



**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, September 21, 2022, at 9:30 a.m.
at the following location:

**Nevada State Capitol Building
Old Assembly Chambers
101 N. Carson Street, Second Floor
Carson City, NV 89701**

Zoom Meeting Information

<https://us06web.zoom.us/j/87355171728?pwd=MEEx1SnI2M3hrZHg5WFBmQURyVk9kUT09>

Zoom Meeting Telephone Number: 720-707-2699 *

Meeting ID: 873 5517 1728

Passcode: 832099

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 Old Assembly Chambers in Carson City and called the meeting to order at 9:30 a.m. Vice-Chair Brian Duffrin also appeared in-person. Commissioners Teresa Lowry, Esq., James Oscarson and Thoran Towler, Esq. appeared via Zoom videoconference. Commissioners Barbara Gruenewald, Esq. and Amanda Yen, Esq. were excused. Commissioner Damian Sheets, Esq. was absent. 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., and Executive Assistant Kari Pedroza. Senior Legal Researcher Darci Hayden appeared via Zoom videoconference.

2. Public Comment.

There was no public comment.

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3. Approval of Minutes of the August 17, 2022, Commission Meeting.

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

Vice-Chair Duffrin moved to approve the August 17, 2022, Commission Meeting Minutes as presented. Commissioner Towler seconded the motion. The Motion was put to a vote and carried unanimously.

4. Discussion and approval of a Proposed Stipulation concerning Ethics Complaint Nos. 19-088C and 22-026C regarding Bartolo Ramos, Former Public Works Director (current County Manager), Lander County, Nevada.

Chair Wallin introduced the item and turned it over to Vice-Chair Duffrin to act as presiding officer for this item.

Vice-Chair Duffrin confirmed the item would consider Ethics Complaint No. 19-088C and 22-026C (Ramos) and a consolidated Proposed Stipulation. He further acknowledged that proper notice had been provided to the subject and waivers were received by the Commission in the cases. Vice-Chair Duffrin noted that the Review Panel in Ethics Complaint Case No. 19-088C consisted of herself, and Commissioners Oscarson and Sheets and pursuant to NRS 281A.220(4), these review panel members would be precluded from participating in this item. He verified that in Ethics Complaint Case No. 22-062C no review panel was held, and all Commissioners may participate and vote on that case.

Vice-Chair Duffrin asked the parties in Ethics Complaint Case No. 19-088C to identify themselves for the record. Rebecca Bruch, Esq. appeared in-person on behalf of Mr. Bartolo Ramos ("Ramos") for Ethics Complaint Case No. 19-088C and Brian Hardy, Esq. appeared via Zoom videoconference on behalf of Ramos for Ethics Complaint Case No. 22-026C. Ramos was in attendance via Zoom videoconference. Associate Counsel Elizabeth J. Bassett, Esq. appeared on behalf of Executive Director Armstrong before the Commission in this matter.

Associate Counsel Bassett provided an overview of the Proposed Stipulation as it pertained to Ethics Complaint Case Nos. 19-088C and 22-026C (Ramos). The Complaint in Ethics Complaint Case No. 19-088C alleged that Ramos, in his position as Public Works Director for Lander County, directed county contracts to a company owned by his sister and her domestic partner and violated NRS 281A.400 subsections (1), (2), (3), (4), (6) and (7) and NRS 281A.420 subsections (1) and (3) and NRS 281A.430. On June 16, 2021, the Review Panel consisting of 3 members of the Commission on Ethics concluded that the facts established credible evidence to support a determination that just and sufficient cause existed for the Commission to render an opinion in the matter regarding alleged violations of NRS 281A.400 subsections (1), (2), (3) and NRS 281.420 subsections (1) and (3). The Review Panel dismissed allegations pertaining to NRS 281A.400 subsections (4) and (7), and NRS 281A.430. On June 15, 2022, the Commission considered dispositive motions and granted judgment in favor of the Executive Director finding one violation of NRS 281A.400 subsection (3) and twelve violations of NRS 281A.420 subsection (1). The Commission order was not final and did not determine whether the violations were willful or non-willful. These matters were directed to be considered in another meeting, to be scheduled.

The Complaint in Ethics Complaint Case No. 22-026C alleged that Ramos, in his position as County Manager for Lander County, benefited his spouse's non-profit employer through the lease of Lander County property without a proper disclosure or abstention and violated NRS 281A.400 subsections (1), (2), and (7) and NRS 281A.420 subsections (1) and (3).

In lieu of an adjudicatory hearing, the parties submitted a Proposed Stipulation for the Commission's approval, a copy of which was provided in the Commission's meeting materials. In Ethics Complaint Case No. 19-088C, the Proposed Stipulation outlined that Ramos' action constituted a single willful violation of the Ethics Law, implicating the provisions of NRS 281A.400 subsection (3) and a single violation of the Ethics Law, implicating the provisions of NRS 281A.420 subsection (1). The other eleven violations of NRS 281A.420 subsection (1) were dismissed by stipulation of the parties. The Proposed Stipulation further outlined the imposition of \$2,500 civil penalty for each willful violation and the total civil penalty amount of \$5,000 due to the Commission by February 20, 2024. Ramos further agreed to complete in-person Ethics Training within ninety (90) days of the execution of the Stipulation. In Complaint Case No. 22-026C, the Stipulation outlined that upon approval, the Commission agreed to hold the case in abeyance and to voluntarily dismiss the case with prejudice by order of the Chair upon Ramos' completion of all requirements under the Stipulation.

Associate Counsel Bassett thanked Mr. Ramos, both his counsel Ms. Bruch and Mr. Hardy for their cooperation and patience in the resolution of these matters.

Ramos' counsel, Rebecca Bruch Esq. thanked the Commission and Commission staff for their collaborative efforts and stated that the Stipulation was the right resolution for the matter.

Ramos' counsel, Brian Hardy Esq. shared his appreciation of the time of the Commission and the efforts of those who participated and engaged in this process.

Vice-Chair Duffrin called for a motion in the matter of Ethics Complaint Case No. 19-088C (Ramos) and identified the Commissioners who could act in this matter as Vice-Chair Duffrin and Commissioners Lowry and Towler.

Commissioner Lowry made a motion in Ethics Complaint Case No. 19-088C to accept the terms of the Stipulated Agreement as presented by the parties to resolve Case No. 19-088C 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:	Abstain. (Review Panel Member)
Vice-Chair Duffrin:	Aye.
Commissioner Lowry:	Aye.
Commissioner Oscarson:	Abstain. (Review Panel Member)
Commissioner Towler:	Aye.

Vice-Chair Duffrin called for a motion in the matter of Ethics Complaint Case No. 22-026C (Ramos) and confirmed that all Commissioners could participate in this matter.

Chair Wallin made a motion to approve the terms of the Stipulated Agreement for subject Ramos as it applies to resolve Case No. 22-026C and authorize Commission Counsel to finalize the legal form of Stipulation and other matters relating thereto. Commissioner Lowry seconded the motion. The Motion was put to a vote and carried unanimously.

5. Discussion and approval of a Proposed Stipulation concerning Ethics Complaint No. 22-055C regarding Daniel J. Coverley, Sheriff, Douglas County, 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. She further confirmed that proper notice was provided to the subject and waivers were received by the Commission in this matter.

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 Daniel J. Coverley (“Coverley”) appeared via Zoom videoconference.

Associate Counsel Bassett provided an overview of Ethics Complaint Case No. 22-055C (Coverley) and the Proposed Stipulation. The Complaint alleged that Coverley used the accoutrements of his office, specifically his Sheriff’s uniform, to benefit his personal interest in support of a political campaign and violated NRS 281A.400 subsection (7). In Coverley’s written response to the complaint allegations, Sheriff Coverley accepted full responsibility for his actions acknowledging that he did not review the ethics statute prior to wearing his uniform to a political endorsement event. Sheriff Coverley waived his right to a review panel and agreed to the Proposed Stipulation submitted for the Commission’s approval and provided in the meeting materials.

The Proposed Stipulation outlined that Coverley’s actions constitute one violation of NRS 281A.400 subsection (7), this violation would not be deemed a willful violation based upon the consideration and application of the statutory mitigating criteria set forth in NRS 281A.775. The Proposed Stipulation further outlined that Coverley agreed to schedule Ethics Training with the Executive Director within one hundred twenty (120) days of the execution of the Stipulation. Another term included in the Stipulation is the requirement that Coverley agrees to ensure an Acknowledgment of Ethical Standards form is properly filed for his term as Sheriff following the 2018 election.

Coverley shared his appreciation for the Commission’s consideration and patience and apologized for his mistake. He promised to consult the Commission in future matters.

Vice-Chair Duffrin thanked staff and Sheriff Coverley for their coordination of the resolution. He noted Sheriff Coverley’s accountability of the matter and expressed his appreciation of the Sheriff’s cooperation with the investigation. Chair Wallin echoed Vice-Chair Duffrin’s comments.

Vice-Chair Duffrin made a motion to approve the Proposed Stipulation for Complaint Case No. 22-055C for Sheriff Coverley and authorize Commission Counsel to finalize the legal form of Stipulation and other matters relating thereto. Commissioner Towler seconded the motion. The Motion was put to a vote and carried as follows:

Chair Wallin:	Aye.
Vice-Chair Duffrin:	Aye
Commissioner Lowry:	Aye.
Commissioner Oscarson:	Aye.
Commissioner Towler:	Aye.

6. Report by Executive Director on agency status and operations, and possible direction thereon. Items to be discussed include, without limitation:
- Outreach and Education
 - Budget Building Status
 - Quarterly Case Log

Executive Director Armstrong disclosed for the record that at the direction of the Commission Chair he included a competitive salary enhancement in the budget proposal which could benefit his pecuniary interest as all Commission staff positions are included in the enhancement.

Commission Counsel Chase disclosed for the record that included in the Executive Director's report was a competitive salary enhancement proposal for Commission staff positions which could affect her personal interests. She confirmed she had provided notice of her retirement and that it is unlikely that the matter would affect her personal interest, however, she noted the potential conflict for the record and confirmed that she would abstain on any matters relating to her salary.

Outreach and Education: Executive Director Armstrong noted the Commission's growth on both LinkedIn and Twitter social media platforms. He informed the Commission of his targeted posts highlighting the Advisory Opinion process on each social media platform. Executive Director Armstrong shared his proposed media outreach campaigns for the following months with the Commission.

Executive Director Armstrong provided information on recent trainings conducted such as presentations to the Southern Nevada Chapter of International Code Council. He thanked Associate Counsel Bassett for providing the Ethics in Government Law presentation at the Nevada Civil Attorneys Conference in Lake Tahoe. Executive Director Armstrong outlined upcoming trainings scheduled before the Gaming Control Board, the UNLV Public Professionals and POOL/PACT training requested by Rebecca Bruch.

Executive Director Armstrong informed the Commission of the online training system implementation status.

Budget Building Status: Executive Director Armstrong reiterated that the Commission submitted four budget enhancement units to the Administrative Services Division (ASD) for consideration for the FY 2024 – 2025 Biennial Budget request. The enhancements include funds for a public information officer position, competitive salaries for Commission staff, investigatory resources and travel restoration to pre-COVID expenditures. Executive Director Armstrong acknowledged that ASD recommended a work program for improved internet services to establish budgetary authority.

Vice-Chair Duffrin asked a clarifying question regarding the competitive salary enhancement and Executive Director Armstrong offered to provide a position salary breakdown to the Commissioners via electronic email following the meeting.

Chair Wallin asked a clarifying question regarding the salary enhancement fiscal year discrepancy and Executive Director Armstrong stated that he would research the issue and provide follow up information to the Commission.

Quarterly Case Log Status: Executive Director Armstrong referenced the Quarterly Case Log provided in the meeting materials noting that all cases from 2019 were resolved, one case remaining from 2020 will be resolved in the next month and the majority of 2021 cases have been resolved. He stated that the Commission has set a good pace in processing cases in a timely manner and shared his appreciation of the Commission's time in determining jurisdiction and considering case resolutions.

Commissioner Oscarson thanked Executive Director Armstrong for his thorough report.

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

7. 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 revised draft included in the Meeting Materials and asked for feedback and direction from the Commission on the Commission's goals for the upcoming fiscal year to be included in the Annual Report.

Commissioner Lowry shared that she had no additions or revisions to the Annual Report and commended Executive Director Armstrong on his work on the Annual Report.

Commissioner Towler stated that the goals as presented in the Annual Report were an improvement on those previously presented. He also thanked the Executive Director for his work on the Annual Report.

Commissioner Oscarson deferred the matter to Vice-Chair Duffrin since the Vice-Chair requested at the previous Commission meeting the consideration and approval of the Commission's goals for the upcoming fiscal year.

Vice-Chair Duffrin clarified that his intention with regard to the Commission's goals were not necessarily to refine them but to ensure that all Commissioners were comfortable with the proposed goals. He stated that he is comfortable with the goals included in the Annual Report.

Vice-Chair Duffrin asked that Commission staff members be listed on page 5 of the Annual Report along with the Commissioners.

Chair Wallin shared that she appreciated the shortened, easier to read version of the Annual Report and the inclusion of additional graphs. She requested that the cases listed in the Appendices be sorted by Main Topic. Chair Wallin asked that clarifying language be included in the graph footnotes. She requested that social media growth include all of June 2022.

Commissioner Lowry made a motion to accept the 2022 Annual Draft Report format as presented. Commissioner Oscarson seconded the motion. The motion was put to a vote and carried unanimously.

Chair Wallin thanked Executive Assistant Pedroza for her contributions to the Annual Report. She also thanked Commission staff for their assistance with the Annual Report.

Commissioner Oscarson echoed the Chair's sentiments.

8. Discussion of the ongoing Commission branding project including review of fact-finding survey and possible direction to the Executive Director on branding and logo design development.

Chair Wallin introduced the item and asked Executive Director Armstrong to present the results of the branding survey.

Executive Director Armstrong presented the results of the branding fact-finding survey provided in the meeting materials and asked for feedback and direction from the Commission pertaining to the Commission's customer and the imagery of the Commission's for brand.

Commissioner Towler shared his view that all the citizens of the state of Nevada are customers of the Commission and as such deserve to be treated fairly under ethics laws. He provided further that overall, the brand should portray that we live in a state where ethics matter and are taken seriously.

Commissioner Lowry commented that the Commission's customers are the citizens of Nevada as well as public employees and elected officials and vision of the customers represented as 3 pillars supporting the rule of law.

Commissioner Oscarson shared his opinion that the branding process was beneficial to the Commission. He proposed the brand highlight that the Commission of Ethics is a responsive and active presence in the state of Nevada. Commissioner Oscarson also offered that the brand communicates the Commission's mission of transparency and integrity.

Vice-Chair Duffrin stated that the brand development discussion is an important moment in the Commission's history. He further added his opinion that the Commission's purpose is to serve its customer who he views as the Commission's stakeholders which include the public, as well as public officers and employees and the services provided are listed in the Commission's statutes. Vice-Chair Duffrin discussed the imagery of the logo and emotional connotations. He proposed the Commission's image reflect trust and integrity.

Chair Wallin commented that her fellow Commissioners articulated the Commission's customer and brand well. She shared that the Commission's customer is the general public and public employees. Chair Wallin expressed that she would lean toward abstract imagery in the logo but also likes the emblem.

Executive Director Armstrong outlined the next steps in the brand development process and stated that he would provide sample logos for the Commission's consideration at an upcoming Commission meeting.

Vice-Chair Duffrin made a motion to direct the Executive Director to continue developing the Commission's branding project consistent with the Commission's discussion and provide brand options at a future meeting for either additional direction or approval. Commissioner Oscarson 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.

Vice-Chair Duffrin thanked the member of the public in attendance for attending the Commission meeting.

Chair Wallin noted that the Commission will hold its next meeting on October 19 in Las Vegas.

10. Public Comment.

There was no public comment.

11. Adjournment.

Commissioner Oscarson 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 10:39 a.m.

Minutes prepared by:

[/s/ Kari Pedroza](#)

Kari Pedroza
Executive Assistant

[/s/ Ross Armstrong](#)

Ross Armstrong, Esq.
Executive Director

Minutes approved October 19, 2022:

[/s/ Kim Wallin](#)

Kim Wallin, CPA, CMA, CFM
Chair

[/s/ Brian Duffrin](#)

Brian Duffrin
Vice-Chair