



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

The Commission on Ethics held a public meeting on  
Wednesday, August 21, 2024, at 10:00 a.m.  
at the following location:

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

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 Scott Scherer, Esq. appeared via Zoom videoconference and called the meeting to order at 10:00 a.m. Vice Chair Kim Wallin, CPA, CMA, CFM, Commissioner Michael E. Langton, Esq. and Commissioner Terry J. Reynolds appeared in person at the State Bar in Reno. Commissioners Teresa Lowry, Esq., John T. Moran III, Esq., Stan Olsen, and Amanda Yen, Esq. also appeared via videoconference. Commission staff present in person were Executive Director Ross E. Armstrong, Esq., Commission Counsel Elizabeth J. Bassett, Esq., Investigator Erron Terry, Senior Legal Researcher Curtis Hazlett and Executive Assistant Kari Pedroza. Outreach and Education Officer Sam Harvey appeared via Zoom videoconference.

2. Public Comment.

There were no public comments.

3. Approval of Minutes of the July 23, 2024, Commission Meeting.

Chair Scherer stated all Commissioners were present for the June 26, 2024, Commission Meeting and could participate in this item.

Commissioner Moran moved to approve the July 23, 2024, Commission Meeting Minutes as presented. Commissioner Olsen seconded the motion. The Motion was put to a vote and carried unanimously.

4. **Public Hearing for the Amendment and Repeal of Regulations of the Nevada Commission on Ethics – Noticed for 10:00 a.m.**

Chair Scherer opened the Public Hearing for the Amendment and Repeal of Regulations at 10:04 a.m. and noted the purpose of the Hearing was to consider public comment and take action regarding proposed amendments to the regulations of the Commission. Chair Scherer acknowledged that the Commission held a workshop regarding amendments to its regulations on November 8, 2023 and notice of the hearing was timely published at the State Library and Archives and Public Records, the Commission's office and website, the Nevada Legislature's website and the Nevada Public Notice website.

**a. Public Comment**

There was no public comment.

**b. Review the Need and Purpose**

Chair Scherer asked Executive Director Armstrong to provide a brief overview of the changes made to the proposed regulations since the last time the Commission considered the draft language.

Executive Director Armstrong outlined the authority of the Commission relating to regulation changes and provided background information about the Commission's previous regulations including the current changes under consideration. He confirmed that the Commission held a workshop in Tonopah during its November 8, 2023 Commission meeting and a public hearing in Reno at the April 17, 2024 Commission Meeting. During the April public hearing, the Commission adopted the regulations drafted by the Legislative Counsel Bureau (LCB) and following the hearing, Commission staff submitted the required paperwork to the legal division of the LCB to be added to the next agenda of the Legislative Commission. Executive Director Armstrong summarized the feedback provided at the Legislative Commission hearing and the two changes made to the proposed regulation language based on that feedback. The two changes included eliminating the proposed change to the definition of "subject" and reverting to the current regulatory language and the replacement of the word "shall" with "may" in Section 11, NAC 281A.405(1)(a) and (b) pertaining to anonymous complaint filing procedures and allowing discretionary rejection rather than a mandatory rejection. Executive Director Armstrong reported after speaking with Legislators who voiced concerns during the Legislative Commission hearing he suggested the next Legislative Session may offer an opportunity to expand on the Commission's confidentiality requirements in NRS 281A.

**c. Commission Discussion and Possible Action to approve the amendment and repeal of regulations found in Chapter 281A of the Nevada Administrative Code**

Commissioner Langton recommended the addition of "certified" before "court reporter" in Section 5 of the proposed regulation language. Executive Director Armstrong provided that should the Commission make substantial changes at that stage in the process the changes would require another hearing before the Legislative Commission. He stated that he didn't think Commissioner Langton's recommended clarification would be deemed substantial and could be incorporated without much effort.

Commissioner Reynolds agreed with Executive Director Armstrong that allowing more confidentiality protections under NRS 281A could be beneficial. However, he would not support the acceptance of blanket anonymous complaints.

Commissioner Moran moved to approve the regulations as amended and to include Commissioner Langton's addition. Commissioner Reynolds seconded the motion. Commissioner Moran amended his motion to include authorization to the Executive Director to prepare the statement of principal reasons for and against the adoption of the regulations and any other information or documents needed to comply with the Administrative Procedures Act. Commissioner Reynolds seconded the amended motion. The Motion was put to a vote and carried unanimously.

**d. Public Comment**

There was no public comment.

Chair Scherer closed the Public Hearing for the Amendment and Repeal of Regulations at 10:15 a.m.

5. Report by Executive Director on agency status and operations, and possible direction thereon. Items to be discussed include, without limitation:
  - a. Quarterly Case Log
  - b. Budget Update
  - c. Upcoming Meetings

Chair Scherer introduced the item and asked Executive Director Armstrong for his presentation.

a. Quarterly Case Log: Executive Director Armstrong referenced the updated case logs provided in the meeting materials and asked the Commissioners to use the case number if they had specific questions about a case as their case logs include confidential information and are not redacted like the public version.

Executive Director Armstrong noted that the Associate Counsel position remains vacant. He welcomed Curtis Hazlett to the Commission as the new Senior Legal Researcher. Executive Director Armstrong stated there were no Commissioner vacancies.

Executive Director Armstrong shared that the Commission's Strategic Plan will be published once a cover photo is selected. Commission staff will discuss implementation of the strategic plan at the team meeting the following week and Executive Director Armstrong will provide an update to the Commission at its next meeting on the status of the implementation plan progress.

b. Budget Update: Executive Director Armstrong reported that all work programs for FY24 are complete and that fiscal year's budget is almost wrapped up with the exception of a few final invoices. He stated that the upcoming biennial budget build work is still ongoing and includes three enhancement units, the most complicated unit being the case management system. The Technology Investment Notification (TIN) had been submitted and the Request for Information process recently closed having received approximately ten responses that varied substantially in cost. Executive Director Armstrong noted that he is working with the Governor's Finance Office on building that enhancement unit.

c. Upcoming Meetings: Executive Director Armstrong informed the Commission that the next meeting is scheduled to be held October 16 in Las Vegas at the State Bar. He anticipates at least one stipulated case for the Commission to consider at that meeting. The November Commission meeting will be held in Reno.

Executive Director Armstrong again referenced the updated case logs which reflected that as of June 30<sup>th</sup> there were twelve open investigations, five of which are consolidated cases. He stated that with the planned four review panels in September and additional review panels in October the case resolutions will be timely. Executive Director Armstrong detailed progress made in older cases from previous fiscal years.

Commissioner Reynolds asked questions relating to local government cost assessments and Executive Director Armstrong provided the answers.

Commissioner Lowry asked for confirmation there would not be a meeting in September and Executive Director Armstrong confirmed that was correct, there would not be a full Commission meeting but there would be a review panel via Zoom.

Chair Scherer asked where in Las Vegas the October meeting would be held and Executive Director Armstrong shared it would be held at the Nevada State Bar office on Charleston Boulevard. Chair Scherer apologized for not being able to attend the August meeting in person due to work commitments. He stated he would attend the October and November meetings in person.

Commissioner Langton noted that he will be unable to attend the October meeting as he will be out of the country.

Vice Chair Wallin complimented staff on keeping up with the increased case load with decreased Commission staff.

Commissioner Langton thanked Executive Assistant Pedroza for assisting him with an email issue.

Chair Scherer asked if the waivers had been received in the Seebock case which is pending resolution based on the outcome of the Lombardo matter. Executive Director Armstrong shared that all necessary waivers had been received in the Seebock case.

Commissioner Yen moved to approve the Executive Director's agency status report as presented and direct the Executive Director to continue to take action regarding Commission operations as directed. Commissioner Olsen seconded the motion. The motion was put to a vote and carried unanimously.

6. Consideration and review of the draft Fiscal Year 2024 Annual Report presented by the Executive Director pursuant to NAC 281A.180(2), and possible direction thereon.

Chair Scherer introduced the item and asked Executive Director Armstrong for his presentation.

Executive Director Armstrong referenced Nevada Administrative Code 281A.180(2) requirements and noted the purpose of the Commission's annual report. He presented an overview of the changes to the Fiscal Year 2024 Annual Report and referenced the draft provided in the meeting materials. He welcomed feedback from the Commission regarding the FY24 Annual Report and the proposed Commission Goals.

Vice Chair Wallin reported a few typographical changes and acknowledged that she would review and provide red lined revisions to the Executive Director. She commented that she really likes the report and that it is concise, informational and user-friendly.

Chair Scherer noted he also found some typos and noted he would also email his revisions to Executive Director Armstrong.

Commissioner Moran made a motion to approve the draft Fiscal Year 2024 Annual Report as presented. Commissioner Olsen seconded the motion. The motion was put to a vote and carried unanimously.

7. Report on Outreach and Education Presentation, and possible direction thereon.

Chair Scherer opened the item and asked Outreach and Education Officer (OEO) Sam Harvey for their presentation.

OEO Harvey presented the current Outreach and Education report, referencing the written report included with meeting materials and highlighting recent and upcoming outreach and live training events, social media strategies, publications and press releases.

Commissioner Olsen suggested a shorter Ethics overview training be provided at police and fire academy training events due to the volume of new hires in those fields each year.

Commissioner Moran commended OEO Harvey for their hard work and stated that it hasn't gone unnoticed. He shared his perspective that OEO Harvey's proactive approach to educational development is great and moving the Commission in a positive direction. Commissioner Moran noted that the trainings and materials are provided in an easy-to-

understand format and appreciated the job OEO Harvey has been doing on the Commission's behalf. He has been reviewing other jurisdiction's online platforms and likes that our training component is prominently displayed on the homepage. Commissioner Moran agreed that the training partnership with the Nevada Gaming Control Board is an exciting opportunity.

Vice Chair Wallin stated that OEO Harvey is doing an outstanding job. She commented that the newly updated Ethics Manual is a great tool and ask if there were links to it in the online learning platform. OEO Harvey confirmed that incorporating the manual in every aspect of outreach and education is their goal.

Chair Scherer asked about the source of public records requests received by the Commission and OEO Harvey provided those details, noting that this information can be expanded in the next Outreach and Education report.

Chair Scherer agreed with Commissioner Olsen that a short thirty-minute Ethics overview presentation could be a beneficial resource to inform about the Commission's mission, jurisdiction and the newly updated manual.

OEO Harvey thanked the Commissioners for the direction, opportunity and the benefit of their expertise in encouraging the education and outreach plan.

Vice Chair Wallin made a motion to approve the Outreach and Education Report as presented and direct OEO Harvey to continue to take action regarding the Commission's outreach and education efforts as directed. Commissioner Reynolds seconded the motion. The motion was put to a vote and carried unanimously.

#### 8. Commissioner Comments.

Commissioner Moran shared his experience in working on other boards and commissioners, law firms and in managerial roles and noted that the Commission has a really great staff and appreciates their hard work. He commended the quality of the materials provided and everything they do makes his job easier. Commissioner Moran thanked the Commission staff for their professionalism and stated that he considered them the best and brightest.

Chair Scherer echoed Commissioner Moran's comments, provided that the Commission is only as good as its staff and the Commission's staff is doing a great job and are appreciated.

Vice Chair Wallin and Chair Scherer each welcomed Curtis Hazlett as the Commission's new Senior Legal Researcher.

#### 9. Public Comment.

There were no public comments.

10. Adjournment.

Commissioner Yen made a motion to adjourn the public meeting. Commissioner Olsen seconded the motion. The Motion was put to a vote and carried unanimously.

The meeting was adjourned at 11:05 a.m.

Minutes prepared by:

/s/ Kari Pedroza

Kari Pedroza  
Executive Assistant

/s/ Ross Armstrong

Ross Armstrong, Esq.  
Executive Director

Minutes approved October 16, 2024:

/s/ Scott Scherer

Scott Scherer, Esq.  
Chair

/s/ Kim Wallin

Kim Wallin, CPA, CMA, CFM  
Vice Chair