



**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, August 17, 2022, at 9:30 a.m.
at the following location:

**State Bar of Nevada
9456 Double R Boulevard, Suite B
Reno, NV 89521**

Zoom Meeting Information

<https://us06web.zoom.us/j/81702736222?pwd=VXhqY1NxY0lrcnJldjI2OVF4a0wrQT09>

Zoom Meeting Telephone Number: 720-707-2699 *

Meeting ID: 817 0273 6222

Passcode: 195166

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 at the State Bar of Nevada in Reno and called the meeting to order at 9:30 a.m. Also appearing in-person were Vice-Chair Brian Duffrin and Commissioners Barbara Gruenewald, Esq. and Thoran Towler, Esq. Commissioners Teresa Lowry, Esq., James Oscarson, Damian Sheets, Esq. and Amanda Yen, Esq. appeared via videoconference. Present for Commission staff in Reno 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 June 15, 2022, Commission Meeting.

Chair Wallin stated that all Commissioners were present for the June Commission Meeting, except for Commissioners Oscarson and Sheets who were excused and would abstain from participating on this item.

Commissioner Towler moved to approve the June 15, 2022 Commission Meeting Minutes as presented. Vice-Chair Duffrin 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 Oscarson:	Abstain.
Commissioner Sheets:	Abstain.
Commissioner Towler:	Aye.
Commissioner Yen:	Aye.

4. Nominations and election of the Commission Chair and Commission Vice Chair for the upcoming year.

Commissioner Yen made a motion to reappoint Commissioner Wallin as Chair and Commissioner Duffrin as Vice-Chair of the Commission for Fiscal Year 2022-2023. Commissioner Gruenewald seconded the motion. The Motion was put to a vote and carried unanimously.

5. 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
- Commission Operations

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 informed the Commission that the Interim Finance Committee was to consider the Commission's request for Federal Recovery Act funding for an online training platform that day. He noted that staff was working with the Administrative Services Division to wrap up the FY22 budget.

Commission Operations: Executive Director Armstrong provided that the Commission is set to meet next in September and the October meeting could be held in Las Vegas.

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.

6. Presentation of draft Annual Report for direction from the Commission, including delegation of authority to the Chair in coordination with staff to prepare a final document for approval at the next Commission meeting.

Executive Director presented the Fiscal Year 2022 Annual Report draft included in the Meeting Materials and noted that the Table of Contents, the Introduction Letter and Case Statistic graphs would be added to the Annual Report for the Commission's consideration at its next meeting.

Vice-Chair Duffrin requested that the Commission determine its Goals for FY23 at the next meeting and that these Goals be included in the published Annual Report.

Vice-Chair Duffrin made a motion to accept the 2022 Annual Draft Report format as presented and the Commission would consider its Goals for inclusion in the report at the September 21 2022 Commission Meeting. Commissioner Towler seconded the motion. The motion was put to a vote and carried unanimously.

7. Delegation of authority and referral to the Nevada Commission on Ethics Personnel Subcommittee matters related to the review of applications and making recommendations to the Commission of the top applicant(s) to fill the upcoming vacancy in Commission Counsel position, including directing staff to review applications for minimum qualifications and other matters relating thereto.

Chair Wallin introduced the item, commenting she would miss Tracy Chase as the Commission Counsel and the Commission will have a difficult task in appointing her replacement.

Commissioner Oscarson echoed the comments of Chair Wallin and thanked Commission Counsel Chase for her excellent care of the Commissioners.

Vice-Chair Duffrin thanked Tracy Chase for her service and expressed his appreciation for her assistance. Vice-Chair Duffrin asked a procedural question about the recruitment process and Commission Counsel Chase provided the response.

Chair Wallin directed staff to post the Commission Counsel Position Notice next week and coordinate with Chair Wallin, Vice-Chair Duffrin and Commissioner Oscarson as designated members of the Personnel Subcommittee on scheduling a Subcommittee meeting in October.

Commissioner Yen moved to delegate authority to the Personnel Subcommittee. Commissioner Towler seconded the motion. The motion was put to a vote and carried unanimously.

8. Discussion and approval of the Proposed Stipulations concerning Ethics Complaint Nos. 20-075C, 22-076C and 22-077C regarding David Hart, Phillip Hilton and Larry Huddleson, Members, Board of Trustees, Canyon General Improvement District, Storey County.

Chair Wallin stated for the record that Vice-Chair Duffrin and Commissioners Gruenewald and Sheets served as members of the Review Panel and would be precluded from participating in this item pursuant to NRS 281A.220(4).

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 Kathy Parks, Esq. of Thorndal appeared on behalf of Steve Alford ("S. Alford"), who were not in attendance but were provided proper notice of the Agenda Item and understood that the Commission would proceed in their absence.

Associate Counsel Bassett provided an overview of Ethics Complaints Case Nos. 20-075C, 22-076C and 22-077C and the provisions of the Proposed Stipulations provided in the meeting materials.

The Proposed Stipulation for Ethics Complaint Case No. 20-075C outlined that Hart'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 Hart violated NRS 281A.400 subsections (1), (2), 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, Hart's violation would not be deemed a willful violation. The Proposed

Stipulation further outlined that Hart agreed to complete Ethics Training within sixty (60) days of the execution of the Stipulated Agreement.

The Proposed Stipulation for Ethics Complaint Case No. 20-076C outlined that Hilton'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 Hilton violated NRS 281A.400 subsections (1), (2), 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, Hilton's violation would not be deemed a willful violation. The Proposed Stipulation further outlined that Hilton agreed to complete Ethics Training within sixty (60) days of the execution of the Stipulated Agreement.

The Proposed Stipulation for Ethics Complaint Case No. 20-077C outlined that Huddleson'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 Huddleson violated NRS 281A.400 subsections (1), (2), (3), (7), and (10) and NRS 281A.420 subsection (3) were dismissed by stipulation of the parties. 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). The Proposed Stipulation further outlined that Huddleson agreed 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 and Huddleson also agreed to complete Ethics Training within sixty (60) days of the execution of the Stipulated Agreement.

Kathy Parks, Esq. thanked Executive Director Armstrong and Associate Counsel Bassett for working with her on the Stipulations and commented that the agreements were a fair resolution.

Commissioner Lowry made a motion to accept the terms of the Stipulations as presented by the parties and direct Commission Counsel to finalize the Stipulations 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:	Aye.
Commissioner Sheets:	Abstain. (Review Panel Member)
Commissioner Towler:	Aye.
Commissioner Yen:	Aye.

9. Consideration and determination on Dispositive Motions in Case Nos. 20-075C, 22-076C and 22-077C regarding David Hart, Phillip Hilton and Larry Huddleson, Members, Board of Trustees, Canyon General Improvement District, Storey 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.

The referenced complaints listed in this Agenda Item were resolved by stipulated agreement during the previous item and this Agenda Item was not heard.

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.

There were no Commissioner Comments.

11. Public Comment.

Storey County resident Jennifer Agnew made public comment in regard to Agenda Item 8 and thanked the Commission and Associate Counsel Bassett for their time.

12. 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 10:19 p.m.

Minutes prepared by:

[/s/ Kari Pedroza](#)

Kari Pedroza
Executive Assistant

[/s/ Ross Armstrong](#)

Ross Armstrong, Esq.
Executive Director

Minutes approved September 21, 2022:

[/s/ Kim Wallin](#)

Kim Wallin, CPA, CMA, CFM
Chair

[/s/ Brian Duffin](#)

Brian Duffrin
Vice-Chair