

Agenda Item 3



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

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

The Commission on Ethics held a public meeting on
Wednesday, August 15, 2018, at 9:00 a.m.
at the following locations:

**Nevada Legislative Building
Room 3138
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**

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

1. Call to Order and Roll Call.

Chair Cheryl A. Lau, Esq. called the meeting to order in Carson City, Nevada at 9:00 a.m. and welcomed Commissioner Wallin as a newly appointed member to the Commission on Ethics. Present in Carson City were Chair Cheryl A. Lau, Esq. and Commissioners Brian Duffrin, Barbara Gruenewald, Esq., Teresa Lowry, Esq., Philip K. O'Neill, Kim Wallin and Amanda C. Yen, Esq. Vice-Chair Keith A. Weaver, Esq. appeared telephonically. Present for Commission staff in Carson City were Executive Director Yvonne M. Nevarez-Goodson, Esq., Commission Counsel Tracy L. Chase, Esq., Associate Counsel Judy Prutzman, Esq., Senior Legal Researcher Darci Hayden and Executive Assistant Kari Pedroza.

The pledge of allegiance was conducted.

2. Public Comment.

No public comment.

5. Approval of Minutes of the June 20, 2018 and the June 28, 2018 meetings of the Commission.

This item was taken out of order. Commissioners Yen and Wallin abstained from voting on this matter as Commissioner Yen was excused from the June 20, 2018 meeting and Commissioner Wallin was not a member of the Commission during that meeting.

Commissioner Gruenewald moved to approve the June 20, 2018 Minutes. Commissioner Duffrin seconded the motion. The Motion was put to a vote and carried as follows:

Chair Lau:	Aye
Vice-Chair Weaver:	Aye.
Commissioner Duffrin:	Aye.
Commissioner Gruenewald:	Aye.
Commissioner Lowry:	Aye.
Commissioner O'Neill:	Aye.

Commissioner Wallin abstained from voting on this matter as she was not a member of the Commission during the June 28, 2018 Commission meeting.

Commissioner Gruenewald moved to approve the June 28, 2018 Minutes. Commissioner Duffrin seconded the motion. The Motion was put to a vote and carried as follows:

Chair Lau:	Aye
Vice-Chair Weaver:	Aye.
Commissioner Duffrin:	Aye.
Commissioner Gruenewald:	Aye.
Commissioner Lowry:	Aye.
Commissioner O'Neill:	Aye.
Commissioner Yen:	Aye.

3. Pursuant to NRS 233B.061, Public Hearing to receive and consider comments from all interested persons regarding the Commission's intent to adopt, amend or repeal regulations set forth in NAC Chapter 281A to implement the amendments to NRS Chapter 281A enacted by Senate Bill 84 of the 2017 Legislative Session (Chapter 384, 2017 Statutes of Nevada), and the provisions of NAC Chapter 281A, as amended in the Commission's expired Temporary Regulation No. T03-16, and any Commission direction thereon. The Notice of Intent to Act upon a Regulation, including the terms of the proposed regulation, and Notice of this Public Hearing were posted in accordance with the provisions of NRS 233B.060 and 233B.0603.

This item was taken out of order. No public was in attendance. Executive Director Nevarez-Goodson presented a summary of the proposed regulatory changes to the Commission and outlined the regulatory process.

Commissioner Duffrin asked whether the Commission received any written comments from the public in regards to the proposed regulations and Executive Director Nevarez-Goodson responded that no written comments were received from the public.

Executive Director Nevarez-Goodson informed the Commission that Commission staff had made minor changes to the proposed regulations as presented by the Legislative Counsel Bureau that would not constitute material amendments.

Commissioner O'Neill moved to accept and approve the Executive Director's report, revisions and statements related to the proposed regulations. Commissioner Lowry seconded the motion. The Motion was put to a vote and carried unanimously.

4. Pursuant to NRS 233B.061 and 233B.040, Commission to act upon proposed regulations, including adoption of the proposed regulation.

Executive Director Nevarez-Goodson clarified the Commission's procedural obligations regarding adoption of regulations and approval of the small business impact statement.

Commission Counsel Chase provided direction to the Commission in regards to this item and suggested two motions be made by the Commission.

Commissioner Wallin moved to adopt the business impact statement as presented by the Executive Director. Commissioner Yen seconded the motion. The Motion was put to a vote and carried unanimously.

Commissioner O'Neill moved to adopt the proposed regulations as presented. Commissioner Wallin seconded the motion. The Motion was put to a vote and carried unanimously.

6. Presentation and approval of FY18 Annual Report prepared by the Executive Director pursuant to NAC 281A.180(2).

Executive Director Nevarez-Goodson presented the Annual Report to the Commission highlighting the additions and updates to the report including the implementation of Senate Bill 84 and its impact on Commission policies and procedures, status of advisory opinion requests and complaint submissions and administrative duties of Commission staff.

Commissioner Wallin brought to the attention of Commission staff an error in the Report's tables regarding the number of complaints received. Executive Director Nevarez-Goodson agreed that the Report be corrected and the final published report would be distributed to the Commissioners.

Commissioner O'Neill inquired as to whether the Commission had compared case statistics to those of the Commission on Judicial Discipline and, if so, how comparable they were. Executive Director Nevarez-Goodson provided that the Commission had not compared case information but would conduct a review and follow-up with the Commission.

Commissioner Duffrin moved to approve the Annual Report. Commissioner Yen seconded the motion. The Motion was put to a vote and carried unanimously.

7. Report by the Executive Director on agency status and operations and possible direction thereon. Items to be discussed include, without limitation:

- Commission Appointments
- Commission Meeting Schedule
- FY18 Budget Closing
- Upcoming Biennial Budget Status
- Education and Outreach by the Commission
- BDR Update Status

Executive Director Nevarez-Goodson commenced her report by welcoming newly appointed Commissioner Kim Wallin.

Commission Appointments: Executive Director Nevarez-Goodson commented that for the first time in more than two years, the Commission has no vacancies and is fully instituted.

Meeting Schedule: Executive Director Nevarez-Goodson reiterated that the Commission typically meets the third Wednesday of every month. She stated that she will let the Commissioners know in advance if a meeting will be canceled. She informed the Commission that the next formal meeting would be on October 17, 2018 and would include an adjudicatory hearing.

FY18 Budget Closing: Executive Director briefly summarized the current status of the FY18 Budget. Specifically, the Commission spent down the funds allotted for the fiscal year appropriately. She also explained that funds set aside for Commission travel were utilized for outreach and education since there were vacancies on the Commission and therefore realized savings in that category. In order to engage in the same level of outreach, the Commission will request an increase in funds for outreach and education.

Upcoming Biennial Budget: Executive Director Nevarez-Goodson informed the Commission that in addition to outreach and education travel funds she will also be requesting funds to acquire a digital training platform to be utilized by public employees, elected officials and members of the public. She provided details about further enhancements and efficiency measures that would be included in the agency budget request, to include salary enhancements, investigatory resources and office space.

Education and Outreach by the Commission: Executive Director Nevarez-Goodson provided an update of the ongoing efforts to increase the outreach and education to public employees throughout the State.

Commissioner Lowry made a motion to approve the Executive Director's report. Commissioner Wallin seconded the motion. The motion was put to a vote and carried unanimously.

8. Election of Commission Chair and Vice Chair for Fiscal Year 2018-19, pursuant to NRS 281A.150.

Commissioner Gruenewald made a motion to nominate and elect Cheryl Lau to continue as the Chair and Keith Weaver to be the Vice Chair. Commissioner Yen seconded the motion. The motion was put to a vote and carried unanimously.

Commission Counsel Chase confirmed for the record that Cheryl Lau and Keith Weaver accepted the nominations for Chair and Vice Chair respectively.

9. Public Comment.

No public comment.

7. Report by the Executive Director on agency status and operations and possible direction thereon. Items to be discussed include, without limitation:

This Item was re-opened.

Education and Outreach by the Commission: Executive Director Nevarez-Goodson requested direction from the Commission on outreach efforts, specifically if social media would be an option the Commission would like to pursue. She provided samples of press releases for Commission approval.

Commissioner Lowry amended her previous motion to approve the Executive Director's report to include the public outreach plan. Commissioner Wallin seconded the amended motion. The motion was put to a vote and carried unanimously.

10. Adjournment.

Commissioner Wallin moved to adjourn the meeting. Commissioner Lowry seconded the Motion. The Motion was put to a vote and carried unanimously. The meeting adjourned at 10:28 a.m.

Minutes prepared by:

/s/ Kari Pedroza

Kari Pedroza
Executive Assistant

/s/ Yvonne M. Nevarez-Goodson

Yvonne M. Nevarez-Goodson, Esq.
Executive Director

Minutes approved October 17, 2018:

/s/ Cheryl A. Lau

Cheryl A. Lau, Esq.
Chair

/s/ Keith A. Weaver

Keith A. Weaver, Esq.
Vice-Chair