



**STATE OF NEVADA  
COMMISSION ON ETHICS**  
<http://ethics.nv.gov>

**MINUTES  
of the meeting of the  
NEVADA COMMISSION ON ETHICS**

The Commission on Ethics held a public meeting on  
Wednesday, March 15, 2023, 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/83443294890?pwd=MUhNYkp4UDIMOXZoRGINRU5wYjJwQT09>

Zoom Meeting Telephone Number: 720-707-2699

Meeting ID: 834 4329 4890

Passcode: 644955

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics. A written transcript is available for public inspection at the Commission's office. A recording of the meeting is available for public inspection at the Commission's office and on the [Commission's YouTube channel](#).

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 9:35 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 and Amanda Yen, Esq. appeared via videoconference. Commissioner Damian Sheets, Esq. was absent. Present for Commission staff in Reno were Executive Director Ross E. Armstrong, Esq., Associate Counsel Elizabeth J. Bassett, Esq., Investigator Erron Terry, Senior Legal Researcher Darci Hayden, and Executive Assistant Kari Pedroza. Deputy Attorney General Laena St-Jules, Esq. also appeared in person in Reno.

2. Public Comment.

There was no public comment.

3. Approval of Minutes of the February 15, 2023, Commission Meeting.

Chair Wallin stated that all Commissioners were present for the February Commission Meeting, except for Commissioner Yen who was excused and Commissioner Sheets who was absent and both are therefore precluded from participating on this item.

Commissioner Towler moved to approve the February 15, 2023, Commission Meeting Minutes as presented. 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 Oscarson:	Aye.
Commissioner Towler:	Aye.
Commissioner Yen:	Abstain.

4. Hearing on Dispositive Motions in Consolidated Case Nos. 20-081C & 20-085C regarding Leonardo Blundo, Member, Board of County Commissioners, Nye County, State of Nevada, 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 Counsel for the Commission.

Chair Wallin introduced the item and stated for the record that proper notice had been provided and waivers were received regarding this item. Chair Wallin further noted that Vice-Chair Duffrin and Commissioners Gruenewald and Sheets served as members of the Review Panel and would be precluded from participating in the consideration of the dispositive motions under this item pursuant to NRS 281A.220(4).

Chair Wallin asked the parties in the Complaint 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. Brian Hardy, Esq. appeared in person on behalf of Leonardo Blundo, who was not in attendance but was provided proper notice of the Agenda Item and understood that the Commission would proceed in his absence. Mr. Hardy noted that his colleague Trisha Delos Santos, Esq. was in attendance via Zoom.

Chair Wallin outlined the dispositive motion hearing order to be as follows:

1. Associate Counsel present argument on the Executive Director's Motion for Summary Judgment
2. Counsel Hardy present argument on Mr. Blundo's Opposition to the Executive Director's Motion for Summary Judgment and Mr. Blundo's Motion for Summary Judgment
3. Associate Counsel present argument on the Executive Director's Reply in Support of his Motion and on the Executive Director's Opposition to Mr. Blundo's Motion for Summary Judgment
4. Counsel Hardy present argument on Mr. Blundo's Reply in Support of his Motion for Summary Judgment

Associate Counsel Elizabeth J. Bassett, Esq. presented the Executive Director's Motion for Summary Judgment. She argued that the Executive Director determined that four (4) alleged violations of the Ethics Law, specifically NRS 281A.400(7), NRS 281A.400(9), NRS 281A.420(1), and NRS 281A.420(3) were properly brought before the Commission and judgment 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. Blundo, Counsel Brian Hardy, Esq. presented his client's Opposition to the Executive Director's Motion for Summary Judgment and argued the merits of his 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(2), NRS 281A.400(7), NRS 281A.400(9), NRS 281A.420(1), and NRS 281A.420(3).

Associate Counsel Bassett presented the Executive Director's Reply in Support of his Motion for Summary Judgment and the Executive Director's Opposition to Mr. Blundo's Motion for Summary Judgment.

Counsel Hardy presented Mr. Blundo's Reply in Support of his Motion for Summary Judgment to the Commission.

Deputy Attorney General St-Jules and Commissioners Yen and Oscarson asked questions of Associate Counsel Bassett and Counsel Hardy, and each provided responses to the questions.

Commissioner Yen stated that the Commission had reviewed the entire record for this matter and had considered the briefing and arguments presented by counsel. Commissioner Yen moved to deny summary judgment on NRS 281A.400(2) which claim will still be outstanding, deny summary judgment on NRS 281A.400(7) because there are questions of fact still remaining, deny summary judgment on NRS 281A.400(9) because there are issues of disputed facts and grant summary judgment in favor of the Executive Director relating to NRS 281A.420(1) and NRS 281A.420(3). Commissioner Lowry seconded the motion.

Deputy Attorney General Laena St-Jules asked that the motion be amended to include direction to the Counsel for the Commission to prepare an order in coordination with the Commission Chair to reflect the determination of the Commission. Commissioner Yen amended her motion to include that direction. Commissioner Lowry seconded the amended motion. The Motion was put to a vote and carried as follows:

Chair Wallin:	Aye.
Vice-Chair Duffrin:	Abstain pursuant to NRS 281A.220.
Commissioner Gruenewald:	Abstain pursuant to NRS 281A.220.
Commissioner Lowry:	Aye.
Commissioner Towler:	Aye.
Commissioner Oscarson:	Aye.
Commissioner Yen:	Aye.

Chair Wallin thanked Counsel Hardy for his collaborative efforts with Commission staff. Counsel Hardy thanked the Commissioners for their consideration of the matter.

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

- Hearing on Dispositive Motions in Case No. 22-051C regarding Joseph Rodriguez, Trustee, Washoe County School District; Lieutenant, State Fire Marshall, State of Nevada, including providing authority to the Vice-Chair of the Commission to prepare and issue the order reflecting the Commission's decision and other matters relating thereto, in consultation with Counsel for the Commission.

Chair Wallin introduced the item and noted that Vice-Chair Duffrin would be acting as presiding officer for this matter.

Vice-Chair Duffrin asked if any Commissioners needed to make a disclosure on this item. Commissioner Yen disclosed and abstained from participating in this matter because the Subject is a client of McDonald Carano, the firm Commissioner Yen is a partner with, and to which she has both a pecuniary interest in her employment and a private commitment to the firm, as her employer, and its clients under NRS 281A.065(4) and NRS 281A.065(5). The independent judgment of a reasonable person in Commissioner Yen's situation could be materially affected in voting upon matters related to this case.

Vice-Chair Duffrin stated for the record that proper notice had been provided and waivers were received regarding this item. He confirmed that the Review Panel in this matter consisted of Chair Wallin, and Commissioners Towler and Sheets and pursuant to NRS 281A.220(4) those members would be precluded from participating in this item. Vice-Chair Duffrin noted that participating Commissioners would be himself and Commissioners Gruenewald, Lowry, and Oscarson.

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 Adam Hosmer-Henner, Esq. appeared on behalf of Mr. Rodriguez, who was also in attendance.

Vice-Chair Duffrin outlined the dispositive motion hearing order to be as follows:

1. Associate Counsel present argument on the Executive Director's Motion for Summary Judgment
2. Counsel Hosmer-Henner present argument on Mr. Rodriguez's Response to the Executive Director's Motion for Summary Judgment and Mr. Rodriguez's Motion for Summary Judgment
3. Associate Counsel present argument on the Executive Director's Reply in Support of his Motion and on the Executive Director's Opposition to Mr. Rodriguez's Motion for Summary Judgment
4. Counsel Hosmer-Henner present argument on Mr. Rodriguez's Reply in Support of his Motion for Summary Judgment

Associate Counsel Elizabeth J. Bassett, Esq. presented the Executive Director's Motion for Summary Judgment. She argued that the Executive Director determined that four (4) alleged violations of the Ethics Law, specifically two violations each of NRS 281A.400(2) and NRS 281A.400(7), were properly brought before the Commission and judgment should be granted by the Commission as the pleadings and evidence demonstrate that no genuine issues of material fact exist in regard to those violations. Associate Counsel Bassett stated that should the Commission grant the Executive Director's motion and determine that the violations were willful, the Executive Director requests that the Commission impose upon Mr. Rodriguez a civil penalty of \$1,250 for each violation, for a total civil penalty in the amount of \$5,000.

On behalf of Mr. Rodriguez, Counsel Adam Hosmer-Henner, Esq. presented his client's Response to the Executive Director's Motion for Summary Judgment and argued the merits of his 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(2) and NRS 281A.400(7).

Associate Counsel Bassett presented the Executive Director's Reply in Support of his Motion for Summary Judgment and the Executive Director's Opposition to Mr. Rodriguez's Motion for Summary Judgment.

Counsel Hosmer-Henner presented Mr. Rodriguez's Reply in Support of his Motion for Summary Judgment to the Commission.

All participating Commissioners asked questions of Associate Counsel Bassett and Counsel Hosmer-Henner, and each provided responses to the questions.

Commissioner Gruenewald shared her opinion that the Commission needed to proceed with the scheduled Adjudicatory Hearing in order to question the Subject.

Commissioner Lowry expressed her opposition to further proceedings and stated that she was ready to grant the Executive Director's Motion for Summary Judgment.

Commissioner Oscarson stated he would like to hear further testimony in an adjudicatory hearing.

Vice-Chair Duffrin acknowledged that he had been leaning towards granting Summary Judgment to the Executive Director, but after the presentations and discussion, he would like to proceed with an adjudicatory hearing.

Vice-Chair Duffrin stated that the Commission had reviewed the entire record for this matter and had considered the pending motions and arguments of counsel. Vice-Chair Duffrin made a motion to deny both parties' Motions for Summary Judgment because there are issues of fact in dispute, and it would benefit the Commission to hear the testimony of witnesses and to review all evidence to make its decision. Included in his motion, Vice-Chair Duffrin further directed counsel for the Commission to prepare an order in coordination with the Vice-Chair to reflect the determination of the Commission. Commissioner Gruenewald seconded the motion. The Motion was put to a vote and carried as follows:

Chair Wallin:	Abstain pursuant to NRS 281A.220.
Vice-Chair Duffrin:	Aye.
Commissioner Gruenewald:	Aye.
Commissioner Lowry:	Nay.
Commissioner Oscarson:	Aye.
Commissioner Towler:	Abstain pursuant to NRS 281A.220.
Commissioner Yen:	Abstain pursuant to NRS 281A.065.

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

6. Pursuant to NRS 281A.745, Adjudicatory Hearing to hear testimony, receive evidence, deliberate and render an opinion concerning Ethics Complaint Case No. 22-051C regarding the conduct of Joseph Rodriguez, Trustee, Washoe County School District; Lieutenant, State Fire Marshall Division, State of Nevada, including determination of whether there are violations of the Ethics Law and possible issuance of fines or penalties pursuant to NRS 281A.775 and NRS 281A.785.
  - The Commission may receive information or evidence concerning this matter and deliberate in a closed session pursuant to NRS 281A.760.
  - The Commission will take action on the item in an open session.

Vice-Chair Duffrin introduced the item and asked if any Commissioners needed to make a disclosure on this item. Commissioner Yen disclosed and abstained from participating in this matter because the Subject is a client of McDonald Carano, the firm Commissioner Yen is a partner with, and to which she has both a pecuniary interest in her employment and a private commitment to the firm, as her employer, and its clients under NRS 281A.065(4) and NRS 281A.065(5). The independent judgment of a reasonable person in Commissioner Yen's situation could be materially affected in voting upon matters related to this case.

Vice-Chair Duffrin stated for the record that proper notice had been provided and waivers were received regarding this item. He confirmed that the Review Panel in this matter consisted of Chair Wallin, and Commissioners Towler and Sheets and pursuant to NRS 281A.220(4) those members would be precluded from participating in this item. Vice-Chair Duffrin noted Commissioner Yen had abstained and all other Commissioners could participate in this matter.

Vice-Chair Duffrin asked the parties to identify themselves, their clients, and any witnesses present before the Commission to be sworn in for the record.

Appearing on behalf of the Executive Director Armstrong was Associate Counsel Elizabeth J. Bassett, Esq. Associate Counsel Bassett identified Subject Rodriguez as the only witness she would be calling during the proceedings.

Appearing before the Commission in this matter was Subject Joseph Rodriguez, Trustee, Washoe County School District, Lieutenant, State Fire Marshall Division and his counsel, Adam Hosmer-Henner, Esq., of McDonald Carano, LLP. Counsel Hosmer-Henner confirmed that Trustee Rodriguez would be the only witness he would call during the proceedings.

Vice-Chair Duffrin confirmed that the exhibit books had been provided to the Commissioners and were also available to the public at the meeting. He stated that as Presiding Officer over the matter, he had issued certain rulings the previous day relating to evidence in the case: one oral and written order to deny Trustee Rodriguez's Motion *in Limine*; and one oral and written order to grant the Executive Director's Motion *in Limine*.

Vice-Chair Duffrin reiterated that the evidence books were provided to the Commission and asked the parties to stipulate on the record as to certain facts and the admissibility of certain documentary evidence.

Associate Counsel Bassett read 7 undisputed facts into the record. She confirmed which exhibits within the exhibit book were stipulated to by both parties, specifically Exhibits numbered 2, 3, 4, 5, 7 and 8. Counsel Hosmer-Henner confirmed the stipulated facts and exhibits offered by Associate Counsel Bassett.

Subject Rodriguez was sworn in by the court reporter.

Vice-Chair Duffrin asked each party to limit opening statements to 15 minutes as the case had been considered under the previous agenda item. He noted the need for due process for both sides and encouraged the parties to be succinct and concise in their arguments.

Counsel Hosmer-Henner stated since they just went over the arguments and addressed the issues during Agenda Item 5, he was happy to waive opening statements and move to closing statements.

Associate Counsel Bassett stated that in the event the case was appealed, she needed her arguments on the record and a separate record from the Summary Judgment Motions item as those motions were denied.

Vice-Chair Duffrin provided that procedurally the Adjudicatory Hearing item, Agenda Item 6, required its own complete record separate from Agenda Item 5. He asked for brief opening statements from the parties, starting with Associate Counsel Bassett.

Counsel Hosmer-Henner stated he would stipulate to incorporating statements made in Item 5 into the opening of Item 6. Associate Counsel Bassett was amenable to the stipulation but requested an opportunity to make a brief opening statement for the record.

Associate Counsel Bassett provided her opening statement which included a brief overview of the case and the preponderance of evidence that Mr. Rodriguez violated the provisions of the Ethics Law under NRS 281A.400(2) and (7).

Counsel Hosmer-Henner began by incorporating prior arguments he made with respect to Trustee Rodriguez's Summary Judgment Motion under the prior item into his opening statement. He outlined the 2 facts he intended to prove to the Commission during the proceedings.

Counsel Bassett questioned the witness, Subject Rodriguez, and Counsel Hosmer-Henner cross-examined Mr. Rodriguez.

During the cross-examination, the parties stipulated to the admission of exhibit book pages JEB0050 through JEB0060 into the record.

Counsel Bassett questioned the witness, Subject Rodriguez, during redirect examination.

Counsel Hosmer-Henner declined to further examine of the witness, Subject Rodriguez, due to the stipulation that arguments presented under Item 5 were incorporated into Item 6. He stated his desire to reserve the opportunity to provide comment upon closure of the Executive Director's case-in-chief.

Vice-Chair Duffrin asked Associate Counsel Bassett if she was closing the case and she replied in the affirmative.

Commissioners Gruenewald and Oscarson and Vice-Chair Duffrin questioned the witness, Subject Rodriguez.

Vice-Chair Duffrin asked each party to limit closing statements to 15 minutes.

Associate Counsel Bassett presented a closing statement on behalf of the Executive Director to the Commission.

Counsel Hosmer-Henner then presented closing remarks on behalf of Trustee Rodriguez to the Commission.

Vice-Chair Duffrin called the meeting into confidential closed session for Commission deliberations. Executive Director Armstrong, Associate Counsel Bassett, Counsel Hosmer-Henner and Subject Rodriguez were excused from the meeting during the closed deliberations.

Vice-Chair Duffrin called the meeting back into open session at 1:42 p.m.

Commissioner Gruenewald moved that the Commission find that Mr. Rodriguez committed two violations of NRS 281A.400(2) and two violations of NRS 281A.400(7), which violations were willful and that a fine of \$250 per violation, for a total of \$1,000 be imposed. Commissioner Gruenewald further moved for a reprimand and a requirement that Mr. Rodriguez attend and complete ethics training, selected by the Executive Director within 60 days of the written decision being issued. Commissioner Gruenewald's motion further directed Commission Counsel to prepare a final written Opinion, based upon the record and circumstances, stating each violation alleged against Mr. Rodriguez and the determinations of the Commission relating thereto, and including consideration of applicable law, findings of fact, and conclusions of law, and any penalty, corrective action, or other remedy imposed on Mr. Rodriguez. Commissioner Lowry seconded the motion. The Motion was put to a vote and carried as follows:

Chair Wallin:	Abstain pursuant to NRS 281A.220.
Vice-Chair Duffrin:	Aye.
Commissioner Gruenewald:	Aye.
Commissioner Lowry:	Aye.
Commissioner Oscarson:	Aye.
Commissioner Towler:	Abstain pursuant to NRS 281A.220.
Commissioner Yen:	Abstain pursuant to NRS 281A.065.

7. Report by Executive Director on agency status and operations, and possible direction thereon. Items to be discussed include, without limitation:
  - a. Education and Outreach
  - b. Legislative Update
  - c. Budget Update
  - d. Commission Counsel Hiring Update

Chair Wallin introduced the Item and asked Executive Director Armstrong for his presentation.

a. Education and Outreach: Executive Director Armstrong noted the written report submitted on Education and Outreach in the meeting materials.

Executive Director Armstrong informed the Commission that Commission staff had completed the coaching period for the Online Learning Management System and thanked Sr Legal Researcher Hayden and Executive Assistant Pedroza for their participation in the meetings. He outlined the process for the Online Learning Management System implementation.

b. Legislative Update: Executive Director Armstrong reported that the Commission's initial Budget and Bill Hearings had been conducted. He shared the amendment to the Commission's proposed bill language resulting from collaboration with the City of Henderson.

Executive Director Armstrong referenced the Legislative Session Report provided in the meeting materials and noted that bills potentially affecting the Commission's Operations will be tracked and the Commission will be regularly notified of bill tracking status via electronic mail.

c. Budget Update: Executive Director Armstrong reiterated that the Commission's Budget Hearing had been held and he reported that the requested follow-up materials had been provided to the Committee.

Executive Director Armstrong shared that the Commission's budget was on track for FY23.

d. Commission Counsel Hiring Update: Executive Director Armstrong informed the Commission that the Commission Counsel Job Announcement was posted again, and the application period is scheduled to close Friday, March 24. He shared that there were 2 applicants to interview at that time.

Executive Director Armstrong thanked Sr Legal Researcher Hayden for her assistance with meeting materials preparation.

Executive Director Armstrong noted that matters before the Commission during its next meeting on April 19 may require a two-day meeting in Las Vegas.

Chair Wallin asked the Executive Director how staff was managing the increased workload while being short one staff member and Executive Director Armstrong replied that it has been a challenge, but staff is managing to keep up with the caseload. He thanked the Commission staff for their hard work.

Chair Wallin complimented Executive Director Armstrong on his Budget Hearing presentation.



Chair Wallin thanked acting Commission Counsel Deputy Attorney General St-Jules for her assistance to the Commission.

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

8. 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 asked that training presented by the Executive Director include issues considered during the meeting, specifically the accoutrements of public office. He extended his thanks to acting Commission Counsel Deputy Attorney General St-Jules for helping to prepare him for the hearing items during which he was Presiding Officer.

Commissioner Oscarson shared his gratitude for his fellow Commissioners and Commission staff, commenting on their remarkable collaboration skills and efforts. He also thanked acting Commission Counsel Deputy Attorney General St-Jules.

9. Public Comment.

There was no public comment.

10. Adjournment.

Commissioner Oscarson 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 1:54 p.m.

Minutes prepared by:

[/s/ Kari Pedroza](#)

Kari Pedroza  
Executive Assistant

[/s/ Ross Armstrong](#)

Ross Armstrong, Esq.  
Executive Director

Minutes approved April 19, 2023:

[/s/ Kim Wallin](#)

Kim Wallin, CPA, CMA, CFM  
Chair

[/s/ Brian Duffrin](#)

Brian Duffrin  
Vice-Chair