



**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, May 17, 2023, at 10:00 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/82196822130?pwd=Z1FoTXZzY25sZTJSZm83bTNOQ0doZz09>

Zoom Meeting Telephone Number: 720-707-2699

Meeting ID: 821 9682 2130

Passcode: 259053

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 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 office in Reno and called the meeting to order at 10:01 a.m. Vice-Chair Brian Duffrin also appeared in-person. Commissioner Barbara Gruenewald, Esq. participated telephonically. Appearing via Zoom videoconference were Commissioners Teresa Lowry, Esq. and Amanda Yen, Esq. Commissioners James Oscarson and Thoran Towler, Esq. were excused. Commissioner Damian Sheets, Esq. tendered his immediate resignation via electronic mail earlier that morning. Present for Commission staff in Reno were Executive Director Ross E. Armstrong, Esq., Associate Counsel Elizabeth J. Bassett, Esq., Investigator Erron Terry, and Executive Assistant Kari Pedroza. Deputy Attorney General Laena St-Jules, Esq. also appeared in person in Reno.

2. Public Comment.

Public Comment was provided in-person by the following:

- Nicholas St. Jon requested comments be placed on the record. He provided comments pertaining to Washoe County Commissioners' conduct during open meetings and bond requirements for certain officers (see attached handout Mr. St. Jon provided)
- Penny Brock

Public Comment was provided via Zoom by the following:

- Renee Lourezentes

3. Approval of Minutes of the April 19, 2023, Commission Meeting.

Chair Wallin stated that all Commissioners were present for the April Commission Meeting, except for Commissioner Lowry who was excused and therefore precluded from participating in this item.

Commissioner Yen moved to approve the April 19, 2023, 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:	Abstain.
Commissioner Yen:	Aye.

4. Discussion and approval of a Written Opinion concerning Ethics Complaint Case No. 22-051C regarding Joseph Rodriguez, Trustee, Washoe County School District; Lieutenant, State Fire Marshall Division, State of Nevada.

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 provided that he and Commissioners Gruenewald and Lowry were the only Commissioners who could act on the matter.

Commissioner Lowry made a motion to approve the Written Order and direct Deputy Attorney General Laena St-Jules to finalize the legal form of the Order and any matters relating thereto. 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:	Aye.
Commissioner Yen:	Abstain pursuant to NRS 281A.065.

Vice-Chair thanked his fellow Commissioners and Deputy Attorney General St. Jules.

5. 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. Scheduling Update
- e. Commission Recruitment Updates

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

a. Education and Outreach: Executive Director Armstrong referenced the written report included in the meeting materials. He outlined the Education and Outreach priority tasks as finalizing the content for the Online Learning Management System and fulfilling training requests received through the online training form recently added to the Commission's website.

b. Legislative Update: Executive Director Armstrong reiterated that the Commission's Budget Closing was heard on April 24 and there were no changes to the Agency's Requested Budget. He stated that the Public Information Officer position would likely be filled with an anticipated starting date of October 1, 2023. Executive Director Armstrong summarized current legislation Commission staff was monitoring on behalf of the Commission and informed the Commission that its proposed bill AB 66 did not look like it would survive the upcoming Friday Second House Passage deadline. He outlined important dates for the conclusion of the current Legislative Session.

Chair Wallin commended Executive Director Armstrong for his efforts in promoting AB 66.

c. Budget Update: Executive Director Armstrong informed the Commission that the funds for the Commission's Online Learning Management System were approved to continue past the end of the grant.

d. Scheduling Update: Executive Director Armstrong outlined dates and potential locations for the upcoming Commission meetings in May, June, and July.

e. Commission Counsel Hiring Update: Executive Director Armstrong shared that the Personnel Subcommittee would be holding interviews that afternoon for the Commission Counsel position and depending on the outcome, the full Commission could interview the final candidates at an upcoming Commission meeting.

Executive Director Armstrong informed the Commission that Wendy Pfaff would join the team as the new Senior Legal Researcher on Monday May 22.

Chair Wallin thanked Executive Assistance Pedroza for assisting with the Senior Legal Researcher tasks in the interim.

Commissioner Yen 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. 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 Commission staff for taking on extra duties due to the Commission's two vacant positions.

7. Public Comment.

Public Comment was provided via Zoom by the following:

- Betty
- Valerie Fiannaca

Public Comment was provided in-person by the following:

- Nicholas St. Jon

Executive Director Armstrong provided contact information for the Commission's office.

8. Adjournment.

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

The meeting was adjourned at 10:42 a.m.

Minutes prepared by:

/s/ Kari Pedroza

Kari Pedroza
Executive Assistant

/s/ Ross Armstrong

Ross Armstrong, Esq.
Executive Director

Minutes approved May 30, 2023:

/s/ Kim Wallin

Kim Wallin, CPA, CMA, CFM
Chair

/s/ Brian Duffrin

Brian Duffrin
Vice-Chair

NRS 282.010 Oaths and official bonds of officers; when term of office begins.

1. Members of the Legislature and all officers, executive, judicial and ministerial, shall, before entering upon the duties of their respective offices, provide the official bond required by law, when such bond shall be required, and take and subscribe to the official oath.

2. All officers elected, except Senators and members of the Assembly, shall qualify, and execute and deliver their official bonds when required, as provided in this section, prior to the Tuesday after the first Monday in January ensuing their election.

3. All officers appointed to fill vacancies, in the cases provided by law, shall qualify and give bond when required, within 30 days from the time of their appointment.

4. The term of office of all officers, elected or appointed, shall begin from the time of their qualification, unless some other express provision is made by law.

[22:108:1866; B § 2620; BH § 1657; C § 1803; RL § 2786; NCL § 4786]

NRS 282.050 Bond in force during term of office; effect of subsequent law; conditions.

1. Every official bond executed by any officer pursuant to law shall be deemed and taken to be in force, and shall be obligatory upon the principal and sureties thereon for any and all breaches of the condition or conditions thereof committed during the time such officer shall continue to discharge any of the duties of or hold such office.

2. Every such bond shall be deemed to be in force and obligatory upon the principal and sureties thereon for the faithful discharge of all duties which may be required of such officer by any law enacted subsequently to the execution of such bond, and such condition shall be expressed therein.

[2:135:1865; B § 2918; BH § 1739; C § 1893; RL § 2869; NCL § 4891]

NRS 282.080 Approval, filing and recording of official bonds. The official bonds of officers shall be approved and filed as follows:

1. The official bond of the State Treasurer shall be approved by the Governor, and filed and recorded in the Office of the Secretary of State.

2. The official bonds of all county and township officers shall be approved by the board of county commissioners, and filed and recorded in the office of the county clerk of their respective counties, except:

(a) That the bond of the county clerk shall be filed and recorded in the office of the county recorder of the proper county; and

(b) That where the county clerk is ex officio county recorder, the county clerk's bond shall be filed, recorded and deposited for safekeeping in the manner provided in [NRS 246.020](#).

[5:135:1865; B § 2921; BH § 1742; C § 1896; RL § 2872; NCL § 4894] + [Part 1:66:1891; C § 2352; RL § 2887; NCL § 4914]—(NRS A [1965.33](#); [1975.340](#))

NRS 282.090 Additional bond of county or township officer: Showing of insufficiency; execution and filing; office vacated for failure to execute and file bond.

1. Whenever the sureties, or any one of them, on the official bond of any county or township officer shall die, remove without the State, become insolvent or insufficient, or the penalty of such bond shall become insufficient on account of recoveries had thereon, or otherwise, the board of county commissioners of the proper county, of its own motion, or on the showing of any person supported by affidavit, shall summon the officer to appear before the board, at a time stated, not less than 3 days after service of such summons, and show cause why the officer should not execute an additional official bond with good and sufficient sureties.

2. Should such officer, after due notice, fail to appear at the time appointed, the matter may be heard and determined in the officer's absence. If, after examination, the board of county commissioners shall be of the opinion that the bond of such officer has become insufficient, from any cause whatever, the board shall require an additional bond, with such security as may be deemed necessary.

3. The additional bond shall be executed and filed within such time as the board of county commissioners may order, and if any officer shall fail to execute and file such additional bond within the time specified by the order, the office held by the officer shall become vacant.

[6:135:1865; B § 2922; BH § 1743; C § 1897; RL § 2873; NCL § 4895] + [7:135:1865; B § 2923; BH § 1744; C § 1898; RL § 2874; NCL § 4896]

NRS 282.200 Forfeiture of office or appointment upon failure to file new or additional bond; suspension of functions of office.

1. If any officer or person fails within 10 days from the date of a personal service, or within 30 days from the date of the first insertion of a publication or posted service, to file a new or additional bond or undertaking, the office or appointment of the person or officer so failing shall become vacant, and such officer or person shall forfeit such office or appointment. The office or appointment shall be filled as in other cases of vacancy, and in the manner provided by law, and the person applying to be released from liability on the bond or undertaking shall not be liable thereon after the date provided for the vacating and forfeiting of such office or appointment.

2. If a number of sureties on any bond or undertaking, representing half the amount of the penalty thereof, unite in the same, or file and serve separate statements as provided in [NRS 282.180](#) to [282.220](#), inclusive, the right of such officer or person to exercise the duties and functions of such office or appointment immediately ceases until the officer or person files and has accepted and approved a new or additional bond or undertaking.

3. Whenever, by operation of [NRS 282.180](#) to [282.220](#), inclusive, the functions of any sheriff become suspended, the county clerk shall succeed to all the powers and discharge all the duties of the sheriff of the county, during such suspension of the functions of the sheriff.

[3:15:1867; B § 2931; BH § 1752; C § 1889; RL § 2882; NCL § 4909]—(NRS A [1959, 25](#))