



**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, February 17, 2021, at 9:30 a.m.
Virtually via Zoom as follows:

Zoom Meeting Information:

<https://zoom.us/j/96224153434?pwd=SWpUK0Z2eXNkRDg2SExCODdVOUYxUT09>

Zoom Meeting Telephone Number: 669-900-9128

Meeting ID: 962 2415 3434

Passcode: 791925

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics. A recording of the meeting is available for public inspection at the Commission's office.

1. Call to Order and Roll Call.

Chair Kim Wallin, CPA, CMA, CFM appeared via videoconference and called the meeting to order at 9:30 a.m. Also appearing via videoconference were Vice-Chair Brian Duffrin and Commissioners Barbara Gruenewald, Esq., Teresa Lowry, Esq., Damian Sheets, Esq. and Amanda Yen, Esq. Commissioner Thoran Towler, Esq. was excused from the meeting. Present for Commission staff via videoconference were Commission Counsel Tracy L. Chase, Esq., Associate Counsel Ann Wilkinson, Esq., Investigator Erron Terry, Senior Legal Researcher Darci Hayden and Executive Assistant Kari Pedroza.

The pledge of allegiance was conducted.

2. Public Comment.

There was no public comment.

3. Approval of Minutes of the January 20, 2021 Commission Meeting.

Chair Wallin stated that all Commissioners were present for the January meeting and could participate on this item, except for Commissioner Sheets who was excused from that meeting and would abstain from participating on this item.

Commissioner Yen moved to approve the January 20, 2021 Commission Meeting Minutes as presented. Commissioner Gruenewald seconded the motion. The Motion was put to a vote and carried unanimously.

4. Recognition of Executive Director Yvonne Nevarez-Goodson, Esq., for her years of dedicated and outstanding service to the Commission.

This item was taken out of order and heard later in the meeting.

5. Update on vacancy and recruitment of Executive Director position and appointment of a Personnel Subcommittee of the Nevada Commission on Ethics to review applications for the Executive Director position, including authority to select applicants to be interviewed before the Commission at a future public meeting.

Commission Counsel Chase provided an update on the Executive Director recruitment status and outlined the interview process in compliance with the Open Meeting Law.

Vice-Chair Duffrin asked some clarification questions about maintaining the confidentiality of the applicants and Commission Counsel Chase responded that in order to comply with the Open Meeting Law the applicant's names would be included on a future agenda, however certain personal information included in their applications could be redacted in the public meeting materials.

Chair Wallin made a motion that the Personnel Subcommittee be comprised of herself, Vice-Chair Duffrin and Commissioner Gruenewald. Commissioner Yen seconded the motion. The Motion was put to a vote and carried unanimously.

Commission Counsel Chase informed the Commission that the motion allows for the options of either the full Commission to consider the applicants or the Commission's Chair may call for the Personnel Subcommittee to have a meeting to streamline the applicants to be presented to the Commission for appointment.

6. Confirmation of Commission Chair's appointment of Tracy Chase, Commission Counsel, as acting interim Executive Director for all administrative matters, including without limitation, agency operations, advisory opinion matters and certain ethics complaint matters.

Chair Wallin outlined the intent of the agenda item and explained that under statute she has the authority to appoint an acting interim Executive Director and this item is confirmation of her appointment of Commission Counsel Chase as acting interim Executive Director.

Commission Counsel Chase provided clarification in regard to the difference between this appointment item and the next appointment item on the agenda as requested by Commissioner Yen.

Commissioner Lowry made a motion to appoint Commission Counsel Tracy Chase as acting Executive Director for all administrative matters, including without limitation, agency operations, advisory opinion matters and certain ethics complaint matters. Commissioner Yen seconded the motion. The Motion was put to a vote and carried unanimously.

7. Confirmation of Commission Chair's appointment of Ann Wilkinson, Associate Counsel, to fulfill the duties of the Executive Director during the interim on matters relating to Ethics Complaint cases.

Chair Wallin outlined the intent of the agenda item. Acting Interim Executive Director Chase added that this appointment would be applicable to matters in which the Commission Counsel is precluded from participating.

Vice-Chair Duffrin asked if the Commission has the option of obtaining assistance from the Office of the Attorney General in complaint cases where the Associate Counsel has a conflict. Acting Interim Executive Director Chase responded that if the Commission appoints an attorney in the Executive Director position, he or she can take over investigations in cases where the Associate Counsel has a conflict. She added that the Commission does have the option of contacting the Office of the Attorney General for assistance and the Commission could also contract with independent counsel if the budget allows.

Vice-Chair Duffrin made a motion to appoint Associate Counsel Wilkinson to fulfill the duties of the Executive Director during the interim on matters relating to Ethics complaint cases on which Commission Counsel is precluded from participating. Commissioner Sheets seconded the motion. The Motion was put to a vote and carried unanimously.

8. Report by Commission Counsel, as Acting Executive Director on agency status and operations and possible direction thereon. Items to be discussed include, without limitation:

- FY21 Budget Status
- Upcoming Biennial Budget
- 2021 BDR Status (AB 65)
- 2021 Legislative Session
- Update on COVID-19 Emergency Protocols
- Education and Outreach

FY21 Budget Status: Acting Interim Executive Director Chase reiterated that during the special session the Nevada Legislature previously approved budget cuts as the result of the COVID-19 pandemic. She reported that the cuts have been implemented and were met by cost savings in Commission travel, court reporting and operating expense savings from the closure of the Commission's Las Vegas office. Acting Interim Executive Director Chase informed the Commission that agency operations would be within budgetary amounts for this Fiscal Year.

Upcoming Biennial Budget: Acting Interim Executive Director Chase shared that during a Budget meeting last week with the Commission's budget team from the Governor's Finance Office, Legislative Counsel Bureau Fiscal and the Administrative Services Division she learned that the Commission's budget is slated for a staff closing meaning that a hearing is not being requested because there are no anticipated issues with the Commission's budget. She further explained that once the staff closing is concluded, the Commission's budget will be scheduled for final closing in April or May before the full Joint Budget Committee.

2021 BDR Status (AB 65) & 2021 Legislative Session: Acting Interim Executive Director Chase confirmed that a hearing for AB 65 will be scheduled before the Assembly Legislative Operations and Elections Committee and once the date of the hearing was announced she would relay this information to the Commission. She informed the Commission that meetings have already been held with the LCB Research Directors assigned to the Committee and the Governor's liaisons to discuss the parameters of AB 65 and answer any questions staff may have on the bill. On February 4, 2021, former Executive Director Nevarez-Goodson presented a PowerPoint to the Joint Legislative Operations and Elections Committees which explained the Commission's role and purpose in interpreting and enforcing the Ethics Law and provided highlights of AB 65. Acting Interim Executive Director Chase shared that in preparation of the upcoming bill hearing, a meeting with the Assembly Committee's Chair and Vice-Chair has been scheduled to answer any questions they might have in regard to the Commission's bill. She added that outreach has been initiated to stakeholders through Nevada Association of Counties (NACO), the Nevada League of Cities, the Attorney General's office and the state of Nevada to provide information on AB 65 with a request that they provide feedback to the Commission prior to the initial bill hearing. Acting Interim Executive Director Chase thanked Commission Chair Wallin,

Vice-Chair Duffrin and Commissioners Lowry and Towler for their support and efforts in outreach on AB 65.

Update on COVID-19 Emergency Protocols: Acting Interim Executive Director Chase reported that current COVID-19 protocols remain in place and Commission staff continue to work remotely with some administrative functions being performed in office such as postal mail and voicemail retrieval and processing of other operational matters.

Education and Outreach: Acting Interim Executive Director Chase informed the Commission that former Executive Director Nevarez-Goodson fulfilled all outstanding training requests prior to her departure and also recorded a training video which is now posted on the Commission's website.

Commissioner Lowry moved to accept the Executive Director's agency status report as presented. Commissioner Gruenewald seconded the motion. The motion was put to a vote and carried as follows unanimously.

9. Delegation of authority to Commission Counsel, as acting interim Executive Director, in consultation with the Commission's Chair and Vice-Chair, to represent the Commission in matters before the 81st Session of the Nevada Legislature, including without limitation, processing of amendments to Assembly Bill 65.

Chair Wallin outlined the intent of the agenda item explaining that the Legislature is expected to be extremely fast-paced this Session and this item provides the ability under the direction of the Chair or the Vice-Chair to address matters as they come up during the Session including any amendments needed to AB 65.

Commissioner Gruenewald moved to delegate authority to Commission Counsel, as acting interim Executive Director, in consultation with the Commission's Chair or the Vice-Chair, to represent the Commission in matters before the 81st Session of the Nevada Legislature, including without limitation, processing of amendments to Assembly Bill 65. Commissioner Yen seconded the motion. The motion was put to a vote and carried as follows unanimously.

10. Commissioner comments on matters including, without limitation, identification of future agenda items, upcoming meeting dates and meeting procedures. No action will be taken under this agenda item.

Chair Wallin informed the Commission that there may be a special meeting to interview the candidates for the Executive Director position and requested that Commissioners provide their availability on March 4 and March 10 to Executive Assistant Pedroza.

Vice-Chair Duffrin shared that in considering candidates for the Executive Director position, the Commission not only has the State of Nevada's best interest in mind but the current staff's best interest in mind as well. Vice-Chair Duffrin welcomed Commissioner Sheets back.

4. Recognition of Executive Director Yvonne Nevarez-Goodson, Esq., for her years of dedicated and outstanding service to the Commission.

Chair Wallin thanked Executive Director Nevarez-Goodson for her contribution to the Commission in the eleven years she served the Commission. She commended Ms. Nevarez-Goodson for putting together a good team. Chair Wallin shared her opinion that the new Executive Director will have big shoes to fill.

Acting Interim Executive Director and Commission Counsel Chase showed the

Commission the Recognition Plaque prepared for former Executive Director Nevarez-Goodson and read the inscription “Yvonne M. Nevarez-Goodson, Esq. Executive Director and Commission Counsel, Nevada Commission on Ethics, In Recognition and Appreciation of your Outstanding Leadership and Dedicated service to the Commission and the State, 2009 – 2021,” which will be delivered to Ms. Nevarez-Goodson.

11. Public Comment.

There was no public comment.

12. Adjournment.

Commissioner Lowry made a motion to adjourn the public meeting. Commissioner Sheets seconded the motion. The Motion was put to a vote and carried unanimously.

The meeting adjourned at 10:05 a.m.

Minutes prepared by:

[/s/ Kari Pedroza](#)

Kari Pedroza
Executive Assistant

[/s/ Tracy Chase, Esq.](#)

Tracy Chase, Esq.
Acting interim Executive Director

Minutes approved March 17, 2021:

[/s/ Kim Wallin](#)

Kim Wallin, CPA, CMA, CFM
Chair

[/s/ Brian Duffrin](#)

Brian Duffrin
Vice-Chair