



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Don Alt**, Member, Board of
County Commissioners,
Lyon County, State of Nevada,

Ethics Complaint No. **18-072C**

Subject. /

PANEL DETERMINATION¹
NRS 281A.725

The Nevada Commission on Ethics ("Commission") received this Ethics Complaint No. 18-072C ("Complaint") regarding the alleged conduct of Don Alt ("Alt"), a Member of the Lyon County Board of County Commissioners, State of Nevada, in violation of the Ethics in Government Law set forth in NRS Chapter 281A ("Ethics Law"). The Commission issued its Order on Jurisdiction and Investigation on October 11, 2018, which Order instructed the Executive Director to investigate alleged violations implicating NRS 281A.400(1) and (2) and NRS 281A.420(1) and (3) for conduct associated with accepting County funds for personal travel.

Alt is a public officer as defined in NRS 281A.160. The Commission has jurisdiction over this matter pursuant to NRS 281A.280 because the allegations contained in the Complaint relate to the Subject's conduct as a public officer and has associated implications under the Ethics Law.

On December 17, 2018, a Review Panel ("Panel") consisting of Commissioners Barbara Gruenewald, Esq. (Presiding Officer), Kim Wallin, CPA, and Amanda Yen, Esq., reviewed the following: 1) Ethics Complaint No. 18-074C; 2) Order on Jurisdiction and Investigation; 3) Subject's Response to the Complaint; 4) Investigator's Report; and 5) Executive Director's Recommendation to the Review Panel.²

Under NAC 281A.430, the Panel unanimously finds and concludes that the facts establish credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter regarding violations of NRS 281A.400(1) and (2) and NRS 281A.420(1) and (3).

However, pursuant to NRS 281A.730, the Panel reasonably believes that Alt's conduct may be appropriately addressed through corrective action under the terms and conditions of a deferral agreement instead of referring this Complaint to the Commission for further proceedings. Accordingly, the Executive Director is authorized to develop a deferral agreement with Alt. The deferral agreement must confirm Alt's acknowledgement of the following requirements:

¹ Except as provided by law, a Panel Determination shall not be cited as precedent.

² All materials provided to the Panel, except the Ethics Complaint and Order on Jurisdiction and Investigation, represent portions of the investigatory file and remain confidential pursuant to NRS 281A.750.

- Compliance with the Ethics Law for a period of 2 years after approval of the deferral agreement.
- A public apology to be issued by Alt in a form approved by the Executive Director.
- The Review Panel's public admonishment.
- Executive Director's authority to monitor compliance with the deferral agreement.
- Subject's obligation to comply with the terms of the deferral agreement and consequences associated with noncompliance, including the authority of the Review Panel to refer the Complaint to the Commission for further proceedings, which could include an adjudicatory hearing on the merits.
- The Complaint will be dismissed after the compliance period provided that there is satisfactorily compliance with the deferral agreement.

Unless an extension is authorized or directed by the Commission Counsel on behalf of the Review Panel, the Executive Director and Subject shall provide a proposed deferral agreement to the Panel through its Commission Counsel on or before January 9, 2019 for consideration of final approval. If the Panel does not approve the deferral agreement or if the Subject declines to enter into a deferral agreement, the Panel will issue an order referring this matter to the Commission for further proceedings.

Dated this 19th day of December, 2018.

NEVADA COMMISSION ON ETHICS

By: /s/ Barbara Gruenewald
Barbara Gruenewald, Esq.
Commissioner/Presiding Officer

By: /s/ Amanda Yen
Amanda Yen, Esq.
Commissioner

By: /s/ Kim Wallin
Kim Wallin, CPA
Commissioner