



STATE OF NEVADA  
BEFORE THE NEVADA COMMISSION ON ETHICS

In the Matter of the Request for Opinion  
Concerning the Conduct of **TODD CUTLER**,  
Mayor,  
City of Fernley, Nevada

Request for Opinion No. 09-36C

Subject.

**PANEL DETERMINATION**

NRS 281A.440(3),(8) and NAC 281A.450

An Ethics Complaint was filed against Todd Cutler (Cutler) alleging violations of NRS 281A (Ethics in Government Law), specifically NRS 281A.400(2), when he allegedly requested reimbursement from the City of Fernley (Fernley) for costs associated with personal meals, failed to reimburse Fernley for travel costs, directed Fernley employees to use public funds to purchase items not approved by the Fernley City Council and used public funds to promote himself.

In his public capacity, at the time of the alleged conduct, Cutler was the Mayor of Fernley, a public officer as defined in NRS 281A.160. Therefore, the Commission has jurisdiction in this matter.

On July 21, 2009, pursuant to NRS 281A.440(3), a Panel consisting of Commissioners Erik Beyer and Jim Shaw reviewed the following: Ethics Complaint; Cutler's response to the Complaint; Investigator's Report; and the evidence collected by Commission staff.

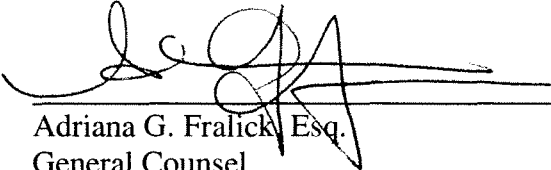
The following is the Panel's unanimous conclusion:

Just and sufficient cause does not exist for the Commission to hold a hearing and render an opinion on whether Cutler used his position in government to secure an unwarranted benefit for himself in violation of NRS 281A.400(2). No evidence exists that Cutler directed others to purchase the items complained of, that he failed to reimburse Fernley, or that he used his position to promote himself with public funds.

Therefore, Request for Opinion No. 09-36C is DISMISSED.

Dated: \_\_\_\_\_

7/21/09

  
\_\_\_\_\_  
Adriana G. Fralick Esq.  
General Counsel

**CERTIFICATE OF MAILING**

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I placed a true and correct copy of the **PANEL DETERMINATION** in Request for Opinion No. 09-36C in an envelope and caused same to be mailed via regular U.S. mail through the State of Nevada Mailroom to Cutler's Counsel and the same to Cutler and the Complainant addressed as follows:

Todd Cutler, Mayor  
595 Silverlace Blvd.  
Fernley, NV 89408

Brent Kolvet, Esq.  
6590 S. McCarran Blvd., #B  
Reno, Nevada 89509

Sandra Mathewson, Complainant  
1265 Mesa Drive  
Fernley, Nevada 89408

DATED: \_\_\_\_\_

07/21/09

  
\_\_\_\_\_  
An employee, Nevada Commission on Ethics