



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

MINUTES

of the meeting of the

COMMISSION ON ETHICS

May 14, 2009

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

The Commission on Ethics held a public meeting on Thursday, May 14, 2009, beginning at 1:00 p.m. at the following locations via video-conference:

Boardroom of the
Nevada Gaming Control Board
1919 E. College Parkway
Carson City, NV 89706

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

Call to Order, Roll Call.

In Las Vegas, Chair Mark Hutchison called the meeting to order and called the roll at 1:00 p.m., Thursday, May 14, 2009. Chair Mark Hutchison and John T. Moran, III were present in Las Vegas via video. Also present in Las Vegas were Tami DeVries, Legal Research Analyst and Mike Vavra, Investigator.

Present in Carson City were Commissioners George M. Keele, John W. Marvel, and James M. Shaw. Also present in Carson City were Patricia D. Cafferata, Esq., Executive Director, Adriana G. Fralick, Esq., General Counsel, and Michelle A. Ené, Executive Assistant. Commissioners Paul Lamboley, Esq. and Eric Beyer were excused from the meeting.

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 to approve the minutes of the meetings on February 12, 2009; March 12 and 13, 2009; March 25 and 26, 2009; and April 9, 2009.

Amendments were noted by Commissioners to the minutes. Keele moved for approval of the minutes as amended. Shaw seconded. The Motion passed unanimously, with Hutchison abstaining on April 9, 2009 minutes and Moran abstaining on March 25-26, 2009 minutes.

2. *Cancelled* Open session for hearing on the conduct of David Humke, Dave Aiazzi, Robert Larkin, Dwight Dortch, and John Mayer, members of the Regional Transportation Commission, Washoe County, State of Nevada, on Request for Opinion No. 09-01C pursuant to NRS 281A.440.

This matter was rescheduled to June 11-12, 2009 meeting.

3. Open session to discuss a Stipulated Agreement with GARY WILSON, Board Member, McDermitt Sewer District, Humboldt County, Nevada, to settle Request for Opinion No. 08-79C, pursuant to NAC 281A.275.

Mr. Wilson was present in Carson City and was not represented by counsel. Ms. Cafferata provided an overview of the facts of the case and the stipulated agreement. Some discussion ensued between Commissioners, Commission staff and Mr. Wilson regarding the case and the stipulated agreement. A short recess was taken for consultation with counsel.

Shaw moved that the Commission approve the proposed stipulated agreement in the Gary Wilson matter, Request for Opinion No. 08-79C, in lieu of holding a hearing. Moran seconded. The motion carried unanimously.

4. Open session for update by the executive director for discussion and possible action regarding issues arising from the 2009 legislative session, this item could include, but is not limited to bill draft requests, bills, committee meetings, Commission's position on bills, status of bills, amendments to bills and the Commission's budget.

Ms. Cafferata reported that the clean-up legislation that the Commission proposed should be passing in the form of SB 160 now. Cafferata and Keele testified in a Committee hearing regarding the Commission's position on the definition of "willful".

Keele provided an overview of the testimony and discussion that took place in the Committee hearing regarding the "willful" definition.

Ms. Cafferata reported that the budget was still up in the air, but that she would get one last opportunity to make a plea to restore some items that were cut out on Friday or Saturday of this week.

5. Public Comments.

No public comment was made.

Hutchison adjourned the meeting at 2:23 p.m.

Minutes transcribed by:


Tami DeVries, Legal Analyst

Minutes approved September 10, 2009:


George Keele, Vice Chair