



**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, October 20, 2021, at 9:30 a.m.  
at the following location:

**Nevada State Capitol Building  
Guinn Room  
101 N. Carson Street, Second Floor  
Carson City, NV 89701**

The meeting was also held virtually via Zoom as follows:

**Zoom Meeting Information:**

<https://us06web.zoom.us/j/82104238959?pwd=Z2pESHFDU053VkdYbkh6M2I3dTlrZz09>

Zoom Meeting Telephone Number: 669-900-9128

Meeting ID: 821 0423 8959

Passcode: 935222

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 in Carson City and called the meeting to order at 9:31 a.m. Also appearing in Carson City were Vice-Chair Brian Duffrin and Commissioner Barbara Gruenewald, Esq. Appearing via videoconference were Commissioners Teresa Lowry, Esq., James Oscarson, Thoran Towler, Esq. and Damian Sheets, Esq. Amanda Yen, Esq. was excused. Present for Commission staff in Carson City were Commission Counsel Tracy L. Chase, Esq., Associate Counsel Elizabeth J. Bassett, 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 September 15, 2021 Commission Meeting.

Chair Wallin stated that all Commissioners were present for the September 15<sup>th</sup> meeting and could participate on this item.

Vice-Chair Duffrin moved to approve the September 15, 2021 Commission Meeting Minutes as presented. Commissioner Gruenewald seconded the motion. The Motion was put to a vote and carried unanimously.

2. Public Comment.

Citizens Tammy Holt-Still and Denise Ross provided public comment pertaining to City of Reno Councilmember Bonnie Weber, the subject of Agenda Item 4.

4. Discussion and approval of a Proposed Stipulation concerning Ethics Complaint No. 20-010C regarding Bonnie Weber, Councilmember, City of Reno, State of Nevada.

Chair Wallin stated for the record that Vice-Chair Duffrin and Commissioners Gruenewald and Oscarson served as members of the Review Panel and would be precluded from participating in this item. Commission Counsel Chase stated that although Commissioner Yen was excused from the meeting, she wanted to note for the record the Commissioner's disclosure that her law firm represents the City of Reno and that she abstained from all matters relating to the case pursuant to NRS 281A.420 and the Canons of Judicial Ethics as applicable to Commissioners in their quasi-judicial capacity.

Paul Lipparelli, Esq., co-counsel for Councilmember Weber disclosed his long-standing friendship with Vice-Chair Duffrin to the Commission. Vice-Chair Duffrin provided a disclosure on the same relationship. Commission Counsel Chase confirmed that Vice-Chair Duffrin could participate on the item because he did not have a conflict under the Ethics Law.

Chair Wallin asked the parties in the Complaint to identify themselves for the record. Associate Counsel Elizabeth J. Bassett, Esq. appeared before the Commission in this matter and Jonathan D. Shipman, Esq., Karl Hall, Esq. and Paul Lipparelli, Esq. appeared on behalf of Councilmember Bonnie Weber, who was not in attendance but was provided proper notice of the Agenda Item and understood that the Commission would proceed in her absence.

Associate Counsel Bassett provided an overview of Ethics Complaint Case No. 20-010C (Weber) and the Proposed Stipulated Deferral Agreement. The Complaint alleged that Councilmember Weber violated the Ethics Law when she used her official City of Reno letterhead to send invitations to developers for private events and accepted free lunches from developers who had land issues that would subsequently come before her in her official capacity. During the investigation of this matter, issues were identified concerning Councilmember Weber's alleged use of City staff at the private events to benefit a significant personal or pecuniary interest. A Review Panel consisting of 3 members of the Commission on Ethics determined that just and sufficient cause exists for the Commission to render an Opinion regarding the allegations pertaining to NRS 281A.400 subsections (1), (2) and (7).

The Proposed Stipulated Deferral Agreement outlined that Councilmember Weber, the Reno City Manager, and the Reno City Attorney's Office would (i) update and revise City of Reno Policies and Procedures to address situations where City staff attend meetings that are hosted or organized by elected officials, but not open to the general public; and (ii) update and revise Citywide training on such policies and encourage impacted City officials and employees to receive training on the revised policies.

Councilmember Weber's counsel, Jonathan D. Shipman, Esq. thanked Associate Counsel Bassett and Investigator Terry for their help in resolving the matter and stated that his client is looking forward to putting this matter behind her.

Commissioner Lowry made a motion to accept the terms of the Stipulated Deferral Agreement as presented by the parties and direct Commission Counsel to finalize the Stipulation in appropriate form. Commissioner Towler seconded the motion. The Motion was put to a vote and carried as follows:

Chair Wallin:	Aye.
Vice-Chair Duffrin:	Abstain. (Review Panel Member)
Commissioner Gruenewald:	Abstain. (Review Panel Member)
Commissioner Lowry:	Aye.
Commissioner Oscarson:	Abstain. (Review Panel Member)
Commissioner Towler:	Aye.
Commissioner Sheets:	Aye.

5. Discussion and approval of a Proposed Stipulation concerning Ethics Complaint No. 19-095C regarding Jim Alworth, Councilmember, City of Ely, State of Nevada.

Chair Wallin stated for the record that Vice-Chair Duffrin and Commissioners Gruenewald and Oscarson served as members of the Review Panel and would be precluded from participating in this item.

Chair Wallin asked the parties in the Complaint to identify themselves for the record. Appearing before the Commission in this matter were Associate Counsel Elizabeth J. Bassett, Esq. in Carson City and Councilmember Alworth via Zoom.

Associate Counsel Bassett provided an overview of Ethics Complaint Case No. 19-095C (Alworth) and the Proposed Stipulated Agreement. The Complaint alleged that Councilmember Alworth violated the Ethics Law when he failed to publicly disclose the full nature and extent of his pecuniary interests in participating in matters related to the Ely Fire Department and Ely Volunteer Fire Department. A Review Panel consisting of 3 members of the Commission on Ethics determined that just and sufficient cause exists for the Commission to render an Opinion regarding the allegations that implicate NRS 281A.400 subsections (2) and (9), NRS 281A.420 subsections (1) and (3) and NRS 281A.685 subsection (3)(a).

The Proposed Stipulated Agreement reflected that Councilmember Alworth's actions constitute a single course of conduct resulting in one violation of the Ethics Law, implicating the provisions of NRS 281A.420(1) and (3), deemed by the Commission not to be a willful violation.

Commissioner Sheets made a motion to accept the terms of the Stipulated Agreement as presented by the parties and direct Commission Counsel to finalize the Stipulation in appropriate form. Commissioner Lowry seconded the motion. The Motion was put to a vote and carried as follows:

Chair Wallin:	Aye.
Vice-Chair Duffrin:	Abstain. (Review Panel Member)
Commissioner Gruenewald:	Abstain. (Review Panel Member)
Commissioner Lowry:	Aye.
Commissioner Oscarson:	Abstain. (Review Panel Member)
Commissioner Towler:	Aye.
Commissioner Sheets:	Aye.

6. Discussion and approval of a Proposed Stipulation concerning Ethics Complaint No. 20-063C regarding Danielle Milam, Planning and Development Director, Las Vegas-Clark County Library District, State of Nevada.

Chair Wallin stated for the record that Vice-Chair Duffrin and Commissioners Sheets and Yen served as members of the Review Panel and would be precluded from participating in this item.

Chair Wallin asked the parties in the Complaint to identify themselves for the record. Associate Counsel Elizabeth J. Bassett, Esq. appeared before the Commission in this matter and Mitchell Stipp, Esq. appeared via Zoom with his client Director Milam.

Associate Counsel Bassett provided an overview of Ethics Complaint Case No. 20-063C and the Proposed Stipulated Agreement. The Complaint alleged that Director Milam violated the Ethics Law when she used her position with the Library District to secure or grant unwarranted privileges, preferences, or advantages for a vendor with whom she had a professional working relationship outside of the Library District. A Review Panel consisting of 3 members of the Commission on Ethics determined that just and sufficient cause exists for the Commission to render an Opinion regarding the allegations that implicate of NRS 281A 400 subsections (1), (2) and (10) and NRS 281A.420 subsection (1)

The Proposed Stipulated Agreement reflected that after further investigation and mitigating circumstances, the allegations were dismissed for lack of evidence to support such violations by a preponderance of the evidence, which standard of proof is set forth in NRS 281A.790(9).

Commissioner Oscarson made a motion to accept the terms of the Stipulated Agreement as presented by the parties and direct Commission Counsel to finalize the Stipulation in appropriate form. Commissioner Lowry seconded the motion. The Motion was put to a vote and carried as follows:

Chair Wallin:	Aye.
Vice-Chair Duffrin:	Abstain. (Review Panel Member)
Commissioner Gruenewald:	Aye
Commissioner Lowry:	Aye.
Commissioner Oscarson:	Aye.
Commissioner Towler:	Aye.
Commissioner Sheets:	Abstain. (Review Panel Member)

7. 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.

Vice-Chair Duffrin 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 Gruenewald seconded the motion. The Motion was put to a vote and carried unanimously.

8. Confirmation of Commission Chair's appointment of Elizabeth Bassett, Associate Counsel, to fulfill the duties of the Executive Director during the interim on certain 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 Ethics Complaint case matters in which the Commission Counsel is precluded from participating.

Commissioner Gruenewald made a motion to appoint Associate Counsel Bassett 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 Oscarson seconded the motion. The Motion was put to a vote and carried unanimously.

9. Report by Commission Counsel, as Acting Executive Director, on agency status and operations and possible direction thereon. Items to be discussed include, without limitation:
  - FY22 Budget Status
  - Status of processing of Jurisdictional Reviews, Investigations and Complaints
  - Update on Current Caseload
  - Executive Director Recruitment
  - Commission Meeting Status
  - Update on Education and Outreach

FY22 Budget Status: Commission Counsel Chase reiterated that staff is monitoring the Commission's budget through projections and the Commission is within its budgetary authority for the Fiscal Year. She informed them that the Precision Document Imaging contract for the case management system was negotiated and sent to the Administrative Services Division for processing.

Status of processing of Jurisdictional Reviews, Investigations and Complaints/ Update on Current Caseload: Commission Counsel Chase provided an update on the Commission's caseload, highlighting the combined efforts of the Commission and staff in resolving all outstanding Fiscal Year 2019 Ethics complaint cases and the progress in regard to decreasing the backlog.

Executive Director Recruitment: Commission Counsel Chase confirmed that the Executive Director position announcement had been posted on the Commission's website, LinkedIn and the State HR website, as well as on the Council on Government Ethics Law website and additionally was emailed by the State Bar Association to all public lawyer section members. She reported that the Commission had received 22 submissions for the Executive Director position which would be provided to all Commissioners. She requested that the Commissioners refrain from discussing the applications outside of a public meeting to ensure compliance with the Open Meeting Law. Commission Counsel Chase outlined the applicant interview process before the Personnel Subcommittee and subsequently those applicants referred by the Subcommittee would be considered by the full Commission.

Update on Education and Outreach: Commission Counsel Chase informed the Commission that staff has provided the Ethics in Government Law training video to a number of requesters, including the State's Boards and Commissions, Lake Tahoe Visitors Authority and Tahoe Douglas Visitors authority, Nevada State Contractor's Board, and the Humboldt County Planning Commission.

Commission Meeting Status: Commission Counsel Chase or stated that the Commission will have its November meeting on the 17<sup>th</sup>, the third Wednesday of the month and asked that the Commissioners hold the third Wednesday in December for a tentative Commission meeting.

Commission Counsel Chase reported that Chair Wallin has authorized Commission staff to reinstate the Commission's office hours of Monday through Thursday 7:00 am to 5:30 pm effective November 8, 2021.

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.

Commissioner Oscarson thanked Commission Counsel Chase for her report.

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 thanked the Commissioner staff for their hard work. She also thanked Executive Assistant Pedroza for posting the Global Ethics Day tweet on Twitter prior to the meeting.

11. Public Comment.

There was no public comment.

12. Adjournment.

Vice-Chair Duffrin 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 10:28 a.m.

Minutes prepared by:

/s/ Kari Pedroza

Kari Pedroza  
Executive Assistant

/s/ Tracy L. Chase, Esq.

Tracy L. Chase, Esq.  
Acting Executive Director

Minutes approved November 17, 2021:

s/ Kim Wallin

Kim Wallin, CPA, CMA, CFM  
Chair

/s/ Brian Duffrin

Brian Duffrin  
Vice-Chair