



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

**MINUTES
of the meeting of the
NEVADA COMMISSION ON ETHICS**

January 21, 2015

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, January 21, 2015, at 9:00 a.m. at the following locations:

**Grant Sawyer State Office Building
Gaming Control Board Room
Room 2450
555 E. Washington Avenue
Las Vegas, NV 89101**

and via Video Conference to

**Gaming Control Board
1919 College Parkway
Carson City, NV 89706**

OPEN SESSION:

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

Chairman Lamboley called the meeting to order at 9:05 a.m. Present in Carson City, Nevada were Chairman Paul H. Lamboley, Esq. and Commissioners Cheryl A. Lau, Esq. and James M. Shaw. Also present in Carson City were Executive Director/Commission Counsel Yvonne M. Nevarez-Goodson, Esq. and Senior Legal Researcher Darci Hayden.

Present in Las Vegas Nevada were Vice-Chairman Gregory J. Gale, CPA and Commissioners Timothy Cory, Esq., Keith A. Weaver, Esq. and Magdalena Groover. Also present in Las Vegas, Nevada was Associate Counsel Jill C. Davis, Esq.

Commissioner John C. Carpenter appeared via telephone.

CLOSED SESSION:

Chairman Lamboley called the meeting into Closed Session at 9:10 a.m.

1. 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. 14-78A submitted pursuant to NRS 281A.440(1).

This agenda item was held in closed session and will not be available to the public.

2. Closed Session pursuant to NRS 281A.440(8) for consideration of Jurisdictional Appeals by the Requester of Third-Party Requests for Opinion Nos. 14-74N and 14-84N, submitted pursuant to NAC 281A.405.

This agenda item was held in closed session and will not be available to the public.

3. Closed Session pursuant to NRS 281A.440(8) for consideration of a Jurisdictional Appeal by the Requester of Third-Party Request for Opinion No. 14-80N, submitted pursuant to NAC 281A.405.

This agenda item was held in closed session and will not be available to the public.

4. Closed Session for discussion and consideration of a Proposed Stipulation concerning Third-Party Request for Opinion No. 14-15C regarding Gary Lambert, Commissioner, Nevada Commission on Off-Highway Vehicles, submitted pursuant to NRS 281A.440(2).

This agenda item was deferred to the February 18, 2015 meeting of the Commission.

5. Closed Session for discussion and consideration of a Proposed Stipulation concerning Third-Party Request for Opinion No. 14-61C regarding Tim Kuzanek, Undersheriff, Washoe County, submitted pursuant to NRS 281A.440(2).

This agenda item was held in closed session and will not be available to the public.

OPEN SESSION:

The Chairman called the meeting back into Open Session at 11:18 a.m.

8. Open Session for Public Comment.

After going back into Open Session after a lengthy Closed Session, Chairman Lamboley opened the session for Public Comment.

No public comment.

10. Open Session pursuant to NRS 281A.440(8) for discussion and consideration of a proposed Stipulation concerning Third-Party Request for Opinion No. 14-61C regarding Tim Kuzanek, Undersheriff, Washoe County, submitted pursuant to NRS 281A.440(2).

This agenda Item was called out of order. Appearing before the Commission was Rew Goodenow, Esq., of Parsons, Behle and Latimer, counsel for Subject Tim Kuzanek, and Subject, Mr. Kuzanek. Chairman Lamboley stated that the Commission members had reviewed the proposed Stipulated Agreement ("Agreement") in closed session and were prepared to move forward with the Agreement. The Chairman asked Mr. Goodenow if he had any comments and Mr. Goodenow responded that he had no comments and understood that the Commission was ready to vote on the Agreement. Chairman Lamboley followed with an inquiry regarding comments from Associate Counsel, Jill Davis, and Ms. Davis had none.

Commissioner Lau moved to approve the stipulated agreement and Commissioner Shaw seconded the motion. Executive Director Nevarez-Goodson submitted the Agreement and the motion was put to a vote and carried unanimously.

CLOSED SESSION:

Chairman Lamboley temporarily called the meeting back into Closed Session at 11:27 a.m.

Commissioner Carpenter was excused from the remainder of the meeting.

6. Closed Session to discuss potential or pending litigation.

This agenda item was taken out of order and held in closed session and will not be available to the public.

OPEN SESSION:

Chairman Lamboley called the meeting back into Open Session at 12:22 p.m.

8. Open Session for Public Comment.

No public comment.

9. Open Session pursuant to NRS 281A.440(8) for discussion and consideration of a proposed Stipulation concerning Third-Party Request for Opinion No. 14-15C regarding Gary Lambert, Commissioner, Nevada Commission on Off-Highway Vehicles, submitted pursuant to NRS 281A.440(2).

This agenda item was taken out of order and deferred to the February 18, 2015 meeting of the Commission.

11. Open Session for consideration and approval of Minutes from the November 19, 2014 Commission Meeting.

Commissioner Lau moved to approve the November 19, 2014 Commission Meeting minutes and Commissioner Shaw Seconded the motion. The Commission voted and approved the minutes.

12. Open Session for discussion regarding the recruitment process for the Commission Counsel position.

Chairman Lamboley stated that the Commission should notice and post the Commission Counsel vacancy and job announcement and asked Executive Director Nevarez-Goodson to report on which lawyer applicants from the previous Executive Director interview process wished to remain on the list for the Commission Counsel position. Ms. Nevarez-Goodson reported that three of the interviewees remained on the list pending a confirmation of one of the three.

The Commission discussed the recruitment timelines and determined that applicant interviews and appointment of the new Commission Counsel would occur at the next scheduled Commission meeting on February 18, 2015, after the Personnel Subcommittee evaluated the applications on or about February 9 or 10, 2015. The Commission discussed and approved the job description to be posted. Ms. Nevarez-Goodson concluded the item by confirming the February 18, 2015 Commission meeting date for selection of the final candidate.

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

Chairman Lamboley introduced the item and turned it over to Executive Director Nevarez-Goodson.

Executive Director Nevarez-Goodson directed the Commission to the copy of AB 60, prefiled and referred to the Assembly Committee on Legislative Operations and Elections ("Assembly Committee") on December 20, 2014, previously Bill Draft Request No. 23-309. Ms. Nevarez-Goodson noted that AB 60 was scheduled for Committee introduction on February 5, 2015, and was presently scheduled as the only bill up for consideration at the meeting, and the Committee staff requested a presentation on the provisions of the Bill and the Ethics Commission in general. Ms. Nevarez-Goodson stated that she had discussed AB 60 with Joseph Reynolds,

the Commission's liaison with the Governor's office, and he would advise her of any concerns or issues the Governor may have but that there is not likely to be any concerns since they had already reviewed and approved the bill draft prior to pre-filing as AB 60.

Ms. Nevarez-Goodson moved next to the Commission's budget update noting that this was part of the new quarterly review process of the budget as requested by the Chair. Ms. Nevarez-Goodson noted the reference to a salary savings created by the recent Executive Director vacancy and stated that her goal was to target some of the funds to hire a temporary employee to provide staff assistance during the Executive Assistant's upcoming maternity leave.

Ms. Nevarez-Goodson also reported on her goal to meet with all of the Assembly Committee members individually prior to her presentation on February 5, 2015. She also shared her plans to meet with members of the budget committees because the budget committee meetings would likely occur early in Session and she wanted to address individual concerns and questions about the Commission's budget prior to the budget committee meetings.

Ms. Nevarez-Goodson reported on the status of pending Ethics in Government Law training that is specifically targeted for the Southern Nevada local jurisdictions and other training and collaborations with the universities. Ms. Nevarez-Goodson reported that Northern Nevada had been fairly well covered to date between her efforts and those of Associate Counsel Jill Davis, and that they had not been required to turn down any requests to date.

Ms. Nevarez-Goodson asked the Commission if they had any questions regarding the budget. Ms. Nevarez-Goodson then inquired whether the BDR subcommittee established previously for the drafting of AB 60 would continue to be available for questions by the Executive Director and staff throughout the Legislative Session.

Commissioner Gale asked about the removal of furloughs as mentioned by the Governor in his State-of-the-State address. Ms. Nevarez-Goodson confirmed that the Governor did include removal of furloughs when speaking about his proposed budget but it will not be certain until the budget is passed in June. Ms. Nevarez-Goodson took this opportunity to mention that she had also spoken to Joseph Reynolds at the Governor's office about our requested budget salary adjustments and he responded that, though he could not offer any assurances, he would readdress the request and confirm the Governor's position before budget committees.

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

Commissioner Lau asked to change the June meeting from June 15 to June 24, 2015. Chairman Lamboley asked the Commissioners to check their calendars and report back to Ms. Nevarez-Goodson.

15. Open Session for Public Comment.

No public comment.

9. Adjournment.

The meeting adjourned at 12:50 p.m.

Minutes prepared by:

/s/ Darci Hayden

Darci Hayden
Senior Legal Researcher

Minutes approved: March 18, 2015:

/s/ Paul H. Lamboley

Paul H. Lamboley, Esq.
Chairman