



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

**MINUTES
of the meeting of the
NEVADA COMMISSION ON ETHICS**

July 17, 2013

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics. Verbatim transcripts of the open sessions are available for public inspection at the Commission's office in Carson City.

The Commission on Ethics held a public meeting on Wednesday, July 17, 2013, at 8:30 a.m. at the following locations:

**Nevada Legislative Building
Room 3143
401 S. Carson Street
Carson City, NV 89701**

and via video-conference to:

**Grant Sawyer State Building
Room 4412
555 E. Washington Avenue
Las Vegas, NV 89101**

1. Call to Order, Roll Call and Pledge of Allegiance to the Flag.

Chairman Paul H. Lamboley, Esq. called the meeting to order at 8:47 a.m. on July 17, 2013.

Present in Carson City, Nevada were Chairman Paul H. Lamboley, Esq., Vice-Chairman Gregory J. Gale, CPA, Commissioners Keith A. Weaver, Esq., Cheryl A. Lau, Esq., James M. Shaw, John C. Carpenter, Timothy Cory, Esq. and Magdalena Groover; Executive Director Caren Cafferata-Jenkins, Esq., Commission Counsel Yvonne Nevarez-Goodson, Esq. and Executive Assistant Valerie Carter.

The Pledge of Allegiance was conducted.

2. Open Session for Public Comment.

No public comment.

3. Closed session pursuant to NRS 281A.440(7) to hear testimony, receive evidence, deliberate and render an advisory opinion regarding Confidential First-Party Request for Advisory Opinion No. 13-54A, submitted pursuant to NRS 281A.440(1).

This confidential agenda item was held in closed session, and is not available to the public.

4. Closed session pursuant to NRS 281A.440(7) to hear testimony, receive evidence, deliberate and render an advisory opinion regarding Confidential First-Party Request for Advisory Opinion No. 13-59A, submitted pursuant to NRS 281A.440(1).

This agenda item was not heard, as the Request for Opinion was withdrawn by the Requester.

Executive Director Cafferata-Jenkins introduced Jill C. Davis, Esq. who plans to start her work with the Commission on August 12, 2013 as Associate Counsel.

5. Open session pursuant to NRS 281A.440(8) to consider a proposed Stipulation regarding Third-Party Request for Opinion No. 12-64C, regarding the conduct of James Parrish, CEO and Administrator, Humboldt County Hospital District, submitted pursuant to NRS 281A.440(2).

Commissioner Lamboley requested a closed session to discuss the proposed Stipulation. This portion of the agenda item was confidential and not available to the public pursuant to NRS 281A.440(15). Chairman Lamboley opened this agenda item at 1:39 p.m. and reported that Commission Counsel has been in contact with Mr. Parrish and his counsel, and this agenda item will reappear on the August 2013 Commission Agenda for final approval.

6. Open Session for Annual Report to the Commission by the Executive Director pursuant to NAC 281A.180(2).

The Executive Director, Caren Cafferata-Jenkins, Esq., provided her 2012-2013 Annual Report to the Commission and summarized the same. The final 2012-2013 Annual Report of the Commission on Ethics is attached to these minutes as "Exhibit 1".

Commissioner Gale questioned whether the Commission informs or goes after public officers who should have filed acknowledgements, especially in light of the 2013 Legislative session change to the definition of "Public Officer" in NRS 281A. Executive Director Cafferata-Jenkins responded that she is in the process of updating the Ethics in Government "Manual" which will announce the changes to NRS 281A and requirements for filing of Acknowledgements.

7. Open Session for report on agency status and operations by Executive Director and Commission Counsel.

Facility changes and tenant improvements to the Commission office: Executive Director Cafferata-Jenkins reported that pursuant to the State's Buildings and Grounds Department, Boards or Commissions must vote on a resolution in an open meeting to give the Executive Director authority to enter into leases with the State of Nevada and third-party property managers. She stated that the agency has been given the opportunity to take over an office from the Private Investigator's Licensing Board located next to the Ethics' office, and will need approval from the Commission to act on negotiating the lease to include tenant improvements and an extension of the lease term. A brief discussion ensued.

The Executive Director read into the record the Commission Resolution to approve the authority to move forward with facility changes and tenant improvements. Chairman Lamboley requested a vote to approve the Resolution as presented. The motion was put to a vote and carried unanimously.

Update on budget correction: The Executive Director reported that at the last Commission meeting Commissioner Gale volunteered to support and represent the Commission's interest before IFC to address the lack of salary adjustments in the 2013 Unclassified Pay Bill, AB 511. Executive Director Cafferata-Jenkins stated that the necessary documentation has been forwarded to IFC. If it is approved through IFC the issue will go before BOE for approval.

Chairman Lamboley suggested that all Commissioners be available to attend the IFC hearing in order to show support and the Commission's interest in adjusting the salaries.

Commission Counsel Yvonne Nevarez-Goodson, Esq. reviewed the changes to NRS 281A with the added language from SB 228. A written informal codification was provided to Commissioners for reference.

Commission Counsel gave a status update regarding outstanding opinions to be written and stated that she plans to report at every meeting the current status of the same. She also explained the RFO log that was distributed to the Commissioners, which shows the current status of all RFOs. She will provide Commissioners with an up-to-date log quarterly, but will report on status monthly. A brief discussion ensued regarding the RFO Log.

A discussion ensued regarding the process of finalizing Opinions and notifying the Subject and Requester of the same.

9. Open Session for Election of Commission Chairman and Vice Chairman for Fiscal Year 2013-14, pursuant to NAC 281A.150.

This agenda item was called out of order. Commissioner Shaw nominated Paul H. Lamboley to continue as Chair for Fiscal Year 2013-2014; Commissioner Lau seconded the Motion. The Motion was put to a vote and carried unanimously.

Commissioner Cory nominated Gregory J. Gale to continue serving as Vice-Chairman for another fiscal year, Commissioner Lau seconded the Motion. The Motion was put to a vote and carried unanimously.

10. Open Session for Commissioner comments on matters including, without limitation, future agenda items, upcoming meeting dates and meeting procedures.

This agenda item was called out of order. No Commissioner comments.

8. Closed Session to discuss potential or pending litigation.

This agenda item was called out of order. This confidential agenda item was held in closed session, and is not available to the public.

11. Open Session for Public Comment. Comment and/or testimony by any member of the public will be limited to three (3) minutes. No action will be taken under this agenda item.

No public comment.

12. Adjournment.

Commissioner Weaver moved to adjourn the meeting at 3:05 p.m. Chairman Lamboley seconded the motion. The motion was put to a vote and carried unanimously.

Minutes prepared by:

/s/ Valerie Carter _____
Valerie Carter
Executive Assistant

Minutes approved: October 16, 2013:

/s/ Paul H. Lamboley, Esq. _____
Paul H. Lamboley, Esq.
Chairman