This matter is confidential and thus, was held in closed session.

13. Open session to take action on a proposed stipulation related to Requests for Opinion Nos. 11-09C, 11-10C, 11-11C, 11-12C, 11-13C and 11-14C, regarding the conduct of Guy M. Wells, Stephen P. Quinn, William King, Nathaniel W. Hodgson, Michael Efstratis and Kevin E. Burke, Members, Nevada Contractor's Board., submitted pursuant to NRS 281A.440(2).

Chairman Beyer entertained a motion for the adoption of a stipulated agreement presented by the Subjects and Commission Counsel. Commissioner Weaver moved to approve the stipulation as presented. Commissioner Gale seconded the motion. The motion was put to a vote and passed unanimously.

14. Closed Session to consider a proposed stipulation related to Consolidated Third-Party Requests for Opinion Nos. 10-105C, 10-106C, 10-108C, 10-109C and 10-115C, regarding the conduct of Sharon McNair, Former Treasurer and Governing Board Member, Beacon Academy of Nevada, a Public Charter School, submitted pursuant to NRS 281A.440(2).

This matter is confidential and thus, was held in closed session.

15. Open session to take action on a proposed stipulation related to Requests for Opinion Nos. 10-105C, 10-106C, 10-108C, 10-109C and 10-115C, regarding the conduct of Sharon McNair, Former Treasurer and Governing Board Member, Beacon Academy of Nevada, a Public Charter School, submitted pursuant to NRS 281A.440(2).

This item was called out of order.

Chairman Beyer entertained a motion for the adoption of a stipulated agreement presented by Commission Counsel and the Subject. Commissioner Keele moved the agreement be accepted as presented. Commissioner Gale seconded the motion. The motion was put to a vote and passed unanimously.

16. Open Session for Public Comment.

No public comment was made.

17. Adjournment.

Chairman Beyer adjourned the meeting at 11:19 a.m.

Minutes prepared by:



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Valerie Carter  
Executive Assistant

Minutes approved September 13, 2011:



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Erik Beyer, P.E.  
Chairman