

Agenda Item 3



**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, Terry J. Reynolds, 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 30th 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:

Scott Scherer, Esq.
Chair

Kim Wallin, CPA, CMA, CFM
Vice Chair

DRAFT

Agenda Item 6



ANNUAL REPORT

FISCAL YEAR 2024



Nevada Commission on Ethics

Email: ncoe@ethics.nv.gov

Website: ethics.nv.gov

Tel: 775-687-5469
704 W. Nye Lane, Suite 204
Carson City, Nevada 89703

TABLE OF CONTENTS

Will be updated prior to publishing

DRAFT

DEAR NEVADANS,

The legislative declaration found in the Ethics Law includes the following observation “to enhance the people’s faith in integrity and impartiality of public officers and employees, adequate guidelines are required to show the appropriate separation between the roles of persons who are both public servants and private citizens.” The statutory language found in the Ethics Law establishes those guidelines for public officials. The Ethics Commission’s authority is limited to applying the guidelines established by the Legislature. The daily work of the Ethics Commission and its staff is to help educate public officials about those guidelines, provide advice to public officials about how those guidelines apply to their public service, and when necessary, enforce those guidelines when a public official strays from the guidelines.

This report details the work of the Commission and provides helpful information to public entities, officials, and the general public about the Commission’s efforts to meet its mission and statutory purpose. We hope you find the information included in the report helpful in understanding what the Ethics Commission, what we do, and the direction ahead for Ethics in Nevada.

Scott Scherer, Esq.
Chair

Ross E. Armstrong, Esq.
Executive Director

Public officers and employees must commit themselves to avoid conflicts between their private interests and those of the general public whom they serve. - NRS 281A.020(1)(b)

COMMISSION BACKGROUND

What We Do

The Nevada Commission on Ethics is an independent public body appointed by the Governor and Legislative Commission to interpret and enforce the provisions of Nevada's Ethics in Government Law, Nevada Revised Statutes Chapter 281A. The Ethics Law preserves the public's trust in government. It sets forth various standards of conduct to guide public officers and employees to avoid conflicts of interest and maintain integrity in public service. The Commission's primary functions include:

- Providing outreach and training to Nevada's public officers, employees, and other interested entities regarding conflicts of interest and the Ethics Law.
- Providing advisory opinions to public officers and employees to guide them in compliance with the Ethics Law.
- Enforcing the provisions of the Ethics Law by investigating and adjudicating alleged misconduct by public officers and employees.



8 Commissioners



**Over 139,000 public officers
and employees**



7 Staff Members

Mission Statement

The Nevada Commission on Ethics, by the authority granted under Chapter 281A of NRS, strives to enhance the public's faith and confidence in government by ensuring that public officers and public employees uphold the public trust by committing themselves to avoid conflicts between their private interests and their public duties.

Commissioners & Staff

Commissioners as of June 30, 2024	
Kim Wallin, CPA, CMA, CFM Chair	Thoran Towler, Esq. Vice Chair
Michael E. Langton, Esq. Commissioner	Teresa Lowry, Esq. Commissioner
John T. Moran, III, Esq. Commissioner	Stan Olsen Commissioner
Scott Scherer, Esq. Commissioner	Amanda Yen, Esq. Commissioner
Individuals who served on the Commission for part of the fiscal year prior to their terms ending: Brian Duffrin, Barbara Gruenewald, Esq., and James Oscarson.	
Commission Staff as of June 30, 2024	
Ross Armstrong, Esq., Executive Director	Elizabeth Bassett, Esq., Commission Counsel
VACANT Associate Counsel	Wendy Pfaff, Senior Legal Researcher
Erron Terry, Investigator	Kari Pedroza, Executive Assistant
Sam Harvey, Outreach and Education Officer	

Commission's Guiding Principles

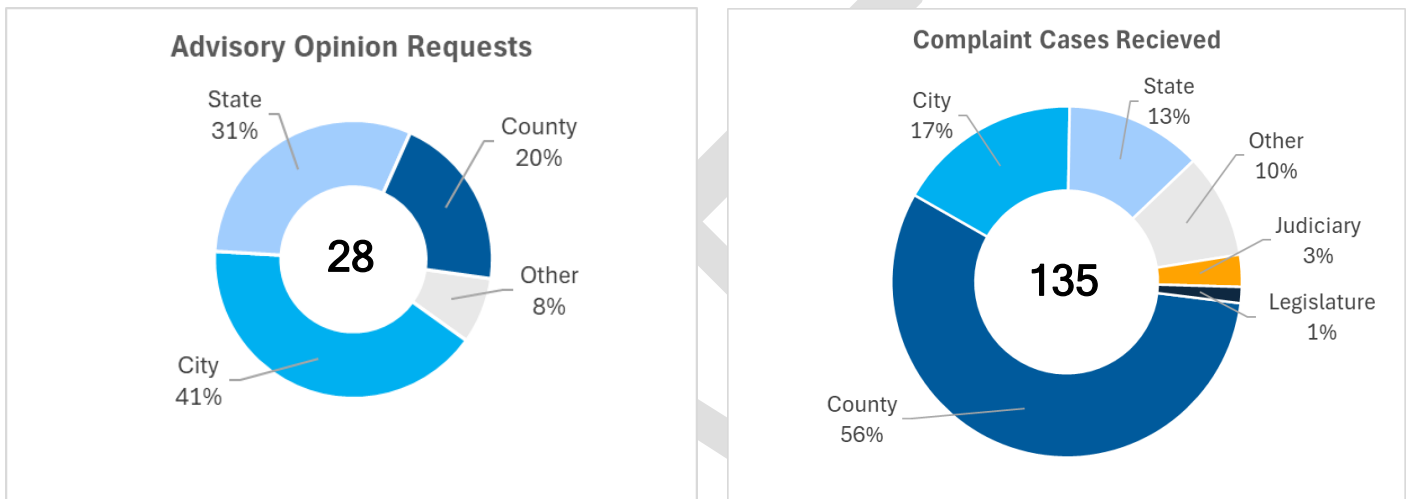
1. Our highest priority is to protect the citizens of Nevada by interpreting and enforcing the provisions of the Ethics Law in a fair, consistent and impartial manner.
2. We act with a high degree of integrity, honesty and respect when investigating and adjudicating public complaints alleging ethics violations by public officers and employees.
3. We are committed to providing outreach and education to our Stakeholders (the public and public officers and employees) to enhance their awareness and understanding of ethics requirements and prohibitions under the Nevada Ethics law.
4. Our objectivity, independence and impartiality are beyond reproach. We avoid all personal or professional circumstances or conflicts calling these into question.
5. Our processes ensure all actions, decisions and policies are consistently applied and do not result in advantages or disadvantages to any party to the detriment of another.
6. Our confidential advisory opinions are thoroughly researched and written with the needs of the requestor in mind and consistent with opinion precedent and applicable statutes including legislative intent.
7. We carry out our duties in a rigorous and detailed manner and utilize the resources provided to us wisely and only for the legitimate purposes of the agency.
8. We continuously challenge ourselves to improve the practices and processes of the agency to keep pace with the needs of the individuals we serve and to comply with legislative mandates.
9. We continuously improve our public communication and public access to provide guidance and assistance to those we hold accountable for compliance.
10. We value and respect the opinions and recommendations of our Stakeholders, Staff and Commission Members which guide us in our decision-making.

FY 2024 HIGHLIGHTS

Staff Transitions

Elizabeth Bassett, Esq. was promoted from Associate Counsel to Commission Counsel. The Outreach and Education Officer position approved during the 2023 legislative session was filled in March of 2024 by Sam Harvey.

Cases Filed with the Commission



Case Trend - Opportunities Beyond Public Service

The Commission saw several questions about contracting with government agencies as well as cooling off restrictions through its advisory opinion request process as more individuals considered secondary employment. In particular, the Commission had the opportunity to remind public officials of the Ethics Law's restriction on private contracting activities.

“NRS 281A.430(1) establishes a broad restriction prohibiting contracts between public officers or employees, including business entities with which they are associated, and any public agency. *See* NRS 281A.035 . . . NRS 281A.430 has **important public policy considerations given the perception, if not the reality, of tax-payer money being expended on contracts between government agencies and entities owned or operated by public officers or employees.** Such contracts do not appear to be transparent or fair to the public unless certain circumstances are present.” - *In re Public Employee*, Comm’n Op. No. 24-011A (2024).

ADOPTION OF A STRATEGIC PLAN

The Commission has not had an updated strategic plan for many years. During this fiscal year the Commission took the opportunity to assess its current operations and look to the future by setting strategic priorities.



Assessment of Current Operations: The Executive Director solicited feedback on current agency operations and direction from Commissioners and Staff to establish possible areas of focus for building the strategic plan.

Agreement on Overarching Priorities: The Commission held a strategic planning session during the Commission's April 2024 public meeting to compile Staff and Commissioner priorities, organize the central themes, and discuss possible ways of accomplishing and evaluating each priority within the strategic plan.

Adoption of the Plan: The Commission approved these strategic priorities and proposed timeline for success during the June 2024 Commission Meeting. The plan includes four areas of strategic focus:

- 1) Outreach and Education
- 2) Maintaining the Public's Trust in the Commission
- 3) Sufficient Staffing to Deliver the Mission of the Commission
- 4) Technology and Service Improvement

Next Steps: With the strategic plan adopted, the next steps include adopting an implementation plan. That plan will include regular reports from Staff to the Commission on progress, challenges, and successes over the life of the plan.

FISCAL UPDATE

Fiscal Year 2024 was the first fiscal year to include an Outreach and Education Officer for the Commission along with some expenses associated with the new position. In addition, savings from vacancies helped offset unbudgeted cost of living adjustments and prevented the Commission from having to request special funding from the Interim Finance Committee.

The Commission set budget priorities for the next biennium during its meeting in April. The priorities selected center on technology improvements to provide better customer service and process efficiencies for the Commission in the future.

FY 2024 Sources of Commission Revenue & Penalties Collected

Local Government
Assessments
\$645,648

State General Funds
\$246,118

Penalties Collected for
General Fund
\$5,137

We carry out our duties in a rigorous and detailed manner and utilize the resources provided to us wisely and only for the legitimate purposes of the agency. - Guiding Principle #7



Fiscal Priorities for 2025 Legislative Session

1. Case Management and Opinions Database Software
2. Outreach and Education Budget Proposal
3. Service Improvements

REGULATORY AND LEGISLATIVE STATUS

Regulatory Amendments

The Commission held a workshop and public hearing on changes to Nevada Administrative Code Chapter 281A. The proposed changes focus on operational efficiency, modernization of filing requirements, and clarity on the roles and responsibilities of Commissioners and Staff at different stages of Ethics cases.



Interim Legislative Operations & Elections Presentation

During the Interim, the Joint Interim Standing Committee on Legislative Operations and Elections invited the Commission to present at its May 2024 meeting. The Executive Director presented an overview of the Ethics Commission, including its structure, jurisdiction, and main ethics categories.

Ethics Law legislative history and ethics “hot topics” such as campaign cases and legislative ethics were also presented. This presentation provided an informational foundation for those lawmakers likely to serve on the Legislative and Operation and Elections Commission as they evaluate any proposed changes to the Ethics Law during the 2025 Legislative Session.

2025 Legislative Priorities

During its March meeting, the Commissioners voted to refrain from submitting their own bill draft request in the upcoming 2025 legislative session. Despite this decision, the Commission affirms its dedication to supporting ethics legislation proposed during the 2025 session. The Commission will provide the necessary resources and expertise to enable the success of any legislation making positive changes to the Nevada Ethics Law.

OUTREACH & EDUCATION

Embarking on Modernization and Innovation

The Commission presented a modernization plan for education and outreach as part of its budget proposal before the 2023 Legislature. Funding for the plan was approved and began implementation during the 2024 fiscal year.

The Outreach and Education Officer began in March. In the few short months since the position was filled, numerous advancements and improvements to the Commission's outreach and education efforts have been realized.

“We continuously challenge ourselves to improve the practices and processes of the agency to keep pace with the needs of the individuals we serve and to comply with legislative mandates.”
- Guiding Principle #8



1,211*

Nevadans received
Ethics Law Training



*compared to 1,484 in the previous year

Outreach and Education Developments

1. Improved the Accessibility of Existing Ethics Resources and Services

Commission Staff developed a modern Ethics Manual better suited to serve as a resource for all public servants across Nevada. It uses plain language and incorporates modern visual graphics to convey more complex areas of the law. In addition, the team developed and implemented a Training Feedback Survey to solicit feedback from training participants across multiple training mediums to improve the quality and accessibility of the Commission's training resources.

2. A Focus on LinkedIn for Outreach and Education

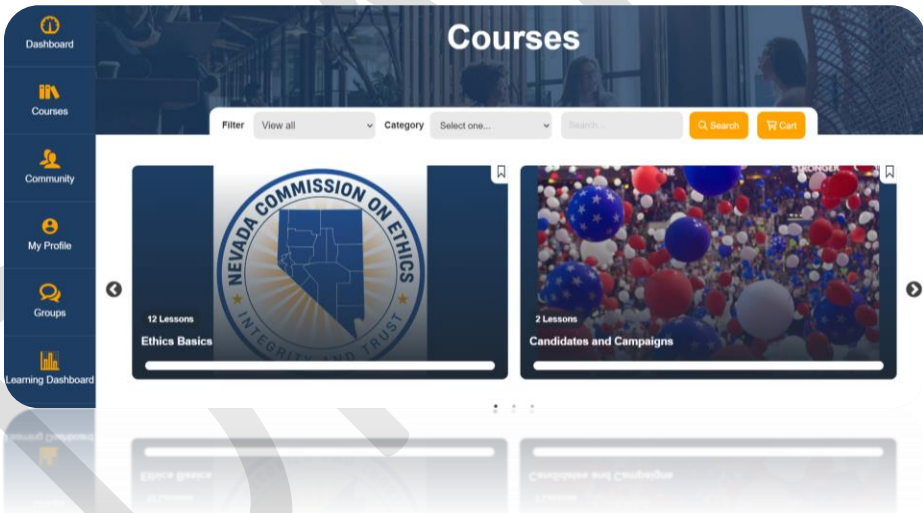
LinkedIn is an especially useful outreach tool for broadcasting specially designed messaging to the right audience, namely public servants. This is largely due to the nature of the LinkedIn platform which focuses on the professional lives of the user. During the fiscal

year, the Commission’s LinkedIn page went from 231 users to 892 users. Of note, for the first time there are more followers from Southern Nevada than Northern Nevada. Currently, 85% of total followers are in Nevada and the top three profession types following the Commission’s content are 1) Government Administration, 2) Public Health, and 3) Primary and Secondary Education.

3. Continued Development of Nevada Ethics Online (NEO)

In FY24 the Commission continued to develop Nevada Ethics Online, the Commission’s online learning management system. The system was used to confirm training completion by Subjects of Ethics Complaints, which the Commission has previously been unable to track, and the number of users grew over the year.

Development plans for the year ahead include 1) establishing memoranda of understanding with government agencies wishing to use the platform for employee training, 2) additional development of course content, and 3) perfecting the collection of use and completion data.



Nevada Ethics Online Data



¹ Excludes users who registered, but never signed into the platform.
² Likely due to technical difficulties in submitting course content to ensure courses are marked as complete. Measures have since been implemented to prevent such difficulties.

COMMISSION OPERATIONS

Operations Focus

	<p><u>Top 3 Topics for Advisory Opinions</u></p> <ol style="list-style-type: none"> 1. Cooling Off 2. Disclosure and Abstention 3. Contracting
	<p><u>Top 3 Jurisdiction Types for Complaints</u></p> <ol style="list-style-type: none"> 1. Rural County Government 2. School Districts 3. State Government
	<p><u>Top 3 Resolution Types for Investigated Cases</u></p> <ol style="list-style-type: none"> 1. Stipulated Violation 1. Dismissed with a Letter of Caution/ Instruction 2. Deferral Agreement
	<p><u>Three cases pending litigation.</u></p> <ul style="list-style-type: none"> • 2 petitions for judicial review filed following contested hearings • 1 petition for judicial review filed following an advisory opinion

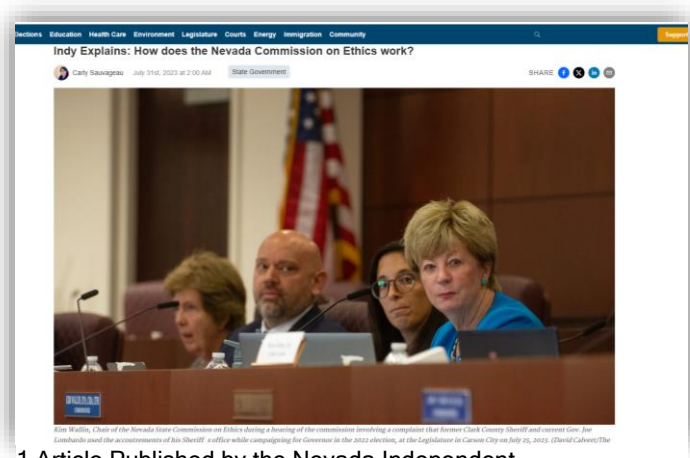
Report on the Goals Previously Set for Fiscal Year 2024

Complete an updated Ethics Manual for public officers and employees.

The new Ethics Manual was published in early July 2024.

Expand outreach and training opportunities for the general public.

The Commission hosted a Candidates and Campaign webinar available to and attended by the general public, positive media relations resulted in educational pieces published by media outlets.



1 Article Published by the Nevada Independent

Increase the number of public officers and employees who receive ethics training from the number trained in FY 2023.

The total number of public officers and employees who received ethics training dropped by 273 in FY 2024 from FY 2023.

Develop a new strategy for future proposed statutory changes.

The Commission adopted a new strategy for the 2025 Legislative Session which focuses on supporting and providing education on any new Ethics proposals from others in lieu of proposing its own legislative changes to NRS 281A.

Complete a review of Commission regulations for efficiency and effectiveness.

The Commission completed a regulatory workshop and public hearing in FY24. Following feedback from the Legislative Commission, a new public hearing is scheduled for August of 2024 with approval of adopted regulations targeted for fall of 2024.

Goals for Fiscal Year 2025

- 1) Develop an implementation plan for the NCOE Strategic Plan
- 2) Increase the total number of individuals who receive Ethics training
- 3) Secure funding for budget priorities during the 2025 Legislative Session

APPENDIX

Appendix A Investigated Cases Resolved in FY 2024¹

Case Name	Resolution
In re John Bartlett (23-015C), Former Compliance Investigator, State Contractor's Board	Stipulated Agreement - 1 willful violation of NRS 281.400(5) & 1 non-willful violation of NRS 281A.400(7); \$1,500 civil penalty
In re Raymond Spencer (22-102C), Former Lieutenant, Las Vegas Metropolitan Police Department	Stipulated Agreement - 1 non-willful violation of NRS 281A.400(7); \$500 civil penalty
In re Kevin Chisum (23-048C), Assessor, Mineral County	Stipulated Agreement - 1 non-willful violation of NRS 281A.400(7)
In re Catherine Hall (23-120C, 23-121C, 23-128C & 23-129C), Chair, Mineral County Commission	Stipulated Agreement - 1 non-willful violation of NRS 281.400(2) & 1 non-willful violation of NRS 281A.400(7); \$1,000 civil penalty
In re Larry Grant (23-005C), Member, Mineral County Board of Commissioners	Stipulated Deferral Agreement - Completed 2-year compliance period; Ethics Training
In re Raymond Tulloch (23-054C), Trustee, Incline Village General Improvement District	Stipulated Deferral Agreement - 2-year compliance period expires August 2025; Ethics Training
In re Alan Bigelow (23-139C), Firefighter/EMT, Pahrump Valley Fire & Rescue, Nye County	Deferral Agreement - Compliance period ends November 2024
In re Eric Blondheim (23-057C), Undersheriff, Pershing County	Stipulated Deferral Agreement - 2-year compliance period expires August 2025; Ethics Training
In re Hillary Schieve (23-056C), Mayor, City of Reno	Opinion Published

¹ Investigated case means that the Commission accepted jurisdiction and directed an investigation be conducted. This list only includes cases that were resolved in FY 2024 (regardless of year the complaint was submitted) and does not include the list of current open cases.

Appendix B Investigated Cases Resolved by Review Panels in FY 2024²

Case Name	Resolution
In re Danny Zampirro (23-022C), Engineering Tech III, Department of Conservation and Natural Resources	Dismissal with Letter of Caution
In re Lisa Guzman (23-053C), Trustee, Clark County School District	Dismissal
In re Matt McNally (23-063C), Community Engagement Director, Las Vegas-Clark County Library District	Dismissal
In re Michelle Gorelow (23-114C), Assemblymember, Nevada State Legislature	Dismissal
In re Paul Gordon (23-133C), Building Inspector, City of Reno	Dismissal
In re Sheila Leijon (24-003C), Director of Parks and Recreation, Incline Village General Improvement District	Dismissal with Letter of Caution
In re Justin Jones (24-009C), Commissioner, Clark County Commission	Dismissal

² Investigated case means that the Commission accepted jurisdiction and directed an investigation be conducted. This list only includes cases that were resolved in FY 2024 (regardless of year the complaint was submitted) and does not include the list of current open cases or those in which the determination of the review panel was to refer to the full Commission.

Appendix C Advisory Opinions Issued

Date Published	Case Number	Main Topic(s)
2/12/2024	23-137A	Contracts
6/6/2024	24-038A	Contracts
4/15/2024	24-011A	Contracts
9/5/2023	23-083A	Cooling Off
9/5/2023	23-090A	Cooling Off
11/22/2023	23-117A	Cooling Off
11/13/2023	23-118A	Cooling Off
4/29/2024	24-021A	Cooling Off
5/6/2024	24-023A	Cooling Off
5/9/2024	24-037A	Cooling Off
12/14/2023	23-132A	Cooling Off
3/6/2024	23-155A	Cooling Off
10/31/2023	23-094A	Disclosure & Abstention
1/18/2024	23-141A	Disclosure & Abstention
3/25/2024	24-006A	Disclosure & Abstention
4/15/2024	24-019A	Disclosure & Abstention
5/28/2024	24-041A	Disclosure & Abstention
2/12/2024	23-154A	Disclosure & Abstention
2/26/2024	23-160A	Disclosure & Abstention
8/3/2023	23-069A	Disclosure & Abstention
8/28/2023	23-071A	Disclosure & Abstention
11/27/2023	23-119A	Government Resources - Campaigns
3/18/2024	23-143A	Government Resources - Campaigns
4/15/2024	24-018A	Government Resources - Campaigns
2/12/2024	23-135A	Improper Use of Public Position
11/20/2023	23-082A	Private Employment
3/25/2024	23-115A	Private Employment - Lobbying in Geographical Area

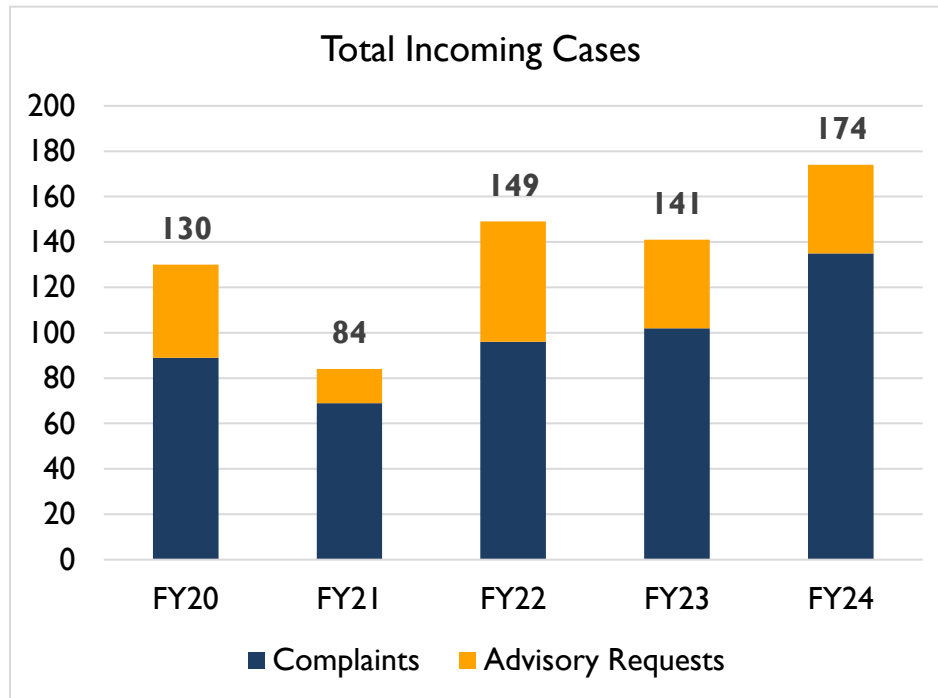
Appendix D Count of Open Complaint Cases as of June 30, 2024

Proceeding to Adjudicatory Hearing	Under Investigation	Pending Jurisdictional Determination
1	11	15

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Appendix E Data Graphs

Figure 1



- Total incoming cases increased in FY24 with advisory requests remaining mostly flat while experiencing a surge of incoming complaint cases.

Figure 2

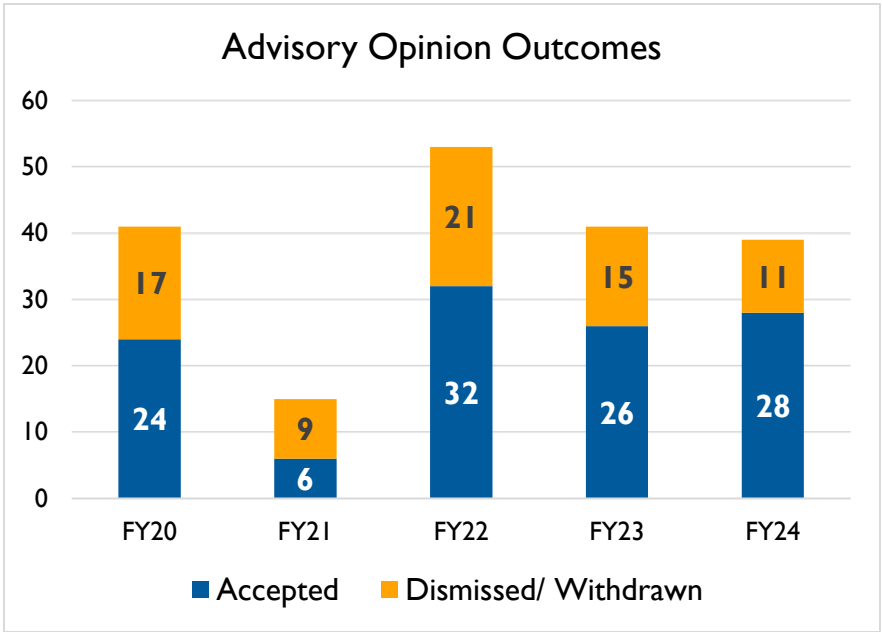
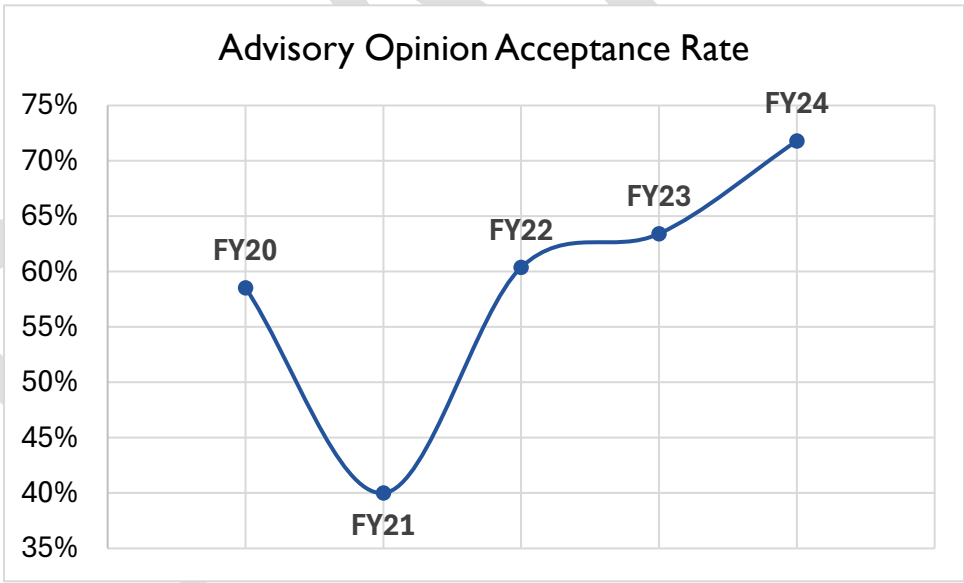
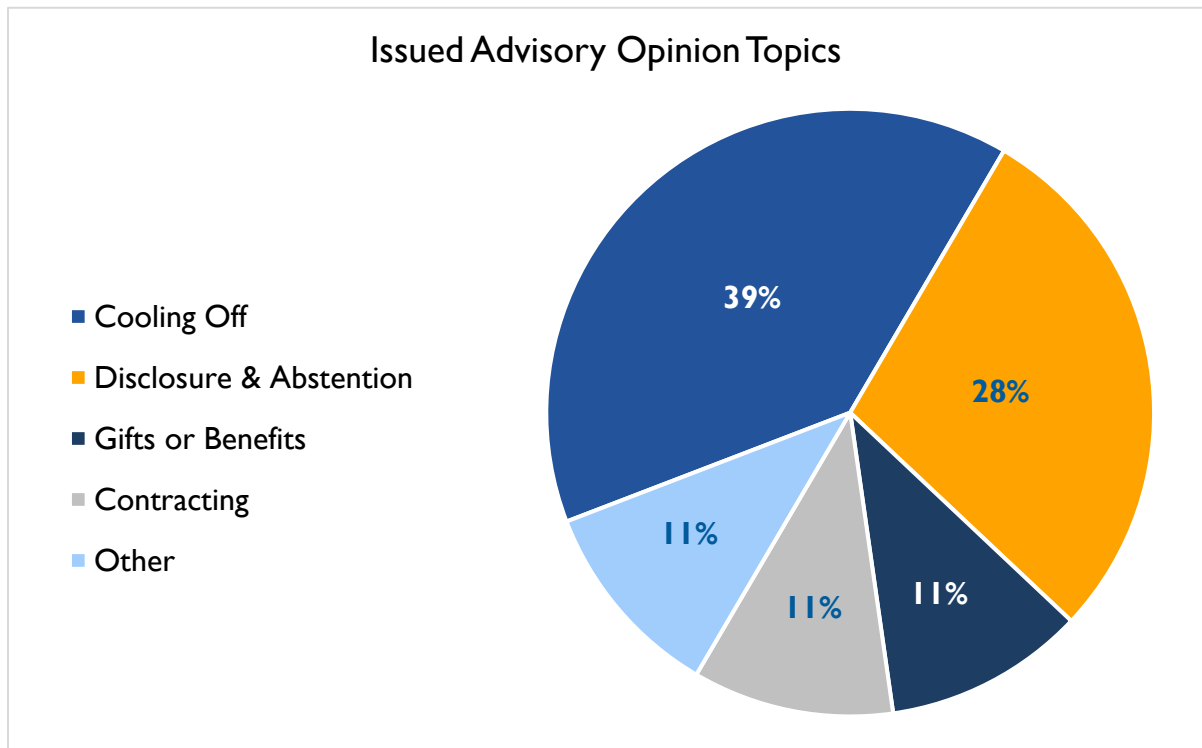


Figure 3



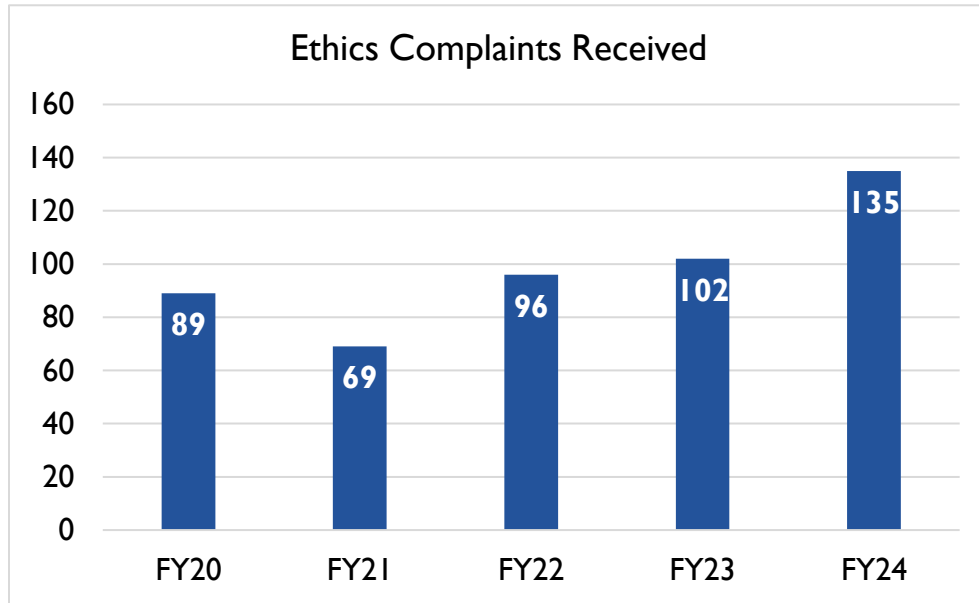
- The volume of advisory opinions requested slightly decreased but with more cases being accepted for opinions.

Figure 4



- This year saw an increase in cooling off questions, 22 percent of advisory opinion questions in FY23 compared to 39 percent of advisory opinion questions in FY24. Disclosure and abstention dropped to the second-most asked topic.

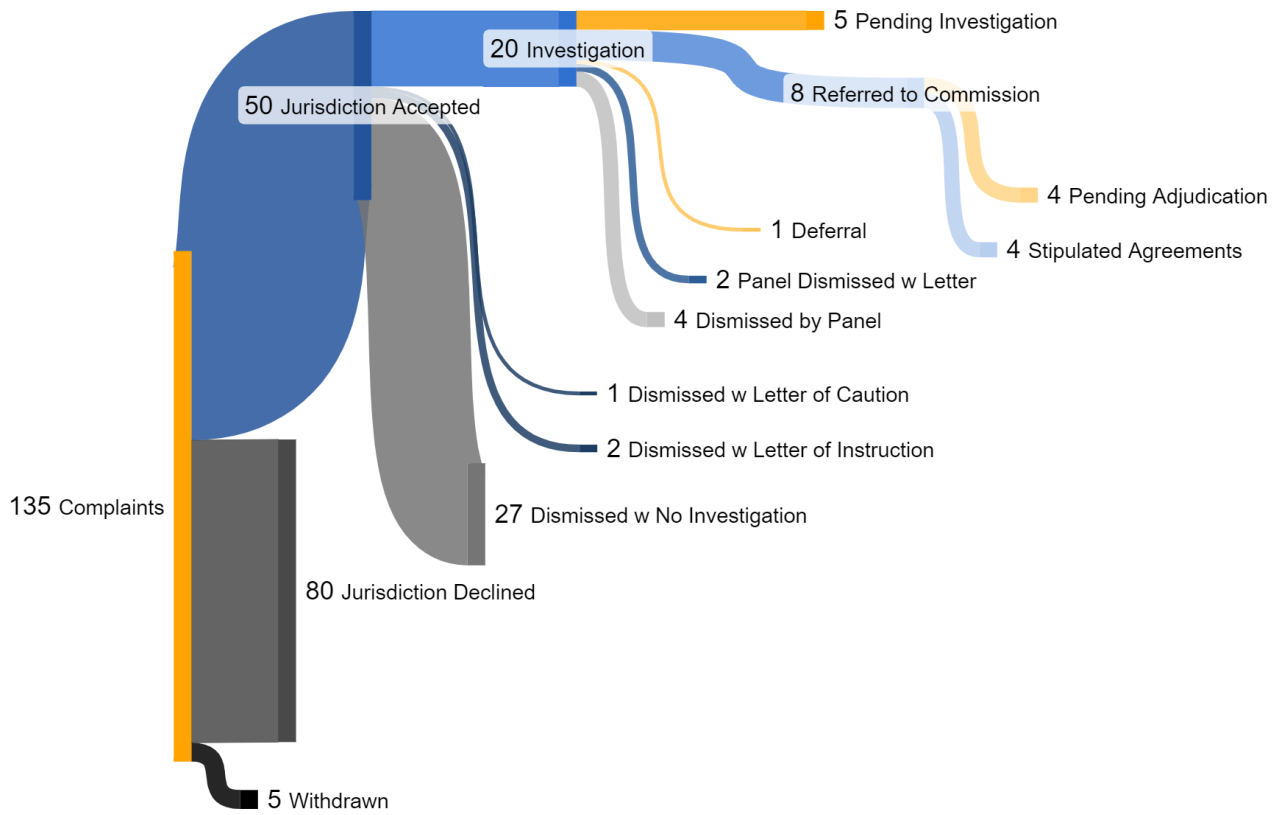
Figure 5



- Incoming complaint cases continue to grow, almost doubling from the dip experienced during the COVID-19 pandemic and a 32 percent increase over FY23.

DRAFT

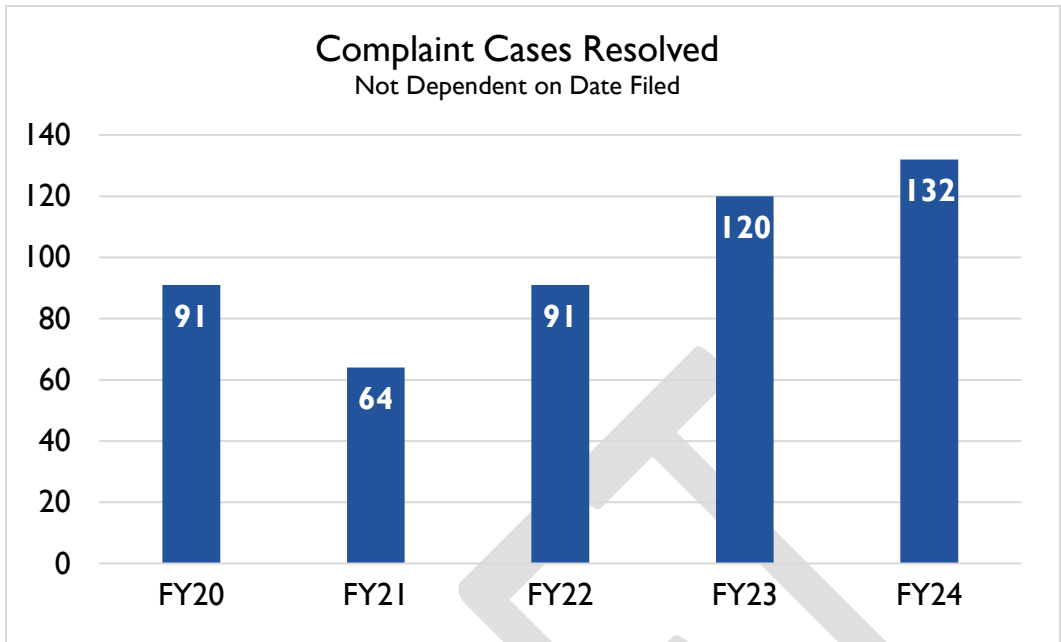
Figure 6
Jurisdictional Review Determinations for Cases Received in FY24



Made at SankeyMATIC.com

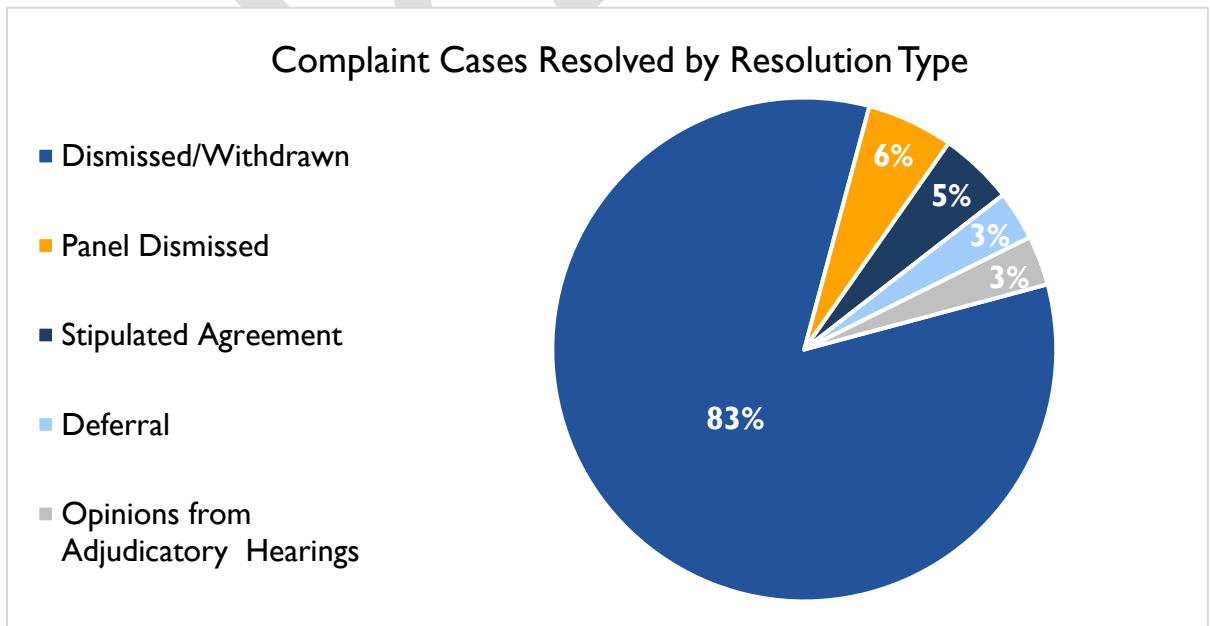
- In FY24, the Commission adjusted its practice to accept jurisdiction over more Complaints filed against public officers and employees. If the Complaints included insufficient evidence to warrant an investigation, the Complaints are then dismissed. Over time, this will provide a more accurate picture of the nature of the Commission’s incoming Complaints.

Figure 8



- Complaint case resolution saw an increase in FY24 as the Investigations team worked diligently to resolve old cases while at the same time ensuring new incoming cases were investigated and processed in a more timely manner.

Figure 9



- Cases dismissed and letters issued include both at the jurisdictional determination phase and at the review panel phase combined.

Figure 10

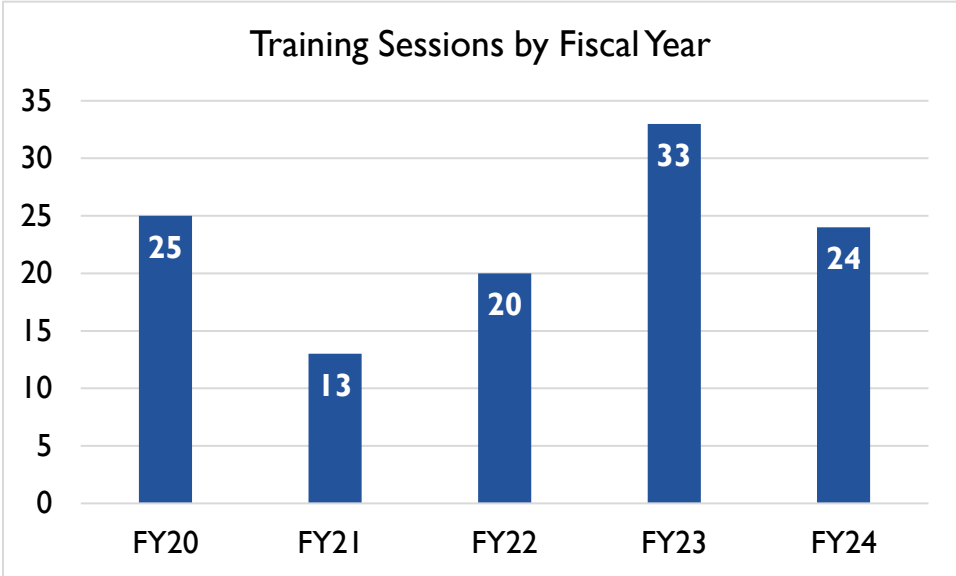
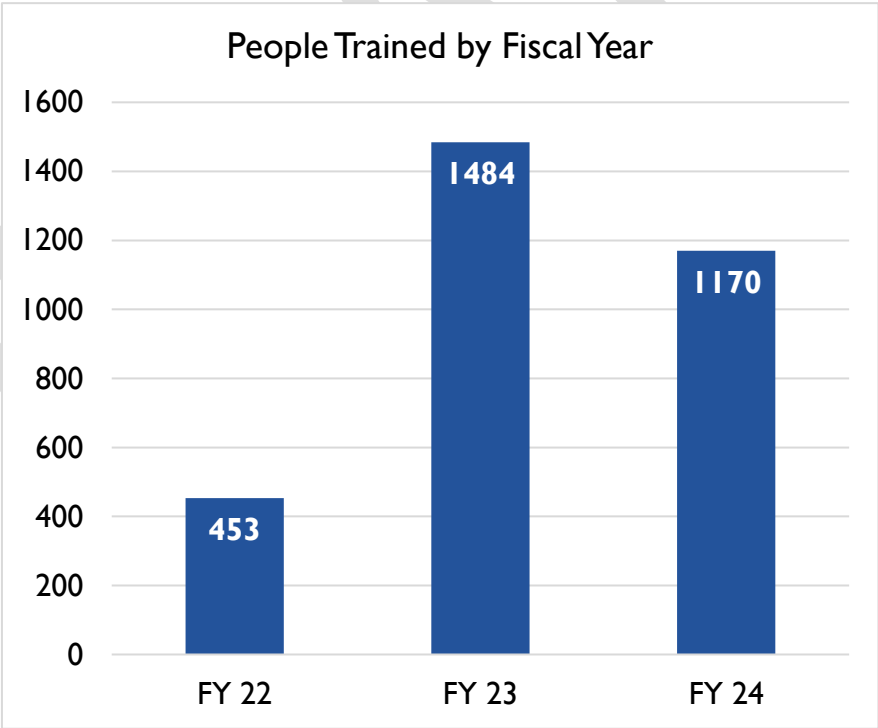
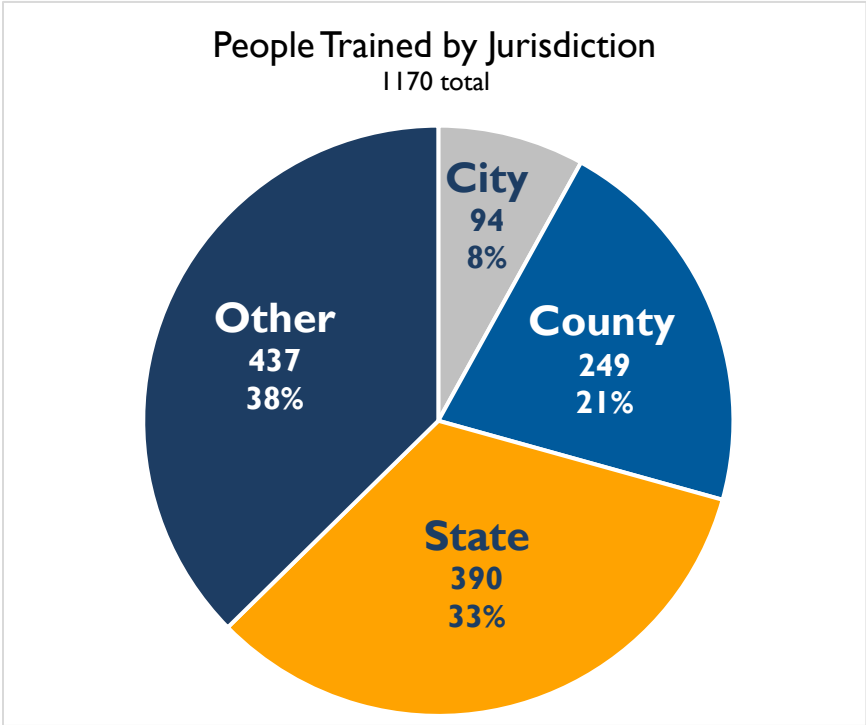


Figure 11



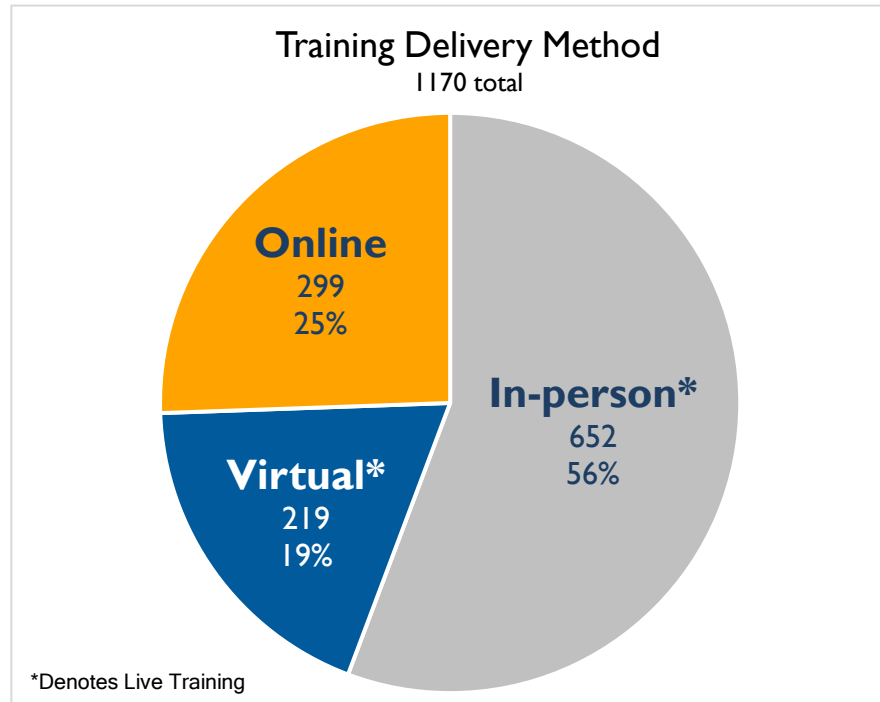
- The Commission started tracking the individual number of people trained halfway through FY22. The total number of people trained decreased in FY24 largely in part to staffing vacancies which limited staff availability to assist with training.

Figure 12



- The bulk of the “Other” category is made up of a training we recorded for the Nevada Psychological Association and a live training for the Southern Nevada International Code Council.

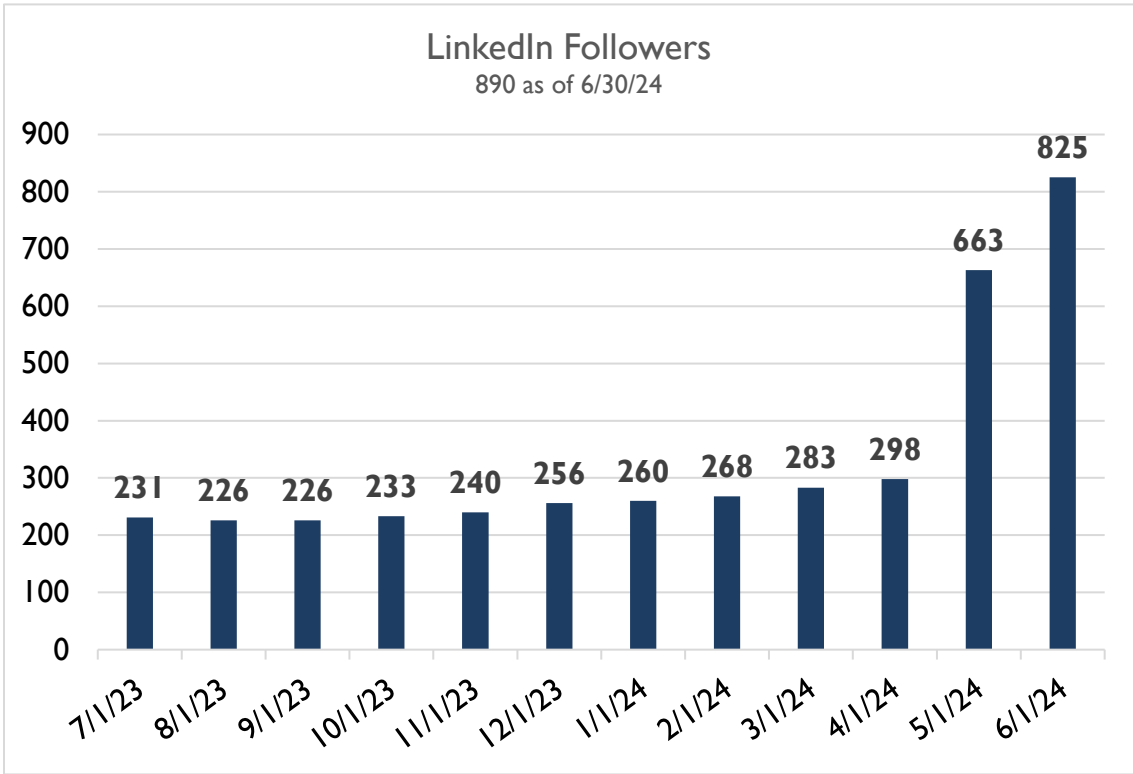
Figure 13



- Online, self-paced training made available through Nevada Ethics Online during FY24. Clark County also delivered Commission training materials through their online learning platform accounting for the majority of those trained online during FY24.

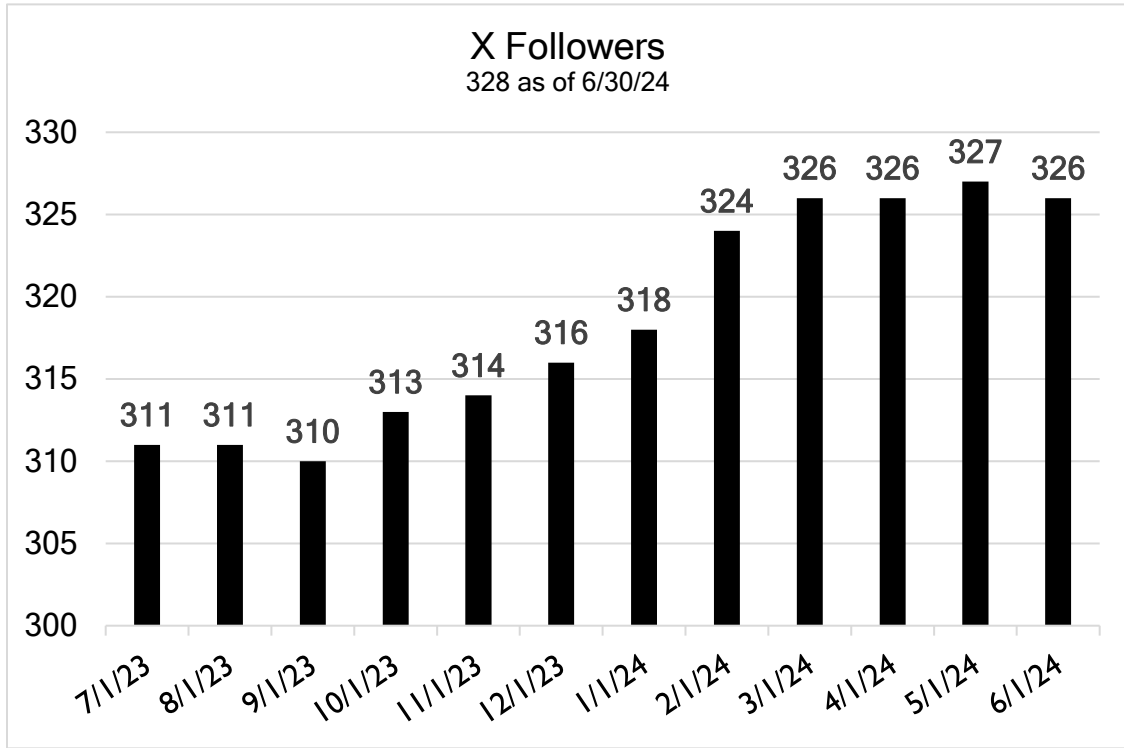
Figure 12

Outreach - Social Media Follower Data



- In April, the OEO began a series of targeted LinkedIn campaigns using an automation tool and LinkedIn filtering functionalities which resulted in a significant boost in our LinkedIn following and impact.

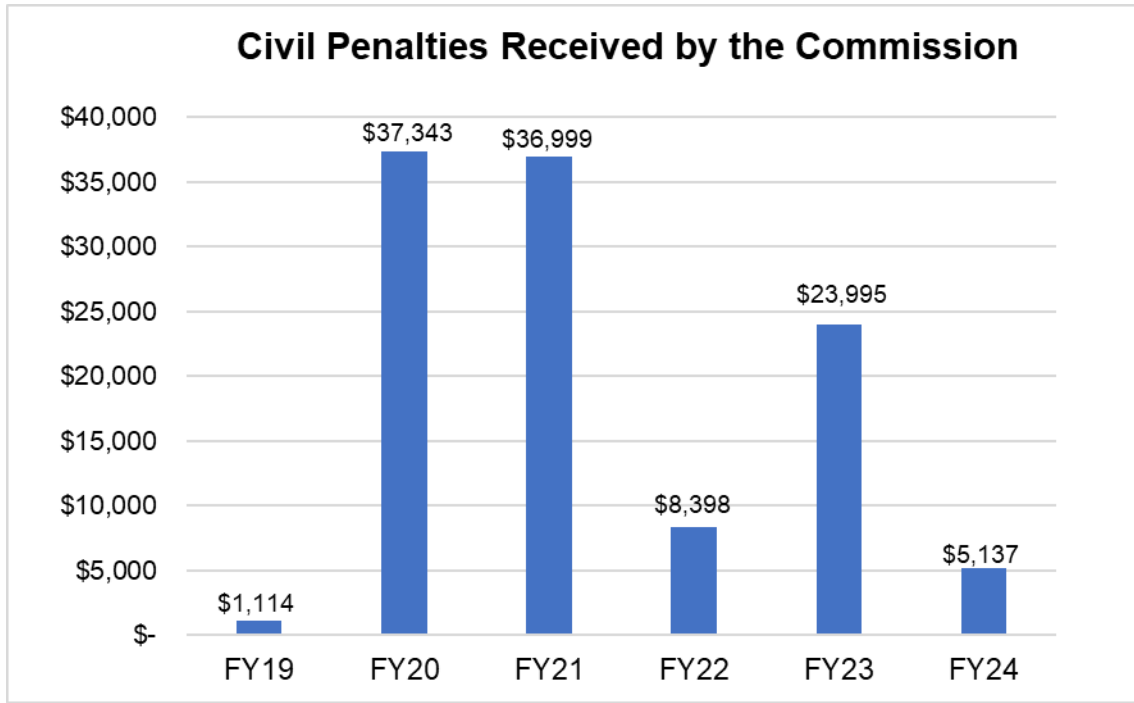
Figure 13



- X, formerly Twitter, followership has remained steady despite much disruption to the Social Media’s platform’s use and reputation.

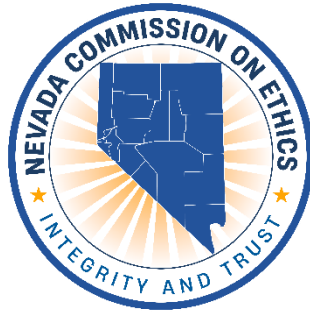
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Figure 14



- Large civil penalties received in FY20 and FY21 are from the series of gift card cases related to the Las Vegas Convention Visitors Authority. Payments on those penalties continued through FY23.
- Two cases with financial penalties owed are currently on appeal and payments are suspended until the appeals are complete.

Agenda Item 8



Executive Director Report – October 2024

Operations Highlights

- Regulations Approved at Legislative Commission on 9/13
 - See attached table of operational changes
- August/September surge of incoming cases
- Associate Counsel recruitment unsuccessful so far

Strategic Plan

- Strategic Plan approved at the August Commission meeting
- Published and promoted
- Implementation plan in draft stage

Budget Update

- FY 23/24 Budget
 - Extension in time to spend federal grant funds on Nevada Ethics Online
 - Handful of stale claims due to issues with the Administrative Services Division
- FY 25/26 Budget Build
 - Submitted for Governor's Finance Office review

Upcoming Meetings

- November 13 – Reno
- January 15, 2025 – pending 2025 meeting approval at November meeting

Submitted: Ross E. Armstrong, Executive Director
Date: 10/9/24



2024 Administrative Rulemaking Changes

Section	Operational Change	Notes
NAC 281A.180 Annual report	ED annual report due to Commissioners by October 31 each year	Still no actual publication deadline or requirement to publish an annual report
NAC 281A.350 Advisory opinion jurisdiction	Public officer for purposes of advisory opinions can now be between election/appointment and start date	Will change jurisdictional decisions during advisory opinion process
NAC 281A.351(1) Lack of jurisdiction information for advisory opinion	14-day opportunity to provide additional info to establish jurisdiction of advisory opinion requests	Adjustment to the notice to requesters
NAC 281A.351(6) Timeframes for submitting additional information for an advisory opinion	5-day limit for advisory requester to file motion for jurisdictional hearing and waiver or time limits permitted	Advisory opinion procedure adjustments needed
NAC 281A.375(5) Abstracts	No real change	Clarification that an abstract is not needed in every case and only published at direction of the Commission
NAC 281A.405(1) Rejection of complaints	Discretionary rejection of anonymous complaints or complaints against non-persons	Procedure already adopted which includes notice to Chair/Vice Chair
NAC 281A.442 Oral arguments	Presiding officer to set time limits for oral arguments and notify parties	
NAC 281A.210 Meeting Materials	1 week material deadline repealed	Still must comply with OML

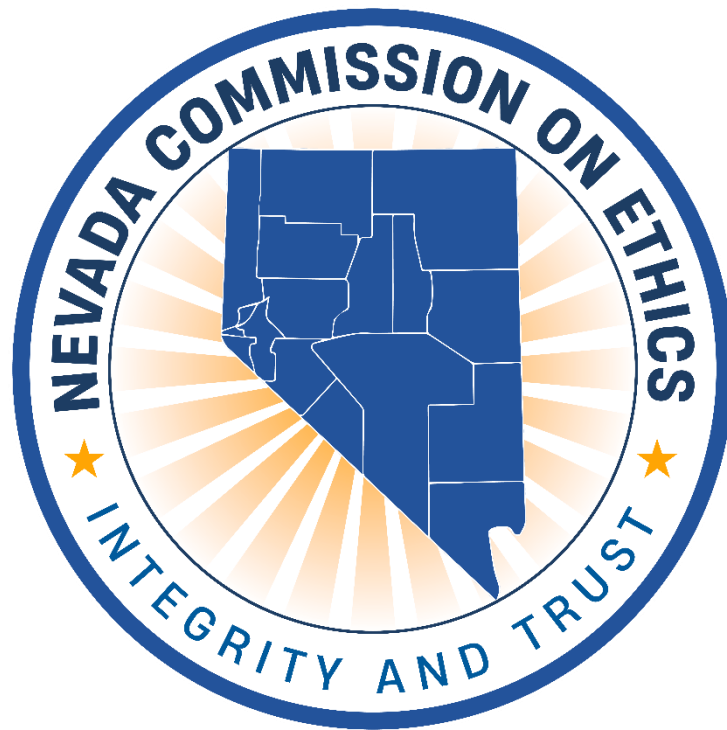
Note: Other revisions to the regulations were done to provide clarity or modernize language that do not require operational changes.

Agenda Item 9

Outreach & Education

Report

October 16th, 2024



Follow and engage with the Commission posts on LinkedIn and X to help us ensure all public servants have access to these vital educational resources.

Outreach Events

- Sept. 24th Nevada Association of Counties Conference
- Oct. 9-10th Government Civil Attorneys Conference
- Oct. 22nd Nevada American Planning Association Conference

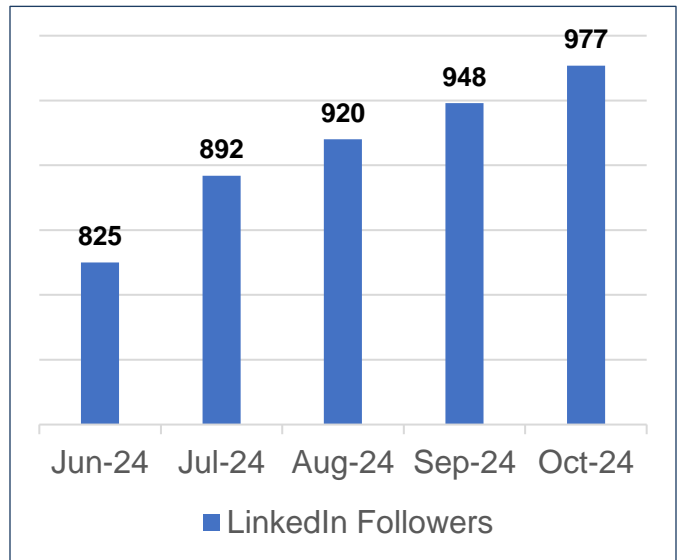
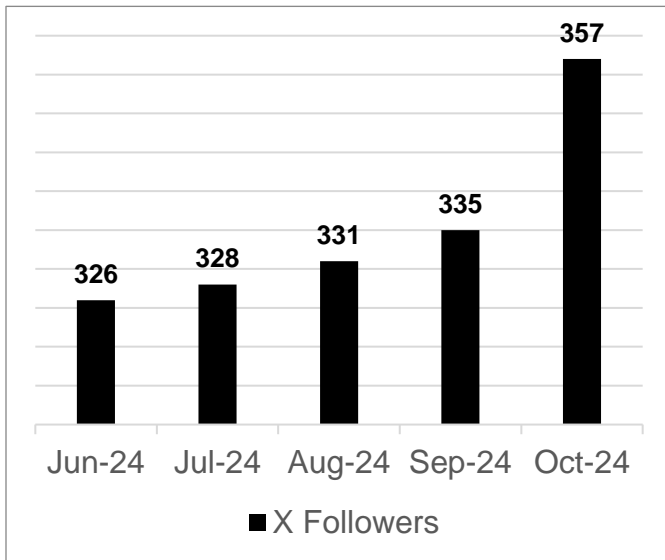
Resources

NEVADA COMMISSION ON ETHICS
INTEGRITY AND TRUST

Find it all at www.ethics.nv.gov

- File a Complaint
- Ask for Advice
- Opinions Database
- Live & On-Demand Training

QR codes for: Ethics Manual, Feedback Form, Newsletter



Recent Trainings

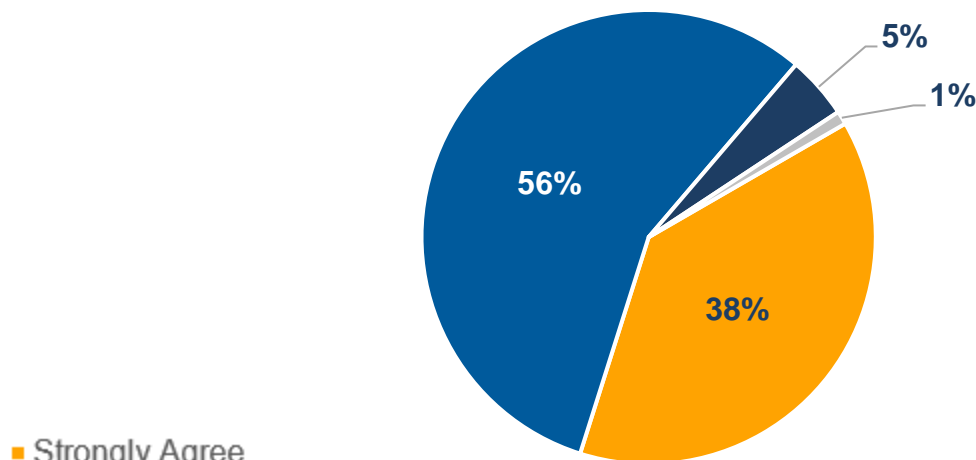
372 total people in live trainings since last report

- NV Gaming Compliance Board (150/391 complete, NV Ethics Online)
- Sept. 12th S. NV Chapter International Code Council (82 attendees, in-person)
- Sept. 12th Purchasing and Contracting Webinar (102 attendees, virtual)
- Sept. 16th Southern Nevada Health District Management (7 attendees, virtual)
- Sept. 24th Nevada Association of Counties Conference (31 attendees, in-person)
- Oct. 10th Civil Attorneys Conference (in-person)

Upcoming Live Trainings

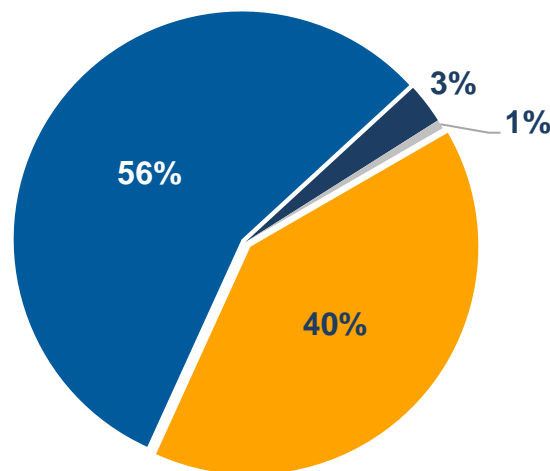
- Oct. 22nd NV American Planning Association (60 attendees*, in-person)
- Oct. 29th & 30th NV Gaming Compliance Board (approx. 200 remaining staff, virtual)
- Dec. 5th Board of Museums and History (8 attendees*, in-person)

Significantly Improved Understanding



- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

Confidently Access Resources



314 since April 19th, 2024



Publications

- Newsletter
(1st issue released in September)
- Annual Report
- Strategic Plan
(Published in September)



PIO

Public Records Requests		
Case	Acknowledgement	Other
7	4	2

Requests for Information			
Potential Advisory	Potential Violation	Case Related	Law ?'s/ Other
3	7	7	6

FY25 Running Total: 36

