STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In the Matter of the Request for Opinion
Concerning the Conduct of **LESLIEANN HAYDEN**,
Administrative Specialist,
City of Fernley, Nevada
Subject.
_____/

Request for Opinion No. 09-29C

PANEL DETERMINATION

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

An Ethics Complaint was filed against Leslieann Hayden (Hayden) alleging violations of NRS 281A (Ethics in Government Law), specifically NRS 281A.400(2), when she requested and received tuition reimbursement in the amount of $5,250.00 from the City of Fernley (Fernley).

In her public capacity, at the time of the alleged conduct, Hayden was a Fernley employee, a public employee as defined in NRS 281A.150. 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; Hayden'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 Hayden used her position in government to secure an unwarranted benefit for herself in violation of NRS 281A.400(2). The city manager approved reimbursement of the classes he believed were related to Hayden's duties. Additionally, Fernley had no set, written limit on the reimbursement or time to request reimbursement of such tuition.

Therefore, Request for Opinion No. 09-29C 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. 09-29C in an envelope and caused same to be mailed via regular U.S. mail through the State of Nevada Mailroom to Hayden's Counsel and the same to Hayden and the Complainant addressed as follows:

Leslie Ann Hayden
City of Fernley
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