

# **Agenda Item 3**



**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, June 15, 2022, 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**

**Zoom Meeting Information**

<https://us06web.zoom.us/j/87947628267?pwd=aG4wNFVldXZTdWgxc3I0dWJaMDVPUT09>

Zoom Meeting Telephone Number: 720-707-2699 \*

Meeting ID: 879 4762 8267

Passcode: 967863

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-person in the Guinn Room in Carson City and called the meeting to order at 9:36 a.m. Also appearing in-person were Vice-Chair Brian Duffrin and Commissioners Barbara Gruenewald, Esq. and Thoran Towler, Esq. Commissioners Teresa Lowry, Esq. and Amanda Yen, Esq. appeared via videoconference. Commissioners James Oscarson and Damian Sheets, Esq. were excused. Present for Commission staff in Carson City were Executive Director Ross E. Armstrong, Esq., Commission Counsel Tracy L. Chase, Esq., Associate Counsel Elizabeth J. Bassett, Esq., Senior Legal Researcher Darci Hayden, Investigator Erron Terry and Executive Assistant Kari Pedroza.

2. Public Comment.

There was no public comment.

///

3. Approval of Minutes of the May 18, 2022 Commission Meeting.

Chair Wallin stated that all Commissioners were present for the May Commission Meeting and could consider the minutes.

Commissioner Towler moved to approve the May 18, 2022 Commission Meeting Minutes as presented. Vice-Chair Duffrin seconded the motion. The Motion was put to a vote and carried unanimously.

4. Discussion and approval of a Proposed Stipulation concerning Ethics Complaint No. 20-064C regarding Steve Alford, Head Men's Basketball Coach, University of Nevada, 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 pursuant to NRS 281A.220(4).

Commissioner Yen disclosed that she is a partner at the law firm of McDonald Carano, which represents the University of Nevada, Reno, who employs the Subject and after consultation with Commission Counsel Chase, Commission Yen abstained from participation on this item based upon this relationship and application of the Ethics Law and Judicial Canons to the disclosed conflict.

Chair Wallin identified the participating Commissioners for this item as Chair Wallin and Commissioners Lowry and Towler.

Chair Wallin asked the parties to identify themselves for the record. Associate Counsel Elizabeth J. Bassett, Esq. appeared on behalf of Executive Director Armstrong before the Commission in this matter and Chief Deputy Attorney General Greg Ott, Esq. and Senior Deputy Attorney General James Bolotin, Esq. appeared on behalf of Steve Alford ("S. Alford"), who was not in attendance but was provided proper notice of the Agenda Item and understood that the Commission would proceed in his absence.

Associate Counsel Bassett provided an overview of Ethics Complaint Case No. 20-064C (Alford) and the Proposed Stipulation. The Complaint alleged that S. Alford violated NRS 281A.400 subsections (1), (2), (3) and (10) and NRS 281A.420 subsections (1) and (3). On August 18, 2021 the Review Panel consisting of 3 members of the Commission on Ethics determined that just and sufficient cause to refer the Complaint to the full Commission for further proceedings. In lieu of an adjudicatory hearing, the parties agreed to the Proposed Stipulated Agreement submitted for the Commission's approval, a copy of which was provided in the meeting materials.

The Proposed Stipulated Agreement outlined that S. Alford's action constituted a single course of conduct resulting in one violation of the Ethics Law, implicating the provisions of NRS 281A.420(1) and allegations that S. Alford violated NRS 281A.400 subsections (1), (2), (3), and (10) and NRS 281A.420 subsection (3) were dismissed by stipulation of the parties. Based upon the consideration and application of the statutory mitigating criteria set forth in NRS 281A.775, S. Alford's violation would not be deemed a willful violation. The Proposed Stipulated Agreement further outlined that S. Alford agreed to complete Ethics Training within sixty (60) days of the execution of the Stipulated Agreement.

S. Alford's counsel, Chief Deputy Attorney General Greg Ott, Esq. thanked the Commission and Commission staff for their collaborative efforts and stated that the Stipulated Agreement was the right resolution for the matter.

Commissioner Lowry 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 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 Towler:	Aye.
Commissioner Yen:	Abstain. (Conflict of Interest Disclosure)

5. Discussion and approval of a Proposed Stipulation concerning Ethics Complaint No. 22-038C regarding Kory Alford, Former Director of Player Development, University of Nevada, Reno, State of Nevada.

Chair Wallin introduced the item and confirmed that a Review Panel was not held in this matter and all Commissioners could participate in this item except for Commissioner Yen who provided a disclosure on this matter.

Commissioner Yen disclosed that she is a partner at the law firm of McDonald Carano, which represents the University of Nevada, Reno, who employs the Subject and after consultation with Commission Counsel Chase, Commission Yen abstained from participation on this item based upon this relationship and application of the Ethics Law and Judicial Canons to the disclosed conflict.

Chair Wallin asked the parties to identify themselves for the record. Associate Counsel Elizabeth J. Bassett, Esq. appeared on behalf of Executive Director Armstrong before the Commission in this matter and subject Kory Alford ("K. Alford") appeared via Zoom video conference.

Associate Counsel Bassett provided an overview of Ethics Complaint Case No. 22-038C (Alford) and the Proposed Stipulated Agreement. The Complaint alleged that K. Alford violated NRS 281A.400 subsections (3), (5), (7) and (10) and NRS 281A.420 subsection (1). In lieu of an adjudicatory hearing, the parties agreed to the Proposed Stipulated Agreement submitted for the Commission's approval and provided in the meeting materials.

The Proposed Stipulated Agreement outlined that K. Alford's action constituted a single course of conduct resulting in one violation of the Ethics Law, implicating the provisions of NRS 281A.420 subsection(10) and allegations that K. Alford violated NRS 281A.400 subsections (3), (5), (7), and (10) and NRS 281A.420 subsection (3) were dismissed by the stipulation of the parties. Based upon the consideration and application of the statutory mitigating criteria set forth in NRS 281A.775, K. Alford's violation would not be deemed a willful violation. The Proposed Stipulated Agreement further outlined that K. Alford agreed to complete Ethics Training in Indiana, where he is now employed, within sixty (60) days of the execution of the Stipulated Agreement. Another term included in the Stipulated Agreement is the requirement that K. Alford write a letter to the UNR President and Athletic Director, copied to the Commission, encouraging UNR's Athletic Director to adopt an ethics training program so that other public employees are provided with appropriate training to avoid similar ethics violations in the future.

K. Alford thanked the Commission for its consideration and resolution of this matter.

Vice-Chair Duffrin made a motion to accept the terms of the Stipulated Agreement as presented by the parties and direct Commission Counsel to finalize the Stipulated Agreement in appropriate form. Commissioner Gruenewald 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:	Aye.
Commissioner Yen:	Abstain. (Conflict of Interest Disclosure)

6. Hearing on Dispositive Motions in Case No. 19-088C regarding Bartolo Ramos, Former Public Works Director (current County Manager), Lander County, including providing authority to the Chair of the Commission to prepare and issue the order reflecting the Commission's decision and other matters relating thereto, in consultation with Commission Counsel.

Chair Wallin introduced the item and confirmed that the Review Panel in this matter consisted of herself, and Commissioners Sheets and Oscarson. Pursuant to NRS 281A.220(4) review panel members would be precluded from participating in this item. Consequently, Vice-Chair Duffrin acted as presiding officer for this item.

Vice-Chair Duffrin asked the parties to identify themselves for the record. Associate Counsel Elizabeth J. Bassett, Esq. appeared on behalf of Executive Director Armstrong before the Commission in this matter and Rebecca Bruch, Esq. appeared on behalf of Mr. Bartolo Ramos, who was also in attendance and confirmed that he was provided proper notice of the Hearing.

Associate Counsel Elizabeth J. Bassett, Esq. presented the Executive Director's Motion for Summary Judgment. She argued that the Executive Director determined that two (2) alleged violations of the Ethics Law, specifically NRS 281A.400(3) and NRS 281A.420 (1) were properly brought before the Commission and judgement should be granted by the Commission as the pleadings and evidence demonstrate that no genuine issues of material fact exist in regard to these specific violations.

On behalf of Mr. Bartolo Ramos, Counsel Rebecca Bruch, Esq. presented her client's opposition to the Executive Director's Motion for Summary Judgment and argued the merits of her client's Motion for Summary Judgment before the Commission requesting Summary Judgment be granted by the Commission on the following alleged violations of Ethics Law provisions, NRS 281A.400(1) and (3) and NRS 281A.420(3).

The Commission meeting recessed for a ten (10) minute break.

Associate Counsel Elizabeth J. Bassett, Esq. presented the Executive Director's Reply in Support of Motion for Summary Judgment and the Executive Director's Opposition to Subject Bartolo Ramos' Motion for Summary Judgment.

Counsel Rebecca Bruch, Esq. presented Bartolo Ramos' Reply to Executive Director's Opposition to the Executive Director's Motion for Summary Judgment to the Commission.

The Commissioners asked clarifying questions of Counsel Bruch and Associate Counsel Bassett, and each provided these clarifications.

Commissioner Yen stated that the Commission has reviewed the entire record for this matter and has considered the pending motions and arguments of counsel and moved to grant summary judgment on Executive Director's motion relating to NRS 281A.400(3) and NRS 281A.420(1), that the Commission found 12 violations of NRS 281A.420(1) and that the Commission deny the relief requested by Subject Ramos. Commissioner Gruenewald seconded the motion. The Motion was put to a vote and carried as follows:

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

Commission Counsel Chase indicated that the Commission still needed to consider whether the conduct was willful or non-willful. She recommended that the Commission direct the parties to provide briefs outlining willful or non-willful analysis to be considered at a later meeting.

Vice-Chair Duffrin moved to grant authority to Commission Counsel to create a scheduling order for briefs and to set a date for consideration. Commissioner Gruenewald seconded the Motion. The Motion was put to a vote and carried as follows:

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

7. Delegation of authority to the Chair of the Nevada Commission on Ethics ("Chair") to represent the Nevada Commission on Ethics ("Commission") at the 2023 Legislative Session or any special sessions called, including without limitation, confirmation of authority to direct staff pursuant to NAC 281A.155, on matters relating to the Commission's proposed bill draft to amend NRS Chapter 281A, Nevada's Ethics in Government Law.

Chair Wallin introduced the item and asked Executive Director Armstrong to provide a presentation to the Commission pertaining to the Agenda Item. Executive Director Armstrong explained the intent of the item is to grant authority to the Chair to represent the Commission during the 2023 Legislative Session as it is fast paced. The delegation to the Chair would provide the Commission an opportunity to have a representative at the Legislative meetings and hearings.

Vice-Chair Duffrin moved to delegate authority to the Chair of the Nevada Commission on Ethics to represent the Commission at the 2023 Legislative Session or any special sessions called, including without limitation, confirmation of authority to direct staff pursuant to NAC 281A.155, on matters relating to the Commission's proposed bill draft to amend NRS Chapter 281A. Commissioner Towler seconded the motion. The Motion was put to a vote and carried unanimously.

8. Report by Executive Director on agency status and operations, and possible direction thereon. Items to be discussed include, without limitation:
  - Outreach and Education
  - FY22/23 Budget Status
  - Quarterly Case Log Update
  - Commission Operations
  - Branding Check-in

Outreach and Education: Executive Director Armstrong provided information on recent trainings conducted and upcoming trainings scheduled including presentations to the Nevada Silver State Health Exchange, City of North Las Vegas, Humboldt County General Hospital and the City of Ely in June as well as the Southern Nevada Regional Housing Authority in July and the Nevada Public Civil Attorneys Conference in September.

FY22/23 Budget Status: Executive Director Armstrong presented the year-end projections to wrap up the first fiscal year of the current biennium.

Quarterly Case Log Status: Executive Director Armstrong referenced the Quarterly Case Log provided in the meeting materials emphasizing the decrease in the case backlog.

Commission Operations: Executive Director Armstrong provided that the Commission is set to meet next on August 17 for an adjudicatory hearing.

Branding Check-in: Executive Director Armstrong requested that Commissioners consider how they would like to brand the Commission to its shareholders and shared that this issue would be discussed further at an upcoming Commission meeting.

Commissioner Towler 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 unanimously.

9. 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.

10. Public Comment.

There was no public comment.

11. Adjournment.

Vice-Chair Duffrin made a motion to adjourn the public meeting. Commissioner Gruenewald seconded the motion. The Motion was put to a vote and carried unanimously.

The meeting adjourned at 12:28 p.m.

Minutes prepared by:

/s/ Kari Pedroza

Kari Pedroza  
Executive Assistant

/s/ Ross Armstrong

Ross Armstrong, Esq.  
Executive Director

Minutes approved August 17, 2022:

Kim Wallin, CPA, CMA, CFM  
Chair

Brian Duffrin  
Vice-Chair

# **Agenda Item 5**



**STATE OF NEVADA  
COMMISSION ON ETHICS**

---

*Executive Director Report - August 2022*

---

**Education and Outreach**

*Training and Technical Assistance*

- Southern Nevada Regional Housing Authority – July 11 & 12
- City of North Las Vegas – July 13
- League of Cities and Municipalities Annual Meeting – August 10
- 1<sup>st</sup> Judicial District Bar Association – August 12
- Nevada Public Civil Attorneys Conference – September 15
- Association of School Boards – November 11

*Online Learning System*

The decision unit has been finalized and will be considered at the August Interim Finance Committee meeting on August 17, 2022.

**Budget Update**

- Work program for \$37,800 in addition funds for Commission is anticipated to be approved 8/17
- Working with Administrative Services Division to close out SFY 2022
- SFY 2023 started on July 1, 2022
- All four enhancement units have been submitted to Administrative Services Division for consideration for the upcoming SFY 2024 – 2025 biennial budget
  - Public Information Officer
  - Competitive Salaries
  - Investigation Resources
  - Improved Internet

**Branding Check-in**

Survey completed. Branding agenda item will be included at the September 2022 meeting.

Submitted: Ross E. Armstrong, Executive Director  
Date: 8/10/2022

# **Agenda Item 6**



# ANNUAL REPORT FISCAL YEAR 2022

## Nevada Commission on Ethics

---

Email: [ncoe@ethics.nv.gov](mailto:ncoe@ethics.nv.gov)  
Website: [ethics.nv.gov](http://ethics.nv.gov)

Tel: 775-687-5469  
704 W. Nye Lane, Suite 204  
Carson City, Nevada 89703

# TABLE OF CONTENTS

TO NEVADANS _____	3
Strategic Highlights _____	4
Financial Highlights _____	<b>Error! Bookmark not defined.</b>
Operating Highlights _____	7
Looking Ahead _____	3
FINANCIAL SUMMARY _____	<b>Error! Bookmark not defined.</b>
FINANCIAL STATEMENTS _____	<b>Error! Bookmark not defined.</b>
Statement of Financial Position _____	<b>Error! Bookmark not defined.</b>
Statement of Comprehensive Income (Profits and Losses) _____	9
Statement of Changes in Equity _____	9
Statement of Cash Flows _____	<b>Error! Bookmark not defined.</b>
NOTES TO FINANCIAL STATEMENTS _____	<b>Error! Bookmark not defined.</b>
Accounts _____	<b>Error! Bookmark not defined.</b>
Debt _____	<b>Error! Bookmark not defined.</b>
Debt _____	10
Going Concern _____	10
Contingent Liabilities _____	<b>Error! Bookmark not defined.</b>
Takeaways _____	<b>Error! Bookmark not defined.</b>
INDEPENDENT AUDITOR'S REPORT _____	<b>Error! Bookmark not defined.</b>
Auditor's Report _____	<b>Error! Bookmark not defined.</b>

# TO NEVADANS

Save for intro letter

Kim Wallin, CPA, CMA, CFM  
Chair

Ross E. Armstrong, Esq.  
Executive Director

***“A public office is a public trust and shall be held for the soul benefit of the people” - NRS 281A.020(1)(a)***

# COMMISSION BACKGROUND

## What we do

The Nevada Commission on Ethics is an independent public body appointed by the Governor and Legislative Commission to interpret and enforce the provisions of Nevada's Ethics in Government Law. The Ethics Law preserves the public's trust in government and sets forth various standards of conduct to guide public officers and employees to avoid conflicts of interest and maintain integrity in public service. The Commission's primary functions include:

- Providing outreach and training to Nevada's public officers, employees, and other interested entities regarding conflicts of interest and the Ethics Law.
- Providing advisory opinions to public officers and employees to guide them in compliance with the Ethics Law.
- Enforcing the provisions of the Ethics Law by investigating and adjudicating alleged misconduct of public officers and employee that violates the Ethics Law.



**6 fulltime staff members**



**Over 139,000 public officers  
and employees**



**8 Commissioners**

## Mission Statement

The Nevada Commission on Ethics, by the authority granted under Chapter 281A of NRS, strives to enhance the public's faith and confidence in government by ensuring that public officers and public employees uphold the public trust by committing themselves to avoid conflicts between their private interests and their public duties.

## Commissioners

<b>Kim Wallin, CPA, CMA, CFM</b> Chair	<b>Brian Duffrin</b> Vice Chair
<b>Barbara Gruenewald, Esq</b> Commissioner	<b>Teresa Lowry, Esq</b> Commissioner
<b>James Oscarson</b> Commissioner	<b>Damian R. Sheets, Esq.</b> Commissioner
<b>Thoran Towler, Esq.</b> Commissioner	<b>Amanda Yen, Esq.</b> Commissioner

## Commission's Guiding Principles

1. Our highest priority is to protect the citizens of Nevada by interpreting and enforcing the provisions of the Ethics Law in a fair, consistent and impartial manner.
2. We act with a high degree of integrity, honesty and respect when investigating and adjudicating public complaints alleging ethics violations by public officers and employees.
3. We are committed to providing outreach and education to our Stakeholders (the public and public officers and employees) to enhance their awareness and understanding of ethics requirements and prohibitions under the Nevada Ethics law.
4. Our objectivity, independence and impartiality are beyond reproach. We avoid all personal or professional circumstances or conflicts calling these into question.
5. Our processes ensure all actions, decisions and policies are consistently applied and do not result in advantages or disadvantages to any party to the detriment of another.
6. Our confidential advisory opinions are thoroughly researched and written with the needs of the requestor in mind and consistent with opinion precedent and applicable statutes including legislative intent.
7. We carry out our duties in a rigorous and detailed manner and utilize the resources provided to us wisely and only for the legitimate purposes of the agency.
8. We continuously challenge ourselves to improve the practices and processes of the agency to keep pace with the needs of the individuals we serve and to comply with legislative mandates.
9. We continuously improve our public communication and public access to provide guidance and assistance to those we hold accountable for compliance.
10. We value and respect the opinions and recommendations of our Stakeholders, Staff and Commission Members which guide us in our decision making.

# SFY2022 HIGHLIGHTS

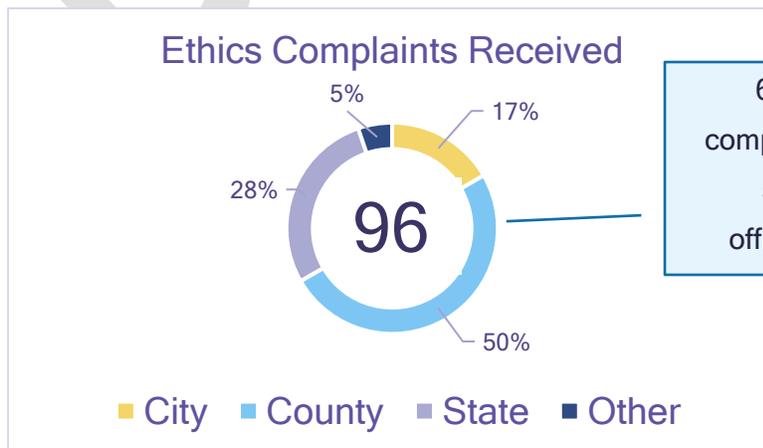
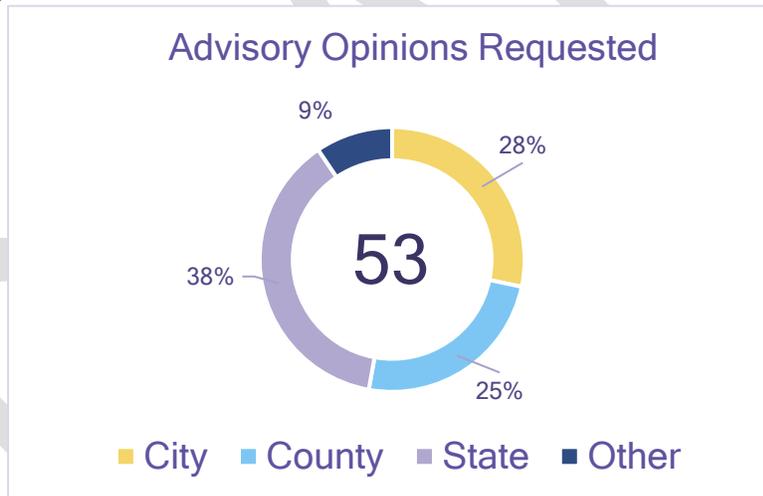
## Strategic Highlights

Strategic priorities for the Commission in SFY 2022 included:

- Cleared the backlog of cases pending before the Commission
- Planned for the 2023 Legislative Session
- Enhanced utilization of social media accounts to increase ethics awareness and education
- Diligent use of the Commission's complaint by motion process to initiate ethics cases when ethics violations are discovered or reported outside the complaint process

## Operating Highlights

The Commissions operations largely returned to normal in SFY 2022. There were no statutory changes from the 2021 Legislative Session that required the Commission to change its processes or procedures.



61% of County complaints were about school district officers/employees

# FISCAL UPDATE

Fiscal Year 2022 was marked primarily by a surge in the Omicron variant of the virus that cause COVID-19. The surge and staff vacancies created some challenges in spending of allocated funds. Overall, the Commission reverted \$XX,XXX in unspent funds. Some highlights:

- Unable to maximize use of travel funds largely due to increased COVID-19 risk with the Omicron variant
- Full use of information services budget category funds to maintain safe operations during the Omicron variant wave and to leverage the “new normal” of hybrid operations
- Receipt of \$8,397.65 outstanding penalties related to case dispositions transferred to the State General Fund.
- Initial approval for online training management to be approved and implemented during State Fiscal Year 2023.

**Local Government Assessments - SFY 2022**

**\$642,225**

**State General Funds - SFY 2022**

**\$244,300**

*We carry out our duties in a rigorous and detailed manner and utilize the resources provided to us wisely and only for the legitimate purposes of the agency. - Guiding Principle #7*



## Fiscal Priorities for 2023 Legislative Session

1. Public Information Office for education and outreach
2. Competitive staff salaries
3. Additional investigation resources
4. Enhanced technology connectivity

During the 2022 fiscal year, the Commission evaluated budgetary priorities for the 2023 Legislative Session which must be submitted during the 2023 fiscal year. The Commission approved four priorities designed to enhance the Commission’s commitment to education and outreach as well as maintaining sufficient staff resources to execute the statutory functions of the Commission.

# REGULATORY AND LEGISLATIVE PRIORITIES

## Regulatory Priorities

The Commission did not initiate or adopt any regulatory changes to Nevada Administrative Code Chapter 281A during this fiscal year. The Commission does not expect to adopt or modify regulations in the next fiscal year but will likely pursue the rulemaking process following the 2023 Legislative Session.

## Legislative Priorities

The Commission voted to establish a Legislative Subcommittee which met 3 times to review possible statutory change proposals for the 2023 Legislative Session. The review included an analysis of the Commission's bill from the 2021 Legislative Session with many priorities remaining the same.

### Priority Changes Found in the Commission's BDR Proposal for the 2023 Legislature

Confidentiality protections for individuals submitting Ethics Complaints

Adoption of "unwarranted harm" prohibition ethical standard

Ability to adjust case timeframes for good cause

Clarity on limited use exception and cooling off portions of the ethical standards

Various procedural changes

The Committee's bill draft proposal was approved by the full Commission on May 18, 2022 and submitted for consideration as a bill for the 2023 Legislative Session.

The 2023 Legislative Session will begin on February 6, 2023. Chair Wallin has been designated by the Commission to be its point person in guiding Commission staff through Legislative Session decision-making.



# EDUCATION & OUTREACH

## A RETURN TO IN-PERSON TRAINING

The Commission reinstated some in-person training during Fiscal Year 2022 while continuing to leverage technology to make training and other educational materials accessible.



### In-Person Training

As the pandemic threat became reduced, staff completed in person training during this fiscal year to Carson City, the City of North Las Vegas, the City of Elko, the City of Ely, the Humboldt General Hospital Board, Boulder City, the Reno Inns of Court, and Nye County.

### Leveraging Virtual Options

The Commission continued promote the Commission's online training videos. In addition, several short videos have been produced for fiscal year 2023. The Commission is also substantially increasing education and outreach content using social media platforms.

### Upcoming Training System

The Commission secured preliminary approval to use American Rescue Plan Act dollars to establish an online learning management system which will house online training content and allow the Commission to better track compliance with training requirements.

*"We are committed to providing outreach and education...to enhance awareness and understanding of ethics requirements..."*

*Commission Guiding Principle #3*

# COMMISSION OPERATIONS

## Operations Focus

	<p><u>Top 3 Topics for Advisory Opinions</u></p> <ol style="list-style-type: none"> <li>1. Disclosure and Abstention</li> <li>2. Cooling Off</li> <li>3. Contracting</li> </ol>
	<p><u>Top 3 Jurisdiction Types With Complaints</u></p> <ol style="list-style-type: none"> <li>1. School Districts</li> <li>2. Rural County Government</li> <li>3. Higher Education</li> </ol>
	<p><u>Top 3 Resolution Types for Investigated Cases</u></p> <ol style="list-style-type: none"> <li>1. Dismissed with or without a Letter of Caution/Instruction</li> <li>2. Stipulated Violation</li> <li>3. Deferral Agreement</li> </ol>
	<p>No new litigation activity in FY22 and all previous litigation activity cleared prior the FY22</p>

## Goals for State Fiscal Year 2023

1. Continue to develop and finalize a Commission on Ethics Brand
2. Successfully persuade the 2023 Legislative Session to approve our budgetary and policy goals
3. Increase the number of public officers and employees who receive ethics training from the number trained in FY22
4. Process cases in a timely manner without creating a new case backlog

## Appendix A Investigated Cases Resolved in SFY2022<sup>1</sup>

Case Name	Resolution
In re Bonnie Weber, 20-010C (City of Reno)	Stipulated Agreement -Deferral Agreement
In re Jim Alworth, 19-095C (City of Ely)	Stipulated Agreement -1 Non-willful Violation
In re Danielle Milam, 20-063C (Clark County Library District)	Stipulated Agreement - Dismissal
In re Tina Quigley, 19-102C (NV High Speed Rail Authority)	Stipulated Agreement- Dismissal
In re Steven Morris, 20-007C (Boulder City)	Consent Order - Letter of Instruction
In re Jeff Zander, 21-070C (Elko County School District)	Stipulated Agreement - Deferral Agreement
In re Amy Hagan, 20-060C (Southern Nevada Health District)	Stipulated Agreement - 1 Non-willful Violation
In re S. Alford, 20-064C (University of Nevada, Reno)	Stipulated Agreement -1 Non-willful Violation
In re K. Alford, 22-038C (University of Nevada, Reno)	Stipulated Agreement -1 Non-willful Violation

<sup>1</sup> Investigated case means that the Commission accepted jurisdiction and directed an investigation be conducted. This list only includes cases that were resolved in FY2022 (regardless of year the complaint was submitted) and does not include the list of current open case.

## Appendix B Investigated Cases Resolved by Review Panels in SFY2022

Case Number	Resolution
In re Jesus Jara, 20-043C (Clark County School District)	Dismissed
In re Steve Walton, 19-111C (Boulder City)	Dismissed with Letter of Instruction
In re Jennifer Pedigo, 20-027C (NV Board of Vet. Examiners)	Dismissed
In re Melanie Young, 20-001C (NV Department of Taxation)	Dismissed with Letter of Caution
In re Paul Hamilton, 21-014C (Carson City Airport Auth.)	Deferral Agreement
In re Doug Staton, 21-032C (Lander County School District)	Deferral Agreement
In re D. Kevin More, 21-028/29C (NV Board of Dental Examiners)	Dismissed
In re Lola Brooks, 21-039C (Clark County School District)	Dismissed with Letter of Instruction
In re Christine Hoferer, 21-038C (Mineral County)	Dismissed with Letter of Instruction
In re Debra Strickland, 20-018C (Nye County)	Dismissed with Letter of Instruction
In re Brett Waggoner, 20-023C (Nye County)	Dismissed
In re Hillary Schieve, 21-081C (City of Reno)	Dismissed with Letter of Instruction
In re Louis De Salvio, 22-004C (Las Vegas Planning Commission)	Dismissed
In re Damon Haycock, 20-083C (Nevada PEBP)	Dismissed
In re Justin Jones, 22-005C (Clark County)	Dismissed with Letter of Instruction

### Appendix C Advisory Opinions Issued

Date Published	Case Number	Main Topic(s)
8/16/2021	21-036A	Testimony Before Other Bodies
8/19/2021	21-054A	Disclosure and Abstention
9/16/2021	21-051A	Disclosure and Abstention Contracting
9/22/2021	21-053A	Disclosure and Abstention
11/2/2021	21-055A	Cooling Off
12/1/2021	21-074A	Disclosure and Abstention (Spouse)
1/5/2022	21-079A	Cooling Off
1/18/2022	21-080A	Disclosure and Abstention (Business Org)
1/18/2022	21-088A	Cooling Off
1/18/2022	21-101A	Disclosure and Abstention (Nonprofit Org)
1/18/2022	21-102A	Cooling Off
1/20/2022	21-092A	Cooling Off
2/7/2022	21-105A	Disclosure and Abstention (Relative)
3/7/2022	22-010A	Disclosure and Abstention (Business Org) Contracting
4/7/2022	22-012A	Contracting
4/7/2022	22-015A	Cooling Off
4/18/2022	22014A	Disclosure and Abstention (Relative) Economic Opportunities
5/17/2022	22-003A	Cooling Off
5/17/2022	22-044	Cooling Off
5/18/2022	22-017A, 18A, 19A	Contracting
6/16/2022	22-064A	Gifts

### Appendix C Open Cases as of June 30, 2022

Case Number	Case Name	Case Status
19-088C	In re Ramos (Lander County)	Proceeding to Adjudicatory Hearing
19-126C	In re Liu (North Las Vegas)	Proceeding to Adjudicatory Hearing
20-075C	In re Hart (CGID)	Proceeding to Adjudicatory Hearing
20-076C	In re Hilton (CGID)	Proceeding to Adjudicatory Hearing
20-077C	In re Huddleson (CGID)	Proceeding to Adjudicatory Hearing
20-081C/085C	In re Blundo (Nye County)	Proceeding to Adjudicatory Hearing
20-062C/082C	In re Lombardo (METRO)	Proceeding to Adjudicatory Hearing
21-100C	In re Czyz (WCSD)	Proceeding to Adjudicatory Hearing
22-026C	Confidential	Under Investigation
22-033C/034C	In re Prudhont (Nye County)	Proceeding to Adjudicatory Hearing
22-031C/32C	Confidential	Under Investigation
22-050C	Confidential	Under Investigation
22-051C	Confidential	Under Investigation
22-052C	Confidential	Under Investigation
22-055C	Confidential	Under Investigation
22-063C	Confidential	Pending Jurisdiction Determination
22-066C	Confidential	Pending Jurisdiction Determination
22-067C - 069C	Confidential	Pending Jurisdiction Determination
22-071C - 077C	Confidential	Pending Jurisdiction Determination
22-078C	Confidential	Under Investigation
22-081C	Confidential	Pending Jurisdiction Determination
22-082C	Confidential	Pending Jurisdiction Determination
22-083C	Confidential	Pending Jurisdiction Determination
22-084C	Confidential	Pending Jurisdiction Determination

## Appendix XX Data

## Placeholders for Statistical Graphs

Advisory Opinion Received Historical Graph	Advisory Opinions Issued Historical Graph
Historical Complaint Received Graph	Historical Complaint Resolved Graph
Complaints Received Jurisdictional Determination Breakdown Graph	Review Panel Results Graph
Number of Training Held / People Trained Data	Social Media Followers

# Agenda Items 8 & 9

NCOE August 17, 2022 Public Meeting

Link to Meeting Materials

<https://www.dropbox.com/sh/xjl2ogq2m6q12gj/AAA6Ykmrv7EYjvtnW3qNVgvFa?dl=0>



**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **David Hart**, Member, Board of Trustees,  
Canyon General Improvement District, State  
of Nevada,

Ethics Complaint  
Case No. 20-075C

\_\_\_\_\_  
Subject. /

**PROPOSED  
STIPULATED AGREEMENT**

1. **PURPOSE:** This Stipulated Agreement resolves Ethics Complaint Case No. 22-075C before the Nevada Commission on Ethics ("Commission") concerning David Hart ("Hart"), Member of the Board of Trustees for the Canyon General Improvement District, County of Storey, State of Nevada.

2. **JURISDICTION:** At all material times, Hart served as a Trustee of the Canyon General Improvement District, State of Nevada and was a public officer as defined in NRS 281A.160. The Ethics in Government Law ("Ethics Law") set forth in NRS Chapter 281A gives the Commission jurisdiction over elected and appointed public officers and public employees whose conduct is alleged to have violated the provisions of NRS Chapter 281A. See NRS 281A.280. Accordingly, the Commission has jurisdiction over Hart in this matter.

3. **PROCEDURAL HISTORY BEFORE COMMISSION**

a. On December 7, 2020, the Commission issued an *Order on Jurisdiction and Investigation* in Ethics Complaint No. 22-075C ("Ethics Complaint"), alleging that Hart violated NRS 281A.400(1), (2) and (10) and NRS 281A 420(1) and (3).

b. On December 7, 2020, staff of the Commission issued a *Notice of Complaint and Investigation* under NRS 281A.720(2), stating the allegations.

c. In lieu of an adjudicatory hearing before the Commission, Hart and the Commission now enter into this Stipulated Agreement.

4. **STIPULATED FACTS:** At all material times, the following facts were relevant to this matter:<sup>1</sup>

a. Canyon General Improvement District ("CGID") is a political subdivision of the State of Nevada established by Storey County under NRS Chapter 318. CGID was created to provide certain services to the Lockwood area, including water, wastewater, trash removal, and street and storm drain maintenance services. It is governed by a Board of Trustees ("Board") whose members are elected.

b. Rainbow Bend Homeowners' Association ("HOA") is one of the communities within the boundaries of CGID. The HOA's members are those who own property within the Rainbow Bend Community.

c. At all relevant times, Hart was a CGID Trustee and a member of HOA.

d. Starting in 2002, CGID contracted with the HOA to provide security for CGID facilities located within the HOA community. However, in June 2019 CGID canceled its agreement with HOA.

e. In Spring of 2020, the HOA Board discussed entering into a new agreement with CGID to provide security patrol services for CGID property within the HOA. The HOA sent a letter to the CGID Board offering to enter into a new agreement with a proposed agreement attached.

f. The CGID Board discussed an agenda item at its May 19, 2020, meeting to consider reinstatement of the security patrol relationship with HOA. Based upon concerns raised by CGID Trustees, a motion to table the agenda item until the CGID received guidance from its attorney was voted on and passed. Hart made the motion to table the agenda item but failed to disclose his membership in the HOA.

g. An agenda item regarding the patrol services agreement was also placed on the September 15, 2020, CGID Board meeting. Hart again failed to disclose his membership in the HOA and voted in favor of a motion to enter into the agreement with the HOA. The motion to approve a patrol services agreement with HOA for \$1,000 per month passed.

---

<sup>1</sup> Stipulated Facts do not constitute part of the "Investigative File" as that term is defined by NRS 281A.775. All statutory and common law protections afforded to the Investigative File shall remain and are not affected by this Stipulated Agreement.

h. However, the HOA received an opinion letter from its attorney indicating that receiving payment for patrol services could adversely impact its non-profit status. Therefore, to date, the HOA and CGID have not entered into a post-2019 agreement for security patrol services.

**5. TERMS / CONCLUSIONS OF LAW:** Based on the foregoing, Hart and the Commission agree as follows:

a. Each of the stipulated facts enumerated in Section 4 of this Stipulated Agreement (“Agreement”) is agreed to by the parties.

b. Allegations that Hart violated NRS 281A.400(1), (2) and (10) and NRS 281A.420(3) are hereby dismissed by stipulation of the parties.

c. Hart’s actions constitute a single course of conduct resulting in one violation of the Ethics Law, implicating the provisions of NRS 281A.420(1).

a. Based upon the consideration and application of the statutory mitigating criteria set forth in NRS 281A.775, the Commission concludes that Hart’s violation in this case should not be deemed a willful violation pursuant to NRS 281A.170 and the imposition of a civil penalty is not appropriate for the following reasons:

- 1) **Seriousness of Violation:** Hart failed to properly disclose his membership in the HOA but never hid that relationship, which was well known. The seriousness of the violation is further reduced because the patrol agreement was never executed.
- 2) **Previous History:** Hart has not previously been the subject of any violation of the Ethics Law or previous ethics complaints.
- 3) **Cost of Investigation and Proceedings:** Hart was diligent to cooperate with and participate in the Commission’s investigation and resolution of this matter.
- 4) **Mitigating Factors Such as Self-Reporting or Correction:** There was no self-reporting or self-correction in this matter. However, Hart’s willingness to engage in the process has resulted in a better understanding of Nevada Ethics Law and how his actions were improper in this matter.
- 5) **Restitution Paid to Parties:** The patrol agreement was not executed, and no amounts were ever paid under the patrol agreement.

- 6) Financial Gain from Violation: The patrol agreement, even if completed, would not have resulted in any direct payments personally to Hart. Hart did not receive any financial benefit as a result of his conduct.
- 7) Other Information: Hart was not provided with any legal or ethical advice or training from the CGID or Storey County regarding how to properly handle his disclosure obligations related to the HOA even though his membership in the HOA was well known.

b. Hart agrees to complete ethics training within sixty (60) days of approval of this Agreement.

c. The Commission admonishes Hart to familiarize himself with the Ethics Law for the purpose of making proper disclosures in the future and in furtherance of complying with the applicable requirements of the Ethics Law.

d. This Agreement depends on and applies only to the specific facts, circumstances and law related to the Ethics Complaint now before the Commission. Any facts or circumstances that may come to light after its entry that are in addition to or differ from those contained herein may create a different resolution of this matter.

e. This Agreement is intended to apply to and resolve only this specific proceeding before the Commission and is not intended to be applicable to or create any admission of liability for any other proceeding, including administrative, civil, or criminal, regarding Hart. If the Commission rejects this Agreement, none of the provisions herein shall be considered by the Commission or be admissible as evidence in a hearing on the merits in this matter.

## **6. WAIVER**

a. Hart knowingly and voluntarily waives his right to a hearing before the full Commission on the allegations in Ethics Complaint Case No. 20-075C and all rights he may be accorded with in regard to this matter pursuant to NRS Chapter 281A, the regulations of the Commission (NAC Chapter 281A), the Nevada Administrative Procedures Act (NRS Chapter 233B) and any other applicable provisions of law.

b. Hart knowingly and voluntarily waives his right to any judicial review of this matter as provided in NRS Chapter 281A, NRS Chapter 233B or any other applicable provisions of law.

7. **ACCEPTANCE:** We, the undersigned parties, have read this Stipulated Agreement, understand each and every provision therein, and agree to be bound thereby once approved by the Commission. In addition, the parties orally agreed to be bound by the terms of this Agreement during the regular meeting of the Commission on August 17, 2022.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
David Hart

FOR DAVID HART, Subject

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Katherine F. Parks, Esq.  
Thorndal Armstrong Delk Balkenbush &  
Eisinger

FOR ROSS E. ARMSTRONG, ESQ.  
Executive Director  
Nevada Commission on Ethics

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Elizabeth J. Bassett, Esq.  
Associate Counsel

Approved as to form by:

FOR NEVADA COMMISSION ON ETHICS

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Tracy L. Chase, Esq.  
Commission Counsel

The above Stipulated Agreement is accepted by the Nevada Commission on Ethics:  
DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

By: \_\_\_\_\_

By: \_\_\_\_\_

Kim Wallin, CPA, CMA, CFM  
Chair

Teresa Lowry, Esq.  
Commissioner

By: \_\_\_\_\_  
Brian Duffrin  
Vice-Chair

By: \_\_\_\_\_  
Thoran Towler  
Commissioner

By: \_\_\_\_\_  
Barbara Gruenewald, Esq.  
Commissioner



**STATE OF NEVADA  
COMMISSION ON ETHICS**  
704 W. Nye Lane, Suite 204  
Carson City, Nevada 89703  
(775) 687-5469 • Fax (775) 687-1279  
ethics.nv.gov

In re **David Hart**, Member, Board of Trustees,  
Canyon General Improvement District,  
State of Nevada,

Ethics Complaint  
Case No. 20-075C

Subject. /

**WAIVER OF STATUTORY TIME REQUIREMENTS: ADJUDICATORY HEARING**

INITIAL  
DH

I, David Hart, the above Subject, affirm that I hereby freely and voluntarily waive the sixty (60) day statutory time limit for the Commission to hold the adjudicatory hearing and render an opinion in this matter on any date which is hereafter agreed to by my counsel of record or set forth in a Notice of Hearing and Scheduling Order issued in these proceedings.

Dated:

8-10-22

*David Hart*

David Hart



**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Philip A. Hilton**, Member, Board of Trustees, Canyon General Improvement District, State of Nevada,

Ethics Complaint  
Case No. 20-076C

\_\_\_\_\_  
Subject. /

**PROPOSED  
STIPULATED AGREEMENT**

1. **PURPOSE:** This Stipulated Agreement resolves Ethics Complaint Case No. 22-076C before the Nevada Commission on Ethics (“Commission”) concerning Philip A. Hilton (“Hilton”), Member of the Board of Trustees for the Canyon General Improvement District, County of Storey, State of Nevada.

2. **JURISDICTION:** At all material times, Hilton served as a Trustee of the Canyon General Improvement District, State of Nevada and was a public officer as defined in NRS 281A.160. The Ethics in Government Law (“Ethics Law”) set forth in NRS Chapter 281A gives the Commission jurisdiction over elected and appointed public officers and public employees whose conduct is alleged to have violated the provisions of NRS Chapter 281A. See NRS 281A.280. Accordingly, the Commission has jurisdiction over Hilton in this matter.

3. **PROCEDURAL HISTORY BEFORE COMMISSION**

a. On December 7, 2020, the Commission issued an *Order on Jurisdiction and Investigation* in Ethics Complaint No. 22-076C (“Ethics Complaint”), alleging that Hilton violated NRS 281A.400(1), (2) and (10) and NRS 281A 420(1) and (3).

b. On December 7, 2020, staff of the Commission issued a *Notice of Complaint and Investigation* under NRS 281A.720(2), stating the allegations.

c. In lieu of an adjudicatory hearing before the Commission, Hilton and the Commission now enter into this Stipulated Agreement.

4. **STIPULATED FACTS:** At all material times, the following facts were relevant to this matter:<sup>1</sup>

a. Canyon General Improvement District ("CGID") is a political subdivision of the State of Nevada established by Storey County under NRS Chapter 318. CGID was created to provide certain services to the Lockwood area, including water, wastewater, trash removal, and street and storm drain maintenance services. It is governed by a Board of Trustees ("Board") whose members are elected.

b. Rainbow Bend Homeowners' Association ("HOA") is one of the communities within the boundaries of CGID. The HOA's members are those who own property within the Rainbow Bend Community.

c. At all relevant times, Hilton was a CGID Trustee and a member of HOA.

d. Starting in 2002, CGID contracted with the HOA to provide security for CGID facilities located within the HOA community. However, in June 2019 CGID canceled its agreement with HOA.

e. In Spring of 2020, the HOA Board discussed entering into a new agreement with CGID to provide security patrol services for CGID property within the HOA. The HOA sent a letter to the CGID Board offering to enter into a new agreement with a proposed agreement attached.

f. The CGID Board discussed an agenda item at its May 19, 2020, meeting to consider reinstatement of the security patrol relationship with HOA. Based upon concerns raised by CGID Trustees, a motion to table the agenda item until the CGID received guidance from its attorney was voted on and passed. Hilton seconded the motion to table the agenda item but failed to disclose his membership in the HOA.

g. An agenda item regarding the patrol services agreement was also placed on the September 15, 2020, CGID Board meeting. Hilton again failed to disclose his membership in the HOA and voted in favor of a motion to enter into the agreement with the HOA. The motion to approve a patrol services agreement with HOA for \$1,000 per month passed.

---

<sup>1</sup> Stipulated Facts do not constitute part of the "Investigative File" as that term is defined by NRS 281A.775. All statutory and common law protections afforded to the Investigative File shall remain and are not affected by this Stipulated Agreement.

h. However, the HOA received an opinion letter from its attorney indicating that receiving payment for patrol services could adversely impact its non-profit status. Therefore, to date, the HOA and CGID have not entered into a post-2019 agreement for security patrol services.

**5. TERMS / CONCLUSIONS OF LAW:** Based on the foregoing, Hilton and the Commission agree as follows:

a. Each of the stipulated facts enumerated in Section 4 of this Stipulated Agreement (“Agreement”) is agreed to by the parties.

b. Allegations that Hilton violated NRS 281A.400(1), (2) and (10) and NRS 281A.420(3) are hereby dismissed by stipulation of the parties.

c. Hilton’s actions constitute a single course of conduct resulting in one violation of the Ethics Law, implicating the provisions of NRS 281A.420(1).

a. Based upon the consideration and application of the statutory mitigating criteria set forth in NRS 281A.775, the Commission concludes that Hilton’s violation in this case should not be deemed a willful violation pursuant to NRS 281A.170 and the imposition of a civil penalty is not appropriate for the following reasons:

- 1) **Seriousness of Violation:** Hilton failed to properly disclose his membership in the HOA but never hid that relationship, which was well known. The seriousness of the violation is further reduced because the patrol agreement was never executed.
- 2) **Previous History:** Hilton has not previously been the subject of any violation of the Ethics Law or previous ethics complaints.
- 3) **Cost of Investigation and Proceedings:** Hilton was diligent to cooperate with and participate in the Commission’s investigation and resolution of this matter.
- 4) **Mitigating Factors Such as Self-Reporting or Correction:** There was no self-reporting or self-correction in this matter. However, Hilton’s willingness to engage in the process has resulted in a better understanding of Nevada Ethics Law and how his actions were improper in this matter.
- 5) **Restitution Paid to Parties:** The patrol agreement was not executed, and no amounts were ever paid under the patrol agreement.

- 6) Financial Gain from Violation: The patrol agreement, even if completed, would not have resulted in any direct payments personally to Hilton. Hilton did not receive any financial benefit as a result of his conduct.
- 7) Other Information: Hilton was not provided with any legal or ethical advice or training from the CGID or Storey County regarding how to properly handle his disclosure obligations related to the HOA even though his membership in the HOA was well known.

b. Hilton agrees to complete ethics training within sixty (60) days of approval of this Agreement.

c. The Commission admonishes Hilton to familiarize himself with the Ethics Law for the purpose of making proper disclosures in the future and in furtherance of complying with the applicable requirements of the Ethics Law.

d. This Agreement depends on and applies only to the specific facts, circumstances and law related to the Ethics Complaint now before the Commission. Any facts or circumstances that may come to light after its entry that are in addition to or differ from those contained herein may create a different resolution of this matter.

e. This Agreement is intended to apply to and resolve only this specific proceeding before the Commission and is not intended to be applicable to or create any admission of liability for any other proceeding, including administrative, civil, or criminal, regarding Hilton. If the Commission rejects this Agreement, none of the provisions herein shall be considered by the Commission or be admissible as evidence in a hearing on the merits in this matter.

## **6. WAIVER**

a. Hilton knowingly and voluntarily waives his right to a hearing before the full Commission on the allegations in Ethics Complaint Case No. 20-076C and all rights he may be accorded with in regard to this matter pursuant to NRS Chapter 281A, the regulations of the Commission (NAC Chapter 281A), the Nevada Administrative Procedures Act (NRS Chapter 233B) and any other applicable provisions of law.

b. Hilton knowingly and voluntarily waives his right to any judicial review of this matter as provided in NRS Chapter 281A, NRS Chapter 233B or any other applicable provisions of law.

7. **ACCEPTANCE:** We, the undersigned parties, have read this Stipulated Agreement, understand each and every provision therein, and agree to be bound thereby once approved by the Commission. In addition, the parties orally agreed to be bound by the terms of this Agreement during the regular meeting of the Commission on August 17, 2022.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Philip A. Hilton

FOR PHILIP A. HILTON, Subject

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Katherine F. Parks, Esq.  
Thorndal Armstrong Delk Balkenbush &  
Eisinger

FOR ROSS E. ARMSTRONG, ESQ.  
Executive Director  
Nevada Commission on Ethics

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Elizabeth J. Bassett, Esq.  
Associate Counsel

Approved as to form by:

FOR NEVADA COMMISSION ON ETHICS

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Tracy L. Chase, Esq.  
Commission Counsel

///

///

///

The above Stipulated Agreement is accepted by the Nevada Commission on Ethics:  
DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

By: \_\_\_\_\_  
Kim Wallin, CPA, CMA, CFM  
Chair

By: \_\_\_\_\_  
Teresa Lowry, Esq.  
Commissioner

By: \_\_\_\_\_  
Brian Duffrin  
Vice-Chair

By: \_\_\_\_\_  
Thoran Towler  
Commissioner

By: \_\_\_\_\_  
Barbara Gruenewald, Esq.  
Commissioner



**STATE OF NEVADA  
COMMISSION ON ETHICS**  
704 W. Nye Lane, Suite 204  
Carson City, Nevada 89703  
(775) 687-5469 • Fax (775) 687-1279  
ethics.nv.gov

In re **Phillip A. Hilton**, Member, Board of  
Trustees, Canyon General Improvement  
District, State of Nevada,

Ethics Complaint  
Case No. 20-076C

\_\_\_\_\_  
Subject. /

**WAIVER OF STATUTORY TIME REQUIREMENTS: ADJUDICATORY HEARING**

A small square box containing a handwritten signature, likely a photocopy or scan of the original signature.

I, Phillip A. Hilton, the above Subject, affirm that I hereby freely and voluntarily waive the sixty (60) day statutory time limit for the Commission to hold the adjudicatory hearing and render an opinion in this matter on any date which is hereafter agreed to by my counsel of record or set forth in a Notice of Hearing and Scheduling Order issued in these proceedings.

Dated: 8-11-2022

A handwritten signature in blue ink, written over a horizontal line.  
Phillip A. Hilton



**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Larry Huddleson**, Member, Board of Trustees, Canyon General Improvement District, State of Nevada,

Ethics Complaint  
Case No. 20-077C

Subject. /

**PROPOSED  
STIPULATED AGREEMENT**

1. **PURPOSE:** This Stipulated Agreement resolves Ethics Complaint Case No. 22-077C before the Nevada Commission on Ethics ("Commission") concerning Larry Huddleson ("Huddleson"), Member of the Board of Trustees for the Canyon General Improvement District, County of Storey, State of Nevada.

2. **JURISDICTION:** At all material times, Huddleson served as a Trustee of the Canyon General Improvement District, State of Nevada and was a public officer as defined in NRS 281A.160. The Ethics in Government Law ("Ethics Law") set forth in NRS Chapter 281A gives the Commission jurisdiction over elected and appointed public officers and public employees whose conduct is alleged to have violated the provisions of NRS Chapter 281A. See NRS 281A.280. Accordingly, the Commission has jurisdiction over Huddleson in this matter.

3. **PROCEDURAL HISTORY BEFORE COMMISSION**

a. On December 7, 2020, the Commission issued an *Order on Jurisdiction and Investigation* in Ethics Complaint No. 22-0C ("Ethics Complaint"), alleging that Huddleson violated NRS 281A.400(1), (2), (3), (7), and (10) and NRS 281A 420(1) and (3).

b. On December 7, 2020, staff of the Commission issued a *Notice of Complaint and Investigation* under NRS 281A.720(2), stating the allegations.

c. In lieu of an adjudicatory hearing before the Commission, Huddleson and the Commission now enter into this Stipulated Agreement.

4. **STIPULATED FACTS:** At all material times, the following facts were relevant to this matter:<sup>1</sup>

a. Canyon General Improvement District ("CGID") is a political subdivision of the State of Nevada established by Storey County under NRS Chapter 318. CGID was created to provide certain services to the Lockwood area, including water, wastewater, trash removal, and street and storm drain maintenance services. It is governed by a Board of Trustees ("Board") whose members are elected.

b. Rainbow Bend Homeowners' Association ("HOA") is one of the communities within the boundaries of CGID. The HOA's members are those who own property within the Rainbow Bend Community.

c. At all relevant times, Huddleson was a CGID Trustee and the Vice President of the Board of Directors of the HOA.

d. Starting in 2002, CGID contracted with the HOA to provide security for CGID facilities located within the HOA community. However, in June 2019 CGID canceled its agreement with HOA.

e. In Spring of 2020, the HOA Board discussed entering into a new agreement with CGID to provide security patrol services for CGID property within the HOA. The HOA sent a letter to the CGID Board offering to enter into a new agreement with a proposed agreement attached.

f. The CGID Board discussed an agenda item at its May 19, 2020, meeting to consider reinstatement of the security patrol relationship with HOA. Based upon concerns raised by CGID Trustees, a motion to table the agenda item until the CGID received guidance from its attorney was voted on and passed. Huddleson abstained from voting on the motion but failed to disclose his membership in the HOA and participated in discussion on the agenda item.

---

<sup>1</sup> Stipulated Facts do not constitute part of the "Investigative File" as that term is defined by NRS 281A.775. All statutory and common law protections afforded to the Investigative File shall remain and are not affected by this Stipulated Agreement.

g. An agenda item regarding the patrol services agreement was also placed on the September 15, 2020, CGID Board meeting. Huddleson again abstained from voting on this agenda item based on his position on the HOA Board, but not before he participated in discussion of the agenda item and encouraged other Trustees to vote in favor of the agreement. The motion to approve a patrol services agreement with HOA for \$1,000 per month passed.

h. However, the HOA received an opinion letter from its attorney indicating that receiving payment for patrol services could adversely impact its non-profit status. Therefore, to date, the HOA and CGID have not entered into a post-2019 agreement for security patrol services.

**5. TERMS / CONCLUSIONS OF LAW:** Based on the foregoing, Huddleson and the Commission agree as follows:

a. Each of the stipulated facts enumerated in Section 4 of this Stipulated Agreement (“Agreement”) is agreed to by the parties.

b. Allegations that Huddleson violated NRS 281A.400(1), (2), (3), (7) and (10) and NRS 281A.420(3) are hereby dismissed by stipulation of the parties.

c. Huddleson’s actions constitute a single course of conduct resulting in one violation of the Ethics Law, implicating the provisions of NRS 281A.420(1).

d. Based upon the consideration and application of the statutory criteria set forth in NRS 281A.775, Huddleson agrees that pursuant to NRS 281A.170, a single willful violation will be imposed for NRS 281A.420(1), for his conduct in failing to sufficiently disclose his commitment in a private capacity to the interest of another person that is reasonably affected by an official matter.

e. For his willful violation of NRS 281A.420(1), Huddleson agrees to pay the sum of \$250.00 pursuant to NRS 281A.790(1)(a) for failing to properly disclose his commitment in a private capacity to the HOA, which amount will be due no later than October 17, 2022.

f. Huddleson agrees to complete ethics training within sixty (60) days of approval of this Agreement.

g. The Executive Director agrees not to pursue any claims of witness tampering against Huddleson regarding or relating to this matter.

h. Pursuant to its authority under NRS 281A.785(1)(b) the Commission hereby issues an admonishment of Huddleson for his conduct related to his violation of the Nevada Ethics Law in this matter.

i. This Agreement depends on and applies only to the specific facts, circumstances and law related to the Ethics Complaint now before the Commission. Any facts or circumstances that may come to light after its entry that are in addition to or differ from those contained herein may create a different resolution of this matter.

j. This Agreement is intended to apply to and resolve only this specific proceeding before the Commission and is not intended to be applicable to or create any admission of liability for any other proceeding, including administrative, civil, or criminal, regarding Huddleson. If the Commission rejects this Agreement, none of the provisions herein shall be considered by the Commission or be admissible as evidence in a hearing on the merits in this matter.

**6. WAIVER**

a. Huddleson knowingly and voluntarily waives his right to a hearing before the full Commission on the allegations in Ethics Complaint Case No. 20-077C and all rights he may be accorded with in regard to this matter pursuant to NRS Chapter 281A, the regulations of the Commission (NAC Chapter 281A), the Nevada Administrative Procedures Act (NRS Chapter 233B) and any other applicable provisions of law.

b. Huddleson knowingly and voluntarily waives his right to any judicial review of this matter as provided in NRS Chapter 281A, NRS Chapter 233B or any other applicable provisions of law.

**7. ACCEPTANCE:** We, the undersigned parties, have read this Stipulated Agreement, understand each and every provision therein, and agree to be bound thereby once approved by the Commission. In addition, the parties orally agreed to be bound by the terms of this Agreement during the regular meeting of the Commission on August 17, 2022.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Larry Huddleson

FOR LARRY HUDDLESON, Subject

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Katherine F. Parks, Esq.  
Thorndal Armstrong Delk Balkenbush &  
Eisinger

FOR ROSS E. ARMSTRONG, ESQ.  
Executive Director  
Nevada Commission on Ethics

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Elizabeth J. Bassett, Esq.  
Associate Counsel

Approved as to form by:

FOR NEVADA COMMISSION ON ETHICS

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Tracy L. Chase, Esq.  
Commission Counsel

The above Stipulated Agreement is accepted by the Nevada Commission on Ethics:  
DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

By: \_\_\_\_\_  
Kim Wallin, CPA, CMA, CFM  
Chair

By: \_\_\_\_\_  
Teresa Lowry, Esq.  
Commissioner

By: \_\_\_\_\_  
Brian Duffrin  
Vice-Chair

By: \_\_\_\_\_  
Thoran Towler  
Commissioner

By: \_\_\_\_\_  
Barbara Gruenewald, Esq.  
Commissioner



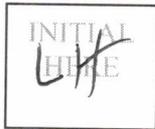
**STATE OF NEVADA  
COMMISSION ON ETHICS**  
704 W. Nye Lane, Suite 204  
Carson City, Nevada 89703  
(775) 687-5469 • Fax (775) 687-1279  
ethics.nv.gov

In re **Larry Huddleson**, Member, Board of  
Trustees, Canyon General Improvement District,  
State of Nevada,

Ethics Complaint  
Case No. 20-077C

\_\_\_\_\_  
Subject. /

**WAIVER OF STATUTORY TIME REQUIREMENTS: ADJUDICATORY HEARING**



I, Larry Huddleson, the above Subject, affirm that have read the provisions of NRS 281A.745 and hereby freely and voluntarily waive the sixty (60) day statutory time limit for the Commission to hold the adjudicatory hearing and render an opinion in this matter on any date which is set forth in a Notice of Hearing and Scheduling Order issued in these proceedings.

Dated: 8/10/2022

Larry Huddleson  
Larry Huddleson