



**STATE OF NEVADA
COMMISSION ON ETHICS
704 W. NYE LANE, STE. 204
CARSON CITY, NEVADA 89703
<http://ethics.nv.gov>**

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

November 20, 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, November 20, 2013, at 9:00 a.m. at the following location:

**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 and introduced the Commission members at 9:05 a.m.

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

The pledge of allegiance was conducted.

CLOSED SESSION:

(These matters are exempt from the provisions of NRS Chapter 241, the Open Meeting Law.)

2. 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. 13-75A, submitted pursuant to NRS 281A.440(1).

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

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. 13-77A, submitted pursuant to NRS 281A.440(1).

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

4. Closed session pursuant to NRS 281A.440(8) to consider a proposed Stipulation regarding Third-Party Request for Opinion 13-24C, regarding the conduct of Carolyn Edwards, Member, Clark County School District Board of Trustees, District F, submitted pursuant to NRS 281A.440(2).

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

5. Closed session pursuant to NRS 281A.440(8) to consider a proposed Stipulation regarding Third-Party Request for Opinion 13-25C, regarding the conduct of Joyce Haldeman, Associate Superintendent for Community and Government Relations, Clark County School District, submitted pursuant to NRS 281A.440(2).

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

6. Closed Session to discuss potential or pending litigation.

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

OPEN SESSION:

7. Open Session for Public Comment.

Joe Spencer offered public comment regarding the Clark County School District Board of Trustees and submitted two new Third-Party Requests for Opinion to the Executive Director.

Michael Silbergleid, Requester of RFO Nos. 13-24C and 13-25C, offered public comment and urged the Commission to reject the proposed Stipulated Agreements.

8. Open session pursuant to NRS 281A.440(8) to act on a proposed Stipulation regarding Third-Party Request for Opinion 13-24C, regarding the conduct of Carolyn Edwards, Member, Clark County School District Board of Trustees, District F, submitted pursuant to NRS 281A.440(2).

Commissioner Shaw and Commissioner Groover were excused from participating in this agenda item, as they served on the Panel regarding RFO 13-24C.

Appearing before the Commission for this agenda item was Jacob Reynolds, Esq., Counsel for the Subject, Carolyn Edwards.

Chairman Paul H. Lambole, Esq. briefly discussed the process the Commission staff has taken to get to the Stipulated Agreement. Commission Counsel Yvonne Nevarez-Goodson, Esq. summarized the proposed terms and conclusions of law with respect to this matter. Counsel for the Subject, Jacob Reynolds, Esq., stated for the record that Ms. Edwards has agreed to the terms as presented by Commission Counsel. The Commission's Associate Counsel, Jill C. Davis, Esq., stated for the record that she also agreed with the terms.

Commissioner Cheryl A. Lau, Esq. moved to accept the Stipulated Agreement as outlined by Commission Counsel, including the changes discussed under agenda item no. 4, and as agreed to by the Subject. The Motion was put to a vote and carried as follows:

Commissioner Lau: Aye.
Commissioner Gale: Aye.
Commissioner Cory: Aye.
Commissioner Weaver: Aye.
Commissioner Carpenter: Aye.
Commissioner Lamboley: Aye.

9. Open session pursuant to NRS 281A.440(8) to act on a proposed Stipulation regarding Third-Party Request for Opinion 13-25C, regarding the conduct of Joyce Haldeman, Associate Superintendent for Community and Government Relations, Clark County School District, submitted pursuant to NRS 281A.440(2).

Commissioner Shaw and Commissioner Groover were excused from participating in this agenda item, as they served on the Panel regarding RFO 13-25C.

Appearing before the Commission for this agenda item was Carlos McDade, Esq., Counsel for the Clark County School District and Subject, Joyce Haldeman.

Commission Counsel Yvonne Nevarez-Goodson, Esq. summarized the proposed terms and conclusions of law with respect to this matter. Carlos McDade, Esq., counsel for the Subject, stated that Ms. Haldeman agreed with the terms and conditions as presented by Commission Counsel. The Commission's Associate Counsel, Jill C. Davis, Esq., stated for the record that she also agreed. Commissioner Cheryl A. Lau, Esq. moved to accept the presented Stipulated Agreement, especially the terms and conclusions of law presented by Commission Counsel. Commissioner Keith A. Weaver, Esq. seconded the Motion. The Motion was put to a vote and carried as follows:

Commissioner Lau: Aye.
Commissioner Gale: Aye.
Commissioner Cory: Aye.
Commissioner Weaver: Aye.
Commissioner Carpenter: Aye.
Commissioner Lamboley: Aye.

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

Executive Director Caren Cafferata-Jenkins, Esq. reported that Janet Jacobsen, the Commission's former Senior Legal Researcher has left the Commission for a higher paying position with the Commission on Judicial Discipline, and the Commission and Staff congratulate her and wish her well. Executive Director Cafferata-Jenkins is beginning the process to fill the position.

Executive Director Cafferata-Jenkins reported that construction in the office has begun, and hopes that by the time Staff returns from the Thanksgiving break, the Associate Counsel's new office will be completed.

The Executive Director reported on her training efforts, stating that she has completed trainings for the Gaming Control Board staff state-wide, all of the City of Henderson employees, the entire staff of the State Department of Employment, Training and Rehabilitation in addition to public employees in various other government entities throughout the State. She has recently been invited to present to the City of Fernley, City of Reno and the City of Carson City.

Executive Director Cafferata-Jenkins reported that she is in the process of updating the Ethics Manual for public employees and public officers, to make it more user friendly. She also provided the Commission with the PowerPoint presentation handouts that she provides during her trainings. She reported that Jill C. Davis, Esq. has prepared her own version of the Ethics in Government presentation and will present to the Nevada CPM program later in the week.

Executive Director Cafferata-Jenkins reported that Commissioner Cory had suggested at a previous Commission meeting that a CLE be developed for lawyers who come before the Commission. She agreed with Commissioner Cory, but also believes that procedures within the Commission regarding the hearing process should be vetted fully before preparing said CLE.

She reported that she has requested that all staff (with the exception of Commission Counsel) report to her in writing on a weekly basis regarding duties undertaken each week, and what they hope to accomplish in the coming week, to get a better record of what each staff members' job duties entail. The Executive Director stated that these reports will be used to update job descriptions and use them as evidence to assist the Department of Administration in reclassifying pay scales.

Executive Director Cafferata-Jenkins requested that the Chairman reactivate the Personnel Subcommittee to work with her to revise position descriptions and support Staff's efforts in a salary study that will go forward in preparation for the next legislative session.

A lengthy discussion ensued regarding the formation of a CLE Subcommittee, Nevada Administrative Code Subcommittee, and the reactivation of the Personnel Subcommittee, the scope of each, and which Commission members will serve on each. Commissioner Lamboley appointed the following members to the Subcommittees:

Personnel Subcommittee: Commissioner Lau (Chair), Commissioner Shaw (Co-Chair), and Commissioner Groover.

CLE for Lawyers Subcommittee: Commissioner Cory (Chair), and Commissioner Lau.

Nevada Administrative Code (NAC) Subcommittee: Commissioner Gale (Chair), Commissioner Weaver, and Commissioner Carpenter.

The scope and meetings of these Subcommittees will be addressed in the near future.

Commission Counsel Yvonne Nevarez-Goodson, Esq. reported that approximately eight or nine opinions still need to be written, and she hopes to clear that backlog within the next few months. She stated that staff will continue to provide the Commission with a quarterly update detailing the current status of pending Requests for Opinion.

11. Open Session for consideration and approval of Minutes from the following Commission meetings: August 21, 2013, September 18, 2013 and October 16, 2013.

Commissioner Shaw moved to approve the Minutes of the August 21, 2013 Commission meeting. The Motion was seconded by Commissioner Lau. The Motion was put to a vote and carried unanimously.

Commissioner Shaw moved to approve the Minutes of the September 18, 2013 Commission meeting. The Motion was seconded by Commissioner Lau. The Motion was put to a vote and carried unanimously.

Commissioner Cory moved to approve the Minutes of the October 16, 2013 Commission

meeting. The Motion was seconded by Commissioner Lau. The Motion was put to a vote and carried unanimously.

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

No Commissioner comments.

13. Open Session for Public Comment.

Ken Small, member of the Clark County School District Parents Association and reporter for the Las Vegas Tribune offered public comment regarding the Stipulations entered in RFO Nos. 13-24C and 13-25C, and his ongoing concerns regarding the Clark County School District.

14. Adjournment.

Commissioner Lau moved to adjourn the meeting at 3:47 p.m., Commissioner Cory seconded the Motion. The Motion was put to a vote and carried unanimously.

Minutes prepared by:

/s/ Valerie Carter

Valerie M. Carter
Executive Assistant

Minutes approved: January 15, 2013:

/s/ Paul H. Lamboley

Paul H. Lamboley, Esq.
Chairman