



STATE OF NEVADA
COMMISSION ON ETHICS
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MINUTES
of the meeting of the
NEVADA COMMISSION ON ETHICS

February 20, 2013

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics. Verbatim transcripts of the open sessions are available for public inspection at the Commission's office in Carson City.

The Commission on Ethics held a public meeting on
Wednesday, February 20, 2013, at 8:30 a.m. at the following location:

Grant Sawyer State Building
Room 2450
555 E. Washington Avenue
Las Vegas, NV 89101

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

Vice-Chairman Paul H. Lamboley, acting as Chair for this meeting, called the meeting to order and introduced the Commissioners at 8:42 a.m. on Wednesday, February 20, 2013.

The following persons appeared in Las Vegas, Nevada: Commissioners John Carpenter, Tim Cory, Gregory Gale, Magdalena Groover, Cheryl Lau, Paul H. Lamboley, James M. Shaw and Keith Weaver. Also present were Executive Director Caren Cafferata-Jenkins, Esq., Commission Counsel Yvonne Nevarez-Goodson, Esq., Senior Investigator Michael E. Lawrence and Executive Assistant Valerie Carter.

The Pledge of Allegiance was conducted.

Chairman Lamboley introduced and welcomed newly appointed Commissioner Cheryl A. Lau, Esq.

2. Open Session for Public Comment.

No public comment.

4. Open Session for consideration and approval of Minutes from the December 12, 2012 Commission meeting.

This agenda item was called out of order. Executive Director Cafferata-Jenkins noted a change to the proposed Minutes to reflect a meeting date of December 2012 instead of October 2012. Commissioner Shaw moved to approve the Minutes with the change. Commissioner Weaver seconded the motion. The motion was put to a vote and carried unanimously.

3. Open Session for Election of Commission Chairman and Vice Chairman for the remainder of Fiscal Year 2012-13.

Commissioner Weaver moved to nominate Commissioner Lamboley to serve as Chair for the remainder of Fiscal Year 2012-2013. Commissioner Shaw seconded the motion.

Commissioner Cory moved to nominate Commissioner Gale to serve as Chair. The motion died due to the lack of a second.

Commissioner Carpenter moved to close the nomination for Chairman. Commissioner Shaw seconded the motion. The motion to nominate Commissioner Lamboley to serve as Chairman was put to a vote and carried unanimously.

Commissioner Shaw moved to nominate Commissioner Gale as the Vice-Chair. Commissioner Lau seconded the motion. Commissioner Carpenter moved to close the nominations; Commissioner Lau seconded the motion. The motion was put to a vote and carried unanimously.

5. Closed Session pursuant to NRS 281A.440(7) to hear testimony, receive evidence, deliberate and render an advisory opinion regarding Confidential First-Party Request for Advisory Opinion No. 12-68A, submitted pursuant to NRS 281A.440(1).

This confidential agenda item was held in closed session, and is not available to the public.

6. Closed Session pursuant to NRS 281A.440(7) to hear testimony, receive evidence, deliberate and render an advisory opinion regarding Confidential First-Party Request for Advisory Opinion No. 12-69A, submitted pursuant to NRS 281A.440(1).

This confidential agenda item was held in closed session, and is not available to the public.

7. Closed Session pursuant to NRS 281A.440(7) to hear testimony, receive evidence, deliberate and render an advisory opinion regarding Confidential First-Party Request for Advisory Opinion No. 13-09A, submitted pursuant to NRS 281A.440(1).

This confidential agenda item was held in closed session, and is not available to the public.

8. Closed Session pursuant to NRS 281A.440(8) to consider a request for reconsideration of the Commission's Order approved on December 12, 2012 concerning the confidential jurisdictional Motion (heard on January 18, 2012) regarding Third Party Requests for Opinion Nos. 11-19C, 11-21C, 11-22C and 11-24C, submitted pursuant to NRS 281A.440(2).

This confidential agenda item was held in closed session, and is not available to the public.

9. Closed Session to discuss potential or pending litigation.

This confidential agenda item was held in closed session, and is not available to the public.

10. Open Session for discussion and possible action regarding the scope, authority and procedure for subcommittees of the Commission: Legislative Subcommittee and Personnel Manual Subcommittee

Executive Director Caren Cafferata-Jenkins requested a Legislative Subcommittee be created in order for her to seek approval/agreement regarding which measures to oppose or support that will affect the agency. Chairman Lamboley appointed Vice-Chairman Gale, Commissioner Weaver, Commissioner Lau and himself to the Subcommittee. Executive Director Cafferata-Jenkins insured the Commission that she intends to share as much information as possible with the entire Commission, but that the Subcommittee is helpful with a fast turnaround when needed.

Commissioner Lamboley stated that the Personnel Manual Subcommittee, previously created by then Chairman Erik Beyer, consisted of Commissioner Lamboley, Commissioner Carpenter and Commissioner Cory. Chairman Lamboley excused himself from this subcommittee and appointed Vice-Chairman Gale in his place. Commissioner Lamboley reminded the Subcommittee that it will need to produce a physical manual rather than only concepts for discussion.

11. Open Session for report on agency status and operations by Executive Director and Commission Counsel.

Executive Director Caren Cafferata-Jenkins reported that an intern from the University of Nevada, Reno, Jessica Atkinson, had been selected to work with the NCOE Staff to learn about the Commission process and aid in preparing Commission Digests. Ms. Atkinson began her internship in February and will continue to contribute a minimum of six hours a week through the end of April.

The Executive Director reported that she appeared before the Assembly Ways and Means Committee and the Senate Finance Committee to present and discuss the Agency's Budget. She was pleased with the overall response received in both Committees and is hopeful that the Agency will get all that was included in the Governor's recommended Budget. She stated that although the salary increases were not included in the Governor's recommended budget, Maggie Carlton, chair of Assembly Ways and Means, noted for the record that they will be sure to look at the comparative salaries in comparison with other state agencies later in the session when they address the unclassified pay bill.

Executive Director Cafferata-Jenkins also reminded the Commission that staff will be looking for direction from the Commission regarding the new associate counsel position which, if approved, would start in July of 2013. She stated that in the future it could become mandatory for all new State employees to take an ethics training within the first six months of their term or employment. This will place a burden on the Executive Director; however, it should be alleviated by the new associate counsel position.

Commission counsel, Yvonne Nevarez-Goodson, Esq., gave an update regarding the status of issuing opinions.

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

No Commissioner comments.

13. Open Session for Public Comment.

Caren Cafferata-Jenkins commented that Erik Beyer was not reappointed to the Commission but noted that his service over the last four and a half years meant a lot to everyone. He added a great deal of humanity to the Commission and was a delightful man and colleague. Commissioner Lamboley agreed and stated that all Commissioners would agree that the tone and temperament of his leadership was excellent and his demeanor and invitations to those who came into contact with the Commission were always most generous and most humble.

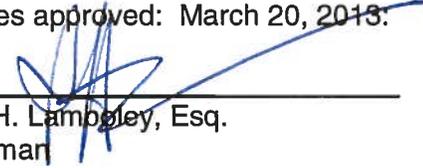
14. Adjournment.

Commissioner Lau moved to adjourn the meeting at 4:58 p.m. Commissioner Shaw seconded the motion. The motion was put to a vote and carried unanimously.

Minutes prepared by:

Valerie Carter
Executive Assistant

Minutes approved: March 20, 2013:



Paul H. Lamboley, Esq.
Chairman