



STATE OF NEVADA
BEFORE THE NEVADA COMMISSION ON ETHICS

In the Matter of the Request for Opinion
Concerning the Conduct of **JEFF MCGOWAN**,
City Attorney, City of Fernley,
State of Nevada,

Request for Opinion No. 09-30C

Subject.

PANEL DETERMINATION

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

An Ethics Complaint was filed against Jeff McGowan (McGowan) alleging violations of NRS 281A (Ethics in Government Law), specifically NRS 281A.400(2), when he charged his personal meals and gasoline for his personal vehicle on the city-issued credit card. In addition, that he personally benefitted from a city-related business trip to a conference in Mesa, Arizona.

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

On July 31, 2009, pursuant to NRS 281A.440(3), a Panel consisting of Commissioners Erik Beyer and Jim Shaw reviewed the following: Ethics Complaint; McGowan'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 McGowan used his position in government to secure an unwarranted benefit for himself in violation of NRS 281A.400(2). No evidence exists indicating that McGowan's actions resulted in an unwarranted benefit to himself or that he was acting outside of the scope of his employment contract or city policies.

Therefore, Request for Opinion No. 09-30C is DISMISSED.

Dated: _____

7/31/09

Adriana G. Fralick, Esq.
General Counsel

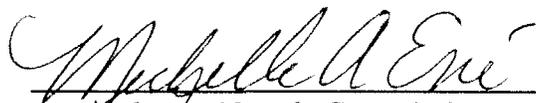
CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this 31st day of July in Carson City, Nevada, I placed a true and correct copy of the **PANEL DETERMINATION** in Request for Opinion No. 09-30C in an envelope and caused same to be mailed via regular U.S. mail through the State of Nevada Mailroom to McGowan and the Complainant addressed as follows:

Jeff McGowan
c/o Brent Kolvet, Esq.
6590 S. McCarran Blvd., #B
Reno, Nevada 89509

Sandra Mathewson, Complainant
1265 Mesa Drive
Fernley, Nevada 89408

DATED: 07/31/09


An employee, Nevada Commission on Ethics