



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

MINUTES

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

November 16, 2011

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics. A verbatim transcript of the open sessions is available for public inspection at the Commission office in Carson City.

The Commission on Ethics held a public meeting on Wednesday, November 16, 2011, at 10:00 a.m., at the following location:

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

1. Call to Order, Roll Call and Pledge of Allegiance to the Flag.

Chairman Erik Beyer called the meeting to order and introduced the Commissioners at 10:00 a.m. on Wednesday, November 16, 2011.

Present in Carson City, Nevada were Chairman Erik Beyer, Vice Chairman Paul H. Lamboley, Esq. and Commissioners Keith A. Weaver, Esq., Gregory J. Gale and Tim Cory, Esq. Also present in Carson City were Executive Director Caren Jenkins, Esq., Commission Counsel Yvonne Nevarez-Goodson, Esq., Senior Legal Researcher Janet Jacobsen, Investigator Michel Vavra and Executive Assistant Valerie Carter.

Commissioners John W. Marvel and Magdalena Groover were excused from the meeting.

The Pledge of Allegiance to the Flag was conducted.

2. Open Session for Public Comment.

No public comment.

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

Commissioner Gale moved to approve Minutes of the October 19, 2011 meeting. Commissioner Lamboley seconded the Motion. The Motion carried unanimously.

4. Open Session to discuss the need for a Commission Personnel Policy, consider the scope of any such policy and determine a method to prepare a draft of the same.

The Commission tabled the discussion regarding this Policy.

5. Open Session for a report and recommendation from Task Force to Address the Commission's Opinion Backlog. (Chairman Erik Beyer will report.)

Executive Director Caren Jenkins gave an overview of the discussions which took place at a meeting held by the appointed Task-Force regarding the backlog. A lengthy discussion ensued regarding the backlog and possible solutions to the same.

At 10:17 a.m. commissioner Shaw arrived.

Commissioner Lamboley moved that the Commission authorize staff to accept all ideas and solutions to the backlog discussed at this meeting, as well as the findings from the task-force meeting, input from the Governor's office and Commissioner Gale, to put together a specific policy which the Commission would review and discuss at the next meeting regarding First-Party Advisory Opinions and Third-Party Requests.

Commissioner Shaw seconded the Motion. The Motion was put to a vote and carried unanimously.

6. Open Session to establish a Subcommittee to Develop the 2013 Commission Bill Draft Request for submission in July 2012. (Requested by Staff.)

Chairman Beyer appointed Commissioner Gale as Chairman of this subcommittee and also appointed Commissioners Cory and Lamboley to serve on the same. A discussion ensued regarding upcoming deadlines and the process of creating BDRs.

7. Open Session for discussion and possible action on a Resolution to acknowledge the University of Virginia School of Law Supreme Court Litigation Clinic and John Elwood, Esq. for assistance and *pro bono* representation at the Supreme Court of the United States.

Commissioner Lamboley moved to approve the resolutions and forward them to the particular parties. Commissioner Weaver seconded the Motion. A discussion ensued. The Motion was then to put to a vote and carried unanimously.

A recess was taken at 11:33 a.m.

The meeting reconvened at 11:43 a.m.

8. Open Session to consider adoption of the Commission's Policy on Access to Public Records.

Executive Director Caren Jenkins stated a draft of the Commission's Policy on Access to Public Records was circulated at the last meeting; however, the agenda item was tabled due to lack of time. A discussion ensued regarding the proposed draft Policy. Commissioner Shaw moved to adopt the Commission's Policy on Access to Public Records. Commissioner Weaver seconded the Motion. The Motion was put to a vote and carried unanimously.

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

Executive Director and Commission Counsel had no additional items to report.

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

Chairman Beyer confirmed that December's meeting will take place in Las Vegas, Nevada on December 14th and 15th. No other comments were made.

Lunch recess was taken at 11:59 a.m.

The meeting reconvened at 1:00 p.m.

11. Closed Session pursuant to NRS 281A.440(15) to hear testimony, receive evidence, deliberate and render an advisory opinion regarding Confidential First-Party Request for Advisory Opinion No. 11-93A, submitted pursuant to NRS 281A.440(1).

This portion of the meeting was confidential and thus was closed to the public.

12. Closed Session pursuant to NRS 281A.440(15) to consider a proposed Stipulation in Third-Party Request for Opinion No. 11-63C, regarding the conduct of Shari Buck, Mayor, City of North Las Vegas, submitted pursuant to NRS 281A.440(2).

This portion of the meeting was confidential and thus was closed to the public.

13. Open Session to take action on a proposed Stipulation in Third-Party Request for Opinion No. 11-63C, regarding the conduct of Shari Buck, Mayor, City of North Las Vegas, submitted pursuant to NRS 281A.440(2).

This item was taken off the agenda.

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

This agenda item was tabled to the next meeting.

15. Open Session for Public Comment.

No public comment.

16. Adjournment

The meeting adjourned at 4:58 p.m.

Minutes prepared by:



Valerie Carter
Executive Assistant

Minutes approved December 14, 2011:



Erik Beyer, P.E.
Chairman