



**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, March 17, 2021, at 9:00 a.m.
Virtually via Zoom as follows:

Zoom Meeting Information:

<https://zoom.us/j/98728799268?pwd=Sk5JVTIzZWNMZWZoTIFJbkxQYVVGdz09>

Zoom Meeting Telephone Number: 669-900-9128

Meeting ID: 987 2879 9268

Passcode: 193577

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 9:00 a.m. Also appearing via videoconference were Vice-Chair Brian Duffrin and Commissioners Barbara Gruenewald, Esq., Teresa Lowry, Esq., Thoran Towler, Esq. and Amanda Yen, Esq. Commissioner Damian Sheets, Esq. was absent from the meeting. Present for Commission staff via videoconference were Acting Interim Executive Director/Commission Counsel Tracy L. Chase, 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 February 17, 2021 Commission Meeting.

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

Commissioner Yen moved to approve the February 17, 2021 Commission Meeting Minutes as presented. Commissioner Lowry seconded the motion. The Motion was put to a vote and carried as follows:

Chair Wallin:	Aye.
Vice-Chair Duffrin:	Aye.
Commissioner Gruenewald:	Aye.
Commissioner Lowry:	Aye.
Commissioner Towler:	Abstain.
Commissioner Yen:	Aye.

4. 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 to the Commission that agency operations would be within budgetary amounts for this Fiscal Year with position vacancies contributing to the savings. She provided an update to the Commission on recruitment status of the Associate Counsel position.

Upcoming Biennial Budget: Acting Interim Executive Director Chase shared that the upcoming biennial budget status is the same as reported last meeting. She reiterated that the Legislature is anticipated to consider the Commission's budget as a staff closing, meaning that a formal hearing would not be presented as 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 AB 65 is being considered before the Assembly Legislative Operations and Elections Committee. She informed the Commission that the Committee requested additional information regarding the purpose of each bill section which has been provided to the Committee. Acting Interim Executive Director Chase thanked Commission Chair Wallin and Vice-Chair Duffrin for their efforts in reviewing and editing the AB 65 outline document.

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 the training materials posted on the Commission's website have received interest from the public and requests for training received by staff will be logged and scheduled under the direction of the new Executive Director once he/she begins with the Commission.

Commissioner Lowry asked a clarification question regarding the recruitment process for the Associate Counsel position and Acting Interim Executive Director Chase provided the response.

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

5. Interviews and consideration of candidates for the Executive Director position, and possible appointment of a candidate as the Executive Director. Under NRS 241.020(2)(d)(5), the Commission may consider the character and professional competence of the following applicants for appointment as the Executive Director:
 - 1.) Michael A. Pintar
 - 2.) John R. McCormick
 - 3.) David R. Hall
 - 4.) Janet E. Traut

Chair Wallin introduced the agenda item stating that the Commission would be holding 1-hour interviews of each of the 4 Executive Director applicants and after the interviews the Commission would deliberate regarding its selection of the new Executive Director.

Commissioner Lowry asked about the background check process for the selected candidate and Chair Wallin outlined the process for her fellow Commissioners. Commission Counsel Chase added that if an attorney was selected the background check would include an inquiry to the State Bar. She stated that she would perform the reference checks for the selected candidate.

Vice-Chair Duffrin disclosed that he served on the Northern Nevada Disciplinary Board with Mr. Pintar, worked at the Gaming Control Board after Mr. Pintar was employed there and also graduated from Carson High School like Mr. Pintar; the two were not close friends but were acquaintances. Commission Counsel Chase provided that under both the Ethics Law and the Cannons of Judicial Ethics the relationship described by Vice-Chair Duffrin did not disqualify him from participating in the matter.

The Commission then interviewed each of the four candidates in the following order: Michael A. Pintar, John R. McCormick, David R. Hall, and Janet E. Traut.

Chair Wallin expressed her gratitude to each of the applicants and remarked how impressed she was with the quality of the applicants, stating it was a very difficult decision for the Commission to select one final candidate. Chair Wallin looked to her colleagues for their views on which applicant should be appointed as the Executive Director.

Commissioner Gruenewald concurred with Chair Wallin and her comments regarding the quality of the applicants. She shared her opinion that the person filling the Executive Director position should be a licensed attorney. Commissioner Gruenewald discussed her top two candidate selections for the position, Mr. Pintar and Mr. Hall.

Commissioner Yen echoed the comments of Chair Wallin and Commissioner Gruenewald regarding the quality of all the applicants. Commissioner Yen stated that her first choice was David R. Hall, Esq.

Commissioner Lowry stated how difficult of a decision this was and appreciated her colleagues' comments. However, she agreed with the other Commissioners and her first selection would also be Mr. Hall. She addressed the applicants and thanked them for their interest, time, and effort today.

Commissioner Towler agreed that the decision was difficult, but that he also selected David R. Hall, Esq.

Vice-Chair Duffrin also echoed the comments of his colleagues, stating that he would like to extend the offer of the Executive Director position to David R. Hall, Esq.

Chair Wallin stated her agreement with her fellow Commissioners' views about the quality of the applicants and also extending the job offer to David R. Hall, Esq.

Commission staff thanked the Commission for allowing them to provide their feedback on the Commission's selection for the Executive Director position.

Commissioner Gruenewald moved that the Commission extend an offer of the Executive Director position to David R. Hall, Esq. contingent upon the background and reference check results. Commissioner Yen seconded the motion. The motion was put to a vote and carried unanimously.

6. 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.

There were no Commissioner comments.

7. Public Comment.

There was no public comment.

8. Adjournment.

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

The meeting adjourned at 2:36 p.m.

Minutes prepared by:

/s/ Kari Pedroza

Kari Pedroza
Executive Assistant

/s/ Tracy Chase, Esq.

Tracy Chase, Esq.
Acting interim Executive Director

Minutes approved May 19, 2021:

/s/ Kim Wallin

Kim Wallin, CPA, CMA, CFM
Chair

/s/ Brian Duffrin

Brian Duffrin
Vice-Chair