Agenda Item 3



MINUTES of the meeting of the NEVADA COMMISSION ON ETHICS

The Commission on Ethics held a public meeting on Wednesday, February 19, 2025, at 10:00 a.m. at the following location:

State Bar of Nevada 3100 West Charleston Boulevard, Boardroom Las Vegas NV 89102

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 <u>Commission's YouTube channel</u>.

1. Call to Order and Roll Call.

Chair Scott Scherer, Esq. appeared in person in Las Vegas and called the meeting to order at 10:00 a.m. Vice Chair Kim Wallin, CPA, CMA, CFM and Commissioners Teresa Lowry, Esq., John Miller, and Terry J. Reynolds also appeared in person. Commissioners Michael E. Langton, Esq. and Brianna Smith, Esq. appeared via video conference. Commissioner John T. Moran III, Esq. was absent. Commission staff present in person were Executive Director Ross E. Armstrong, Esq., Commission Counsel Elizabeth J. Bassett, Esq., Senior Legal Researcher Curtis Hazlett, Outreach and Education Officer Sam Harvey, Investigator Erron Terry and Executive Assistant Kari Pedroza.

2. Public Comment.

Bill Schrimpf attended via Zoom and provided verbal public comment under this item pertaining to Agenda Item 7, discussed past Commission decisions, and encouraged the Commission to be more aggressive with enforcement actions.

3. Approval of Minutes of the January 16, 2025, Commission Meeting.

Chair Scherer stated all Commissioners were present for the January 16, 2025, Commission Meeting except Commissioner Langton who was excused and therefore precluded from participating in this item. Commissioner Miller is also precluded from participating as this was his first Commission meeting.

Vice Chair Wallin moved to approve the January 16, 2025, Commission Meeting Minutes as presented. Commissioner Reynolds seconded the motion. The motion was put to a vote and carried as follows:

Aye.
Aye.
Abstain.
Aye.
Abstain.
Aye.
Aye.

4. <u>Discussion and approval of Commission Proclamation honoring Commissioner Stan</u> <u>Olsen's service to the Commission.</u>

Chair Scherer introduced the item, read the Commission Proclamation honoring Commissioner Olsen for the record.

Vice Chair Wallin thanked former Commissioner Olsen for his service.

Executive Director Armstrong stated that he would ensure that former Commissioner Olsen received the finalized Proclamation. He shared his appreciation for former Commissioner Olsen's passion for government.

Chair Scherer echoed Executive Director Armstrong's sentiment and thanked former Commissioner Olsen for his service to the Commission.

No action was taken on this Item

5. <u>Discussion and approval of a Proposed Stipulated Agreement concerning Ethics</u> <u>Complaint No. 24-109C regarding Charles Green, Secretary/Treasurer, Board of</u> <u>Homeopathic Medical Examiners, State of Nevada.</u>

Chair Scherer introduced the item and stated for the record that Vice Chair Wallin and Commissioner Lowry served as members of the Review Panel for this matter and would be precluded from participating in any further proceedings pursuant to NRS 281A.220(4).

Chair Scherer asked the parties to the Complaint to identify themselves for the record. Appearing on his own behalf was Executive Director Armstrong. Mont Tanner, Esq. appeared via Zoom video conference on behalf of Charles Green, who was not in attendance but was provided proper notice of the Agenda Item and understood that the Commission would proceed in his absence.

Executive Director Armstrong presented the Commission initiated Ethics complaint background and proposed stipulated resolution agreed upon and signed by the parties. He thanked Commissioner Lowry for her assistance as the Presiding Officer of the settlement conference in this matter which resulted in this agreement. Executive Director Armstrong outlined the terms and mitigating factors of the proposed stipulated agreement. Mont Tanner confirmed that the summary provided by Executive Director Armstrong was accurate.

Commissioner Miller made a motion to accept the terms of the Stipulated Agreement as presented by the parties and direct Commission Counsel to finalize the agreement in appropriate legal form. Commissioner Reynolds seconded the motion. The Motion was put to a vote and carried as follows:

Chair Scherer:	Aye.
Vice Chair Wallin:	Abstain.
Commissioner Langton:	Aye.
Commissioner Lowry:	Abstain.
Commissioner Miller:	Aye.
Commissioner Reynolds:	Aye.
Commissioner Smith:	Aye.

 Discussion and approval of a Proposed Stipulation for Consent Order concerning Ethics Complaint No. 24-130C regarding Ron Boskovich, Commissioner, Nye County, State of Nevada.

This Item was not heard.

7. <u>Discussion and possible direction to Commission staff regarding the Commission's</u> <u>Reputational Goals in alignment with the adopted Strategic Plan.</u>

Chair Scherer introduced the item and asked Commission Counsel Bassett for her presentation.

Commission Counsel Bassett provided the intent of the Agenda Item noting that one focus of the Commission's Strategic Plan is maintaining the public's trust in government. She shared the results of the reputational goals survey completed by the Commissioners and Commission staff. Commission Counsel Bassett thanked the survey participants for their feedback. The Commissioners discussed next steps for the reputational goals.

Commissioner Lowry thanked Mr. Schrimpf for providing timely and articulate public comment. She shared her view that while it is important to consider the Commission's perception of its reputation, the public's perception of the Commission's reputation should be measured and prioritized. Commissioner Lowry acknowledged that sometimes the Commission's hands are tied by law, specifically the jurisdiction as authorized in the Ethics law. She noted her tendency to lean toward education equal to accountability, not placing education ahead of adjudication, but equal importance in order to increase the public's confidence in government. Commissioner Lowry questioned whether the Commission's Outreach and Education department could be utilized to obtain public feedback regarding the Commission's reputation and outlined that understanding the Commission's internal perception, the general public's perception and stakeholders' perception would be beneficial in moving forward.

Chair Scherer asked Outreach and Education Officer Harvey if they could bring back some ideas on surveying public perception of the Commission's reputation at the April meeting. Outreach and Education Harvey responded that they could not as they will be out on family leave, however Executive Director Armstrong could provide the information. Vice Chair Wallin suggested that the survey be posted on the Commission's website followed by a press release about the survey and Outreach and Education Officer Harvey agreed.

Commissioner Reynolds stated that he was a state administrator for 21 years and in his experience it was the state managers' responsibility to work with elected officials and provide training about fiscal obligations ranging from travel to campaign finance and many managers didn't prioritize that training. He suggested that training be provided to state managers, trainers and government charter representatives. Chair Scherer agreed and added that appointees to small local government boards and commissions should also receive training.

Vice Chair Wallin echoed her fellow Commissioners' comments. She discussed the Commission's advisory opinion process, agreed that the process can sometimes get held up by the requesters, highlighted that on a few occasions the Commission was able to expedite opinions in emergent circumstances and shared her belief that the published opinions had improved, were much more succinct and easier to understand in the new format. She agreed that training is extremely important and stated that the Commission's training program has grown by leaps and bounds.

Chair Scherer noted that at the end of the day the Commission is an adjudicatory body and is tasked with considering the facts and circumstances of each individual case on its own merits.

Commissioner Langton stated that he is continually impressed by Commission staff's work and was surprised by the amount of work the Commissioners put in which is not realized by the public. He commended the staff, especially Executive Director Armstrong, for the depth of the analysis provided. Commissioner Langton added that he appreciates the Commission is not out for its pound of flesh and is focused on being a valuable resource for education. No action was taken on this Item.

8. <u>Report by Executive Director on agency status and operations.</u>

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

Executive Director Armstrong referenced the Executive Director's report included with the meeting materials. He welcomed new Commissioner John Miller to the Commission and to his first meeting. Executive Director Armstrong informed the Commission about his plan to underfill the Associate Counsel position with current Senior Legal Researcher Hazlett who upon passage of the State Bar would automatically promote to the position. He acknowledged that the position had remained vacant for quite some time and shared that other state agencies are experiencing the same struggles in recruiting.

Commissioner Miller asked how long the Associate Counsel position had been vacant and Vice Chair Wallin responded that the position had been vacant almost a year.

Executive Director updated the Commission about the Legislative session, the Commission's presentation at the Joint Meeting of the Senate Committee and Assembly Committee on Legislative Operations and Elections on February 11, and outlined which proposed bills he was tracking. He agreed to continue to provide weekly legislative reports via email to the Commission.

Executive Director Armstrong informed the Commission of the progress on the implementation for each of the four strategic plan focus areas including the reputational study heard earlier in the meeting, outreach and education goals outlined in a staff meeting the day prior to the meeting, feedback from the January staff time study and the inclusion of funds to replace the Commission's case management system in the Governor's recommended budget.

Executive Director Armstrong shared that he attended the Commission's budget hearing the Monday prior, summarized the proceedings and provided information on the budget enhancements included in the biennial budget request. He noted that he provided adequate responses to the Committee's pre-hearing questions resulting in minimal questions asked at the budget presentation. Executive Director Armstrong shared information pertaining to the Commission's language access plan and anticipated next steps.

Executive Director Armstrong confirmed that there will only be a review panel in March and the April 16 meeting will be held in Reno.

There was discussion regarding proposed legislation's potential impact on the Commission and historical legislative benchmarks.

No action was taken on this Item.

9. <u>Report on Ethics Outreach and Education.</u>

Chair Scherer opened the item and asked Outreach and Education Officer (OEO) Harvey to provide the Outreach and Education presentation.

OEO Harvey referenced the written report included with meeting materials, highlighted the Commission's social media presence updates, and outlined the recent education and outreach efforts including the recently concluded newly elected officers training. They provided details on increased acknowledgment filings, newsletter subscription requests and upcoming scheduled training opportunities. OEO Harvey informed the Commission of the public records requests received since the last Commission meeting.

Commissioner Reynolds and Vice Chair Wallin asked questions about training personalization and engagement and OEO Harvey responded.

Vice Chair Wallin commented that the Nevada Ethics Online (NEO) is a great tool for new Commissioners, commended OEO Harvey on their hard work on behalf of the Commission.

No action was taken on this Item.

10. Commissioner Comments.

Vice Chair Wallin welcomed Commissioner Miller to the Commission and reiterated that Commissioners on the Ethics Commission can expect a lot of work. Chair Scherer agreed and noted a lot more work is conducted through confidential emails since the 1999 law passage. He added that since the work is performed confidentially the public doesn't see the whole of it which can be a double edged sword but is important to discourage sharing of confidential submissions.

Commissioner Langton requested a copy of SJR5 which was discussed during the Executive Director report item and Executive Director Armstrong agreed he would email the document to Commissioner Langton.

Commissioner Miller thanked his fellow Commissioners for the warm welcome, stated he was happy to be on the Commission, agreed that there is a lot of paperwork and that the Commission is an important aspect of government. He commented that he looked forward to working with the Commission.

Chair Scherer thanked Commission Miller and expressed that he was glad Commissioner Miller agreed to serve and is willing to devote his time to the Commission.

Chair Scherer asked if there would be any contested cases on the April agenda and Executive Director Armstrong clarified that there would be consideration of proposed stipulations not contested cases.

11. Public Comment.

There was no public comment.

12. Adjournment.

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

The meeting was adjourned at 11:08 a.m.

Minutes prepared by:

Minutes approved April 16, 2025:

/s/ Kari Pedroza

Kari Pedroza Executive Assistant

/s/ Ross Armstrong

Ross Armstrong, Esq. Executive Director Scott Scherer, Esq. Chair

Kim Wallin, CPA, CMA, CFM Vice Chair

Agenda Item 6



Executive Director Report – April 2025

Operations Highlights

- Initial interagency collaboration meeting with other entities who provide government oversight with agreement to continue to regularly meet and explore ways to collaborate within our statutory restrictions.
- Exploring various options for transition of SLR position through summer/early fall
- Timely processing cases see Quarterly Case Log
 - Healthy start to Advisory Opinion Requests

Legislature

- Weekly updates for Commissioners / staff continue
- Ethics Commission presence on March 25 (see OEO report for photos)
 50th anniversary proclamation on the floor of the Assembly
 - Budget Closed on April 1, 2025 with the following enhancements
 - Case Management System
 - Training/Outreach subscriptions/resources
 - COGEL Travel shifted to right budget category
- Continue to monitor bills for potential agency impact
 - o Open Meeting Law requirements
 - Public Records requirements

Strategic Plan

- Outreach and Education
 - Database of associations under development to prioritize potential partnerships
- Maintaining the Public's Trust
 - Uniform templates under development
 - Reputational survey for public developed
- Sufficient Staffing
 - Time study month 1 and 2 completed; analysis underway
 - Technology and Service Improvements
 - New system included in the closed budget
 - Processes documentation project underway

Budget Update

- IFC request submitted for Language Access Plan June
 - Translation of vital documents
- Work programs for terminal leave, cost of living increases being submitted for June IFC

Recent Review Panel Determinations

- February
 - o In re Workman 24-161C (Lyon County School District) dismissal
 - In re Westlake 24-162C (WCSD) dismissal with letter of instruction
- March
 - In re Juden 24-148C (City of North Las Vegas) referral to full Commission
 - In re Tonking 24-164C (IVGID) dismissal with letter of caution
 - In re Noble 24-166C (IVGID) dismissal with letter of caution
 - In re Tulloch 24-167C (IVGID) dismissal with letter of caution
 - In re Robertson 24-177C (City of Ely) dismissal

Upcoming Meetings

- May Panels Only
- June 18 Ely
- July Panels Only
- August 20 Reno

Submitted: Ross E. Armstrong, Executive Director Date: 4/9/2025

Commission on Ethics Complaint Case Log

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Commission on Ethics Complaint Case Log

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Commission on Ethics Complaint Case Log

As of March 31, 2025

	egate points	71	117		89	40		0		0 Leg	4 Other		8	2 Witl	ndraw	n/Rej	jecte	d/Disn	nissed		68	44	18	2	3	10	0	0	Com	pliance
_	→	/1	11/		09	40	0	0	0		20 27 City State	3	2	19	36	4	3	5	7	3	00	44	10	2	5	10	U	0	5	1
Date					Recv'd					leade							Ltr	Dism'd		-		Invest'd	Pending		Stip		Pending		Pending	Pending
Received:	Date	Time Days	Case No:	Consol'd/Dup'd	Current FYs	Prior FYs	JD FY26		Other FY26	Julis	sdiction	withan	Reject'd	No Invest	No Juris	Instr	Caut'n	by Panel	Panel w/ Ltr Instr		Juris		Panel	Referr'd to Commn		Agmt	Adj Hrg	Issued	Def Period	Compliance
1/15/25			25-004C		1					City											1	1	1							
1/21/25	3/4/25	42	25-006C		1					County					1															
1/27/25	3/11/25	43	25-009C		1					State					1															
1/27/25	3/11/25	43	25-010C		1					City					1															
2/10/25	2/11/25	1	25-015C		1					Other		1																		
2/12/25	3/31/25	47	25-016C		1					City				1							1									
2/18/25			25-017C		1					State																				
2/20/25			25-019C		1					County																				
2/20/25			25-020C		1					State																				
2/24/25			25-022C		1					State											1	1	1							
2/24/25			25-023C		1					State											1	1	1							
2/27/25			25-024C		1					State																				
3/3/25			25-025C		1					County													<u> </u>							
3/3/25			25-026C		1					County															L					
3/17/25			25-031C		1					County											<u> </u>									
3/20/25			25-032C		1					City											1	1								
3/26/25			25-033C		1					State																				

Aggro Dataj	egate points	59		34	3	0		6		16	4	2	8	1	0 Legislature 27 County	4 City	0 Other 6 State	6 Cooling Off 1 Gifts	4 Contracts 0 Other	5 D&A	Notes
Date Received:	Resolution Date	Process Time Days	Case No:	Recv'd Current FYs	Recv'd Prior FYs	Pending FY26	Dismiss'd No Juris	Dismiss'd No Supplmt	Withdn	Opinion	Abstract Opinion	Abstract Pending	Confidtly Waived	No Abstract	Juris	diction		Торіс	Secondary To	pic	
4/2/24	9/9/24	160	24-043A		1					1	1				City	1		Cooling Off	Contracts		
5/9/24	8/13/24	96	24-062A		1					1			1		County			Cooling Off			
5/29/24	7/22/24	54	24-080A		1					1		1			City			D&A			
7/9/24	9/10/24	63	24-101A	1						1			1		County			D&A			
7/22/24	9/12/24	52	24-102A	1						1			1		State			Cooling Off	Contracts		
7/25/24	9/19/24	56	24-103A	1						1	1				County			D&A			
8/5/24	9/25/24	51	24-105A	1						1			1		State			Cooling Off			
8/6/24	9/23/24	48	24-106A	1						1	1				County			Government Resources	Unwarranted Benefits		
8/21/24	10/28/24	68	24-123A	1						1			1		County			Contracts			
8/21/24	11/15/24	86	24-124A	1						1		1			State			Gifts	Loans		
8/26/24	10/15/24	50	24-125A	1						1			1		State			Cooling Off			
8/26/24	9/19/24	24	24-126A	1						1				1	County			Cooling Off			
8/28/24	11/14/24	78	24-132A	1						1	1				County			D&A	Government Resources		
9/9/24	11/14/24	66	24-139A	1						1			1		County			D&A			
9/23/24	11/14/24	52	24-153A	1				1							County						
9/25/24			24-154A	1											County						Stayed pending complaint case
9/30/24	10/1/24	1	24-156A	1			1								County						
10/22/24	10/23/24	1	24-165A	1			1								County						
10/24/24			24-170A	1											County						Stayed pending complaint case
10/24/24			24-171A	1											County						Stayed pending complaint case
10/25/24			24-173A	1											County						Stayed pending complaint case
12/18/24	2/20/25	64	24-185A	1						1			1		County			Contracts			
12/18/24	1/23/25	36	24-186A	1				1							County						
1/13/25	3/13/25	59	25-003A	1						1					County						
1/18/25			25-005A	1											County						
1/21/25			25-007A	1											County						
1/23/25			25-008A	1											County						
2/3/25			25-011A	1											County						
2/5/25	2/26/25	21	25-012A	1			1								County						
2/5/25	2/26/25	21	25-013A	1			1								County						
2/11/25	L	l	25-015A	1											City	I					
2/18/25	L	l	25-018A	1											State	I					
2/24/25	L	l	25-021A	1											State	I					
3/5/25	L	l	25-027A	1											City	I					
3/6/25			25-028A	1											County						
3/11/25			25-029A	1											County						
3/13/25	l I	1	25-030A	1											County	1					

Agenda Item 7

Outreach & Education

Report

April 16th, 2025



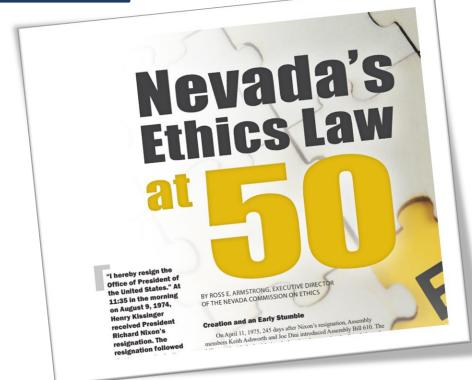
Follow <u>and</u> engage with the Commission posts on LinkedIn and X to help us ensure all public servants have access to these vital educational resources.

<u>Outreach</u>

- Ethics Commission Presence at Legislature
 - \circ Tabling
 - o Proclamation
- Article in the Nevada Lawyer magazine









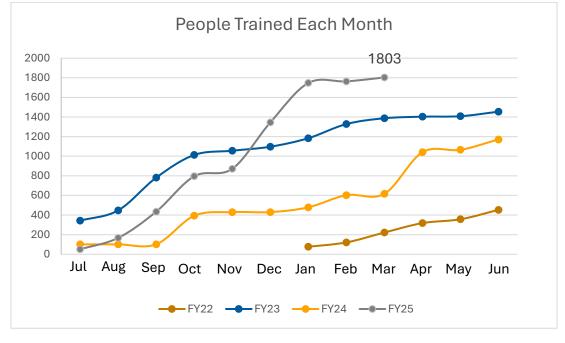
Education

Recent Trainings

- March 13 Nye County (40 attendees in-person)
- April 9 Clark County DA's Office (TBD)

Upcoming Live Trainings

- June 6th Board of Medical Examiners
- June 16 & 25th LVCVA
- June 25th Contractors Board
- July 8th and 9th Clark County
- July 18th State Board of Nursing



Nevada Ethics Online Update

- Funding transition from federal grant to regular Ethics funds approved
- Exploring statutory allowance for charging for some or all future users

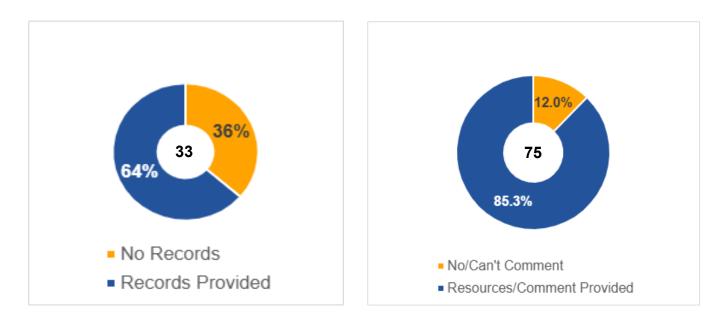


Publications

- Rebranding and improvements to educational resources continues
- 3nd Quarterly Newsletter set to go out in April
 - \circ Sept distributed to 1,470; Jan distributed to 1,539
- Development of an Ethics Ambassador Toolkit within NEO for agency representatives
- Monthly review of manual content for improvements and additions continues

PIO

Public	Records Rec	quests	R	equests for In	formation	
Case	Ackngmnts	Other	Case Related	Potential Violation	Potential Advisory	Law ?'s/ Other
21	6	6	22	21	8	24



FY25 Running Total: 108

