



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

MINUTES
of the meeting of the
COMMISSION ON ETHICS
March 25, 2009

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics.
A certified court reporter transcribed the minutes of the meeting and a transcript is available.

The Commission on Ethics held a public meeting on Wednesday, March 25, 2009, beginning at 9:00 a.m. at the following location:

The Nevada State Gaming Control Board, 1919 E. College Parkway, Room 100,
Carson City, Nevada.

Call to Order, Roll Call.

Chair Mark Hutchison called the meeting to order and called the roll at 9:05 a.m., Wednesday, March 25, 2009. Present in Carson City were Chair Mark Hutchison, Commissioners George M. Keele, Esq., James M. Shaw, and Acting Commissioners Don Klasic and Bob Weise. Also present in Carson City were Executive Director Patricia D. Cafferata, Esq., Adriana G. Fralick, Esq., General Counsel and Michelle A. Ené, Executive Assistant. Commissioners Erik Beyer, Paul Lamboley, Esq. and John Marvel were excused. John T. Moran, III, Esq. was absent.

Members of the public were asked to sign in, and the sign-in sheets are attached to the original minutes as Exhibit A.

1. Open session for a continuation of the hearing on Bob Loux, former Executive Director of the Agency for Nuclear Projects, State of Nevada, on Request for Opinion No. 08-57C.

A hearing was held and witnesses were examined.

Bob Loux was represented by Attorneys Judy Sheldrew and Tom Perkins.

The following witnesses were called: Victoria Soberinsky Napier, via telephone, followed by Keith Munro, Cynthia Willden and Cathy Sacks.

Executive Director Patricia Cafferata made a disclosure that Vickie Soberinsky worked for her mother, Barbara Vucanovich in her Congressional office and managed Cafferata's campaign for Congress in 1996.

A lunch recess was taken at 1:04 p.m. The meeting reconvened at 1:52 p.m.

The following witness was called after lunch recess: Andrew Clinger.

2. Public comment.

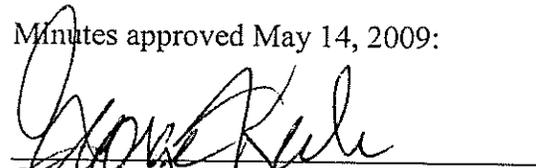
No public comment was made.

Hutchison adjourned the meeting at 5:00 p.m.

Minutes transcribed by:


Michelle A. Ené, Executive Assistant

Minutes approved May 14, 2009:


George Keele, Vice Chair



STATE OF NEVADA
COMMISSION ON ETHICS
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MINUTES
of the meeting of the
COMMISSION ON ETHICS
March 26, 2009

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics.
A certified court reporter transcribed the minutes of the meeting and a transcript is available.

The Commission on Ethics held a public meeting on Thursday, March 26, 2009, beginning at 9:00 a.m. at the following location:

The Nevada State Gaming Control Board, 1919 E. College Parkway, Room 100,
Carson City, Nevada.

Call to Order, Roll Call.

Chair Mark Hutchison called the meeting to order and called the roll at 9:05 a.m., Thursday, March 26, 2009. Present in Carson City were Chair Mark Hutchison, Commissioners George M. Keele, Esq., James M. Shaw and Acting Commissioners Don Klasic and Bob Weise. Also present in Carson City were Executive Director Patricia D. Cafferata, Esq., Adriana G. Fralick, Esq., General Counsel and Michelle A. Ené, Executive Assistant. Commissioners Erik Beyer, Paul Lambole, Esq. and John Marvel were excused. John T. Moran, III, Esq. was absent.

Members of the public were asked to sign in, and the sign-in sheets are attached to the original minutes as Exhibit A.

1. Open session for a continuation of the hearing on Bob Loux, former Executive Director of the Agency for Nuclear Projects, State of Nevada, on Request for Opinion No. 08-57C.

A hearing was held and witnesses were examined.

Bob Loux was represented by Attorneys Judy Sheldrew and Tom Perkins.

The following witnesses were called: Steven Weinberger, Andrew Clinger and Bob Loux.

A lunch recess was taken at 12:35 p.m. The meeting reconvened at 1:18 p.m.

The following witness was called after lunch recess: Robert Loux continued his testimony.

Attorneys Judy Sheldrew and Tom Perkins gave closing arguments.

Following testimony and deliberations, Chair Hutchison moved that the Commission find that Bob Loux, executive director of the Agency for Nuclear Projects, did not violate NRS 281A.400.9 because he did not influence a subordinate, Cathy Sacks, to obtain his pay raise in fiscal years 2006, 2007 and 2008. Shaw seconded the motion. The motion passed unanimously.

Keele moved that the Commission find that Bob Loux, director of the Agency for Nuclear Projects, did not violate NRS 281A.400.2, when his salary increased in fiscal year 2006. Shaw seconded the motion. Keele amended his motion. Keele moved that the Commission find that Bob Loux, executive director of the Agency for Nuclear Projects, did not violate NRS 281A.400.2, when his salary increased in fiscal year 2006 or in fiscal year 2007 or in fiscal year 2008. Shaw seconded the amended motion.

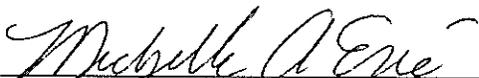
General Counsel Fralick asked for clarification on Keele's motion. Chair Hutchison stated that for clarification, the issue is whether the legislature set Mr. Loux's salary or established his salary. Hutchison stated that the motion was on whether or not Mr. Loux's salary was legislatively approved. Keele stated that Mr. Loux is being accused of giving himself a pay raise above the legislatively approved budget amount. Keele moved that the Commission find that the legislature did not set Mr. Loux's salary or establish his salary. Shaw seconded the motion. The motion passed by a three to two vote with Keele, Klasic and Shaw voting "yes" and Hutchison and Weise voting "no".

2. Public comment.

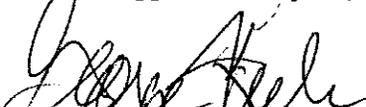
No public comment was made.

Hutchison adjourned the meeting at 5:22 p.m.

Minutes transcribed by:


Michelle A. Ené, Executive Assistant

Minutes approved May 14, 2009:


George Keele, Vice Chair