



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

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

August 20, 2014

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, August 20, 2014, at 9:00 a.m. at the following location:

**Nevada Legislative Building
Room 3137
401 S. Carson Street
Carson City, NV 89701**

CLOSED SESSIONS:

- A. Closed Session to discuss potential or pending litigation.

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

- B. Closed Session pursuant to NRS 281A.440(7) to consider request to withdraw and/or reconsider First-Party Request for Advisory Opinion No. 14-49A, submitted pursuant to NRS 281A.440(1).

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

- C. Closed Session pursuant to NRS 281A.440(8) to consider Motion to Continue Jurisdiction Hearing scheduled for Third-Party Request for Opinion No. 14-43C, submitted pursuant to NRS 281A.440(2).

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

- D. Closed Session pursuant to NRS 281A.440(7) to consider jurisdiction regarding First-Party Request for Advisory Opinion No. 14-60A, submitted pursuant to NRS 281A.440(1).

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

Public Meeting

OPEN SESSIONS:

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

Chairman Paul H. Lamboley, Esq. called the meeting to order at 2:21 p.m.

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

Associate Counsel Jill C. Davis, Esq. appeared via video-teleconference from Las Vegas, Nevada.

2. Open Session for Public Comment.

No public comment.

3. Open Session for consideration and approval of Minutes from the June 11, 2014 Commission meeting.

Commissioner Shaw moved to approve the Minutes of the June 11, 2014 Commission meeting as presented. Commissioner Lau seconded the motion. The motion was put to a vote and carried unanimously.

4. Open Session for Election of Commission Chairman and Vice Chairman for Fiscal Year 2014-15, pursuant to NAC 281A.150.

Commissioner Shaw moved to nominate Paul H. Lamboley, Esq. as Chairman for FY 2014-15. Commissioner Carpenter seconded the motion. The motion was put to a vote and carried unanimously.

Commission Cory moved to nominate Gregory J. Gale, CPA as Vice-Chairman for FY2014-15. Commissioner Lau seconded the motion. The motion was put to a vote and carried unanimously.

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

The Executive Director, Caren Cafferata-Jenkins, Esq., provided her First Amended Draft of the 2013-2014 Annual Report to the Commission and summarized the same. The final 2013-2014 Annual Report of the Commission on Ethics is attached to these minutes as "Exhibit 1".

Commissioners offered the Executive Director additional information to include in the Annual Report: the elimination of the Opinion Backlog, a detailed explanation of changes in the number of First-Party Requests for Opinion and other case load statistics, and the streamlining process suggested by Executive Assistant Valerie M. Carter for her participation in the Nevada Certified Public Manager Program.

Executive Director Cafferata-Jenkins ensured the suggestions would be implemented in the final version of the Annual Report, which will be provided to the Commission at the next meeting.

6. Open Session for discussion and consideration of agency budget performance for FY14, projections for FY15, and proposals for FY16-FY17.

The Executive Director Caren Cafferata-Jenkins, Esq. discussed the agency's Budget Request for FY16-FY17, specifically detailing the enhancements being requested, including the salary adjustments and title modification for certain staff members. The summary of the above requests are attached hereto as "Exhibit 2".

A discussion ensued regarding the proposed salary adjustments and title changes. Chairman Lamboley stated that the Commission Counsel is extremely valuable and the current difference in pay between that position and the Executive Director should remain the same or be eliminated going forward. The Commission voiced its approval.

Chairman Lamboley and several other Commissioners recommended maintaining the "Senior Investigator" title and suggested reconsidering the proposed title changes for the Senior Legal Researcher and Executive Assistant, as neither of the proposed title changes encompass or reflect the true nature and scope of the positions. All Commissioners approved the overall salary enhancements, but directed the Executive Director to establish different title changes for the Executive Assistant and Senior Legal Researcher consistent with their job descriptions.

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

Executive Director Cafferata-Jenkins reported that the Ethics training video created by Pool PACT had been completed. After Pool PACT consents, the video will be placed on the Commission's website for use by all.

Executive Director Cafferata-Jenkins also announced that she has hired a new Senior Investigator, Anthony Freiberg, who came from the State's Workers Compensation Audit Compliance Investigations group. She reported that he seems to be a great fit and is already working very well with Associate Counsel Jill C. Davis, Esq.

Chairman Lamboley thanked Commissioner Groover for her participation in the Senior Investigator interviews.

Commission Counsel Yvonne Nevarez-Goodson, Esq. gave a status update on the Opinion backlog, reporting that the backlog is nearly eliminated and only one Opinion remains to be written. She stated that with the assistance of associate counsel Jill C. Davis, Esq., she was able to get all Opinions, including abstracts, issued before August 1, 2014. Counsel Nevarez-Goodson reiterated that not holding a July meeting, and the time savings which resulted, made it possible for her to accomplish these goals and adequately prepare for this meeting.

Counsel Nevarez-Goodson gave an update on the agency's Regulations stating that the next step will be for the Legislative Counsel Bureau to present those adopted regulations for approval at the next meeting of the Legislative Commission or its Subcommittee to Review Regulations.

8. Open Session for Commissioners' comments on matters including, without limitation, future agenda items, upcoming meeting dates and meeting procedures.

Chairman Lamboley reminded Commissioners that the next meeting will be held September 10, 2014 and may be in Las Vegas, but that will be determined at a later date.

Chairman Lamboley also reported that the agency and staff will be participating in an organizational "Climate Study" which will be conducted by the Human Resources Division of the State to evaluate cultural effectiveness and management, employee morale, internal communications, and a number of other things to aid in creating more agency specific policies and structure.

9. 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.

10. Adjournment.

Commissioner Shaw moved to adjourn the meeting at 3:48 p.m. Commissioner Lau seconded the motion. The motion was put to a vote and carried unanimously.

Minutes prepared by:

/s/ Valerie M. Carter

Valerie M. Carter
Executive Assistant

Minutes approved: November 19, 2014:

/s/ Paul H. Lamboley

Paul H. Lamboley, Esq.
Chairman