



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

The Commission on Ethics held a public meeting on
Thursday, January 16, 2025, 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 in person in Reno and called the meeting to order at 10:00 a.m. Vice Chair Kim Wallin, CPA, CMA, CFM and Commissioner Terry J. Reynolds also appeared in person. Commissioners Teresa Lowry, Esq., John T. Moran III, Esq. and Brianna Smith, Esq. appeared via videoconference. Commissioners Caleb Cage and Michael E. Langton, Esq. were excused. Commission staff present in person were Executive Director Ross E. Armstrong, Esq., Commission Counsel Elizabeth J. Bassett, Esq., Senior Legal Researcher Curtis Hazlett, Investigator Erron Terry and Executive Assistant Kari Pedroza. Senior Deputy Attorney General Laena St-Jules, Esq., acting Commission Counsel for Agenda Item 4, was in attendance in person as well. Outreach and Education Officer Sam Harvey appeared via videoconference.

2. Public Comment.

Chair Scherer welcomed newly appointed Commissioner Brianna Smith, Esq. to the Commission.

Margo Piscevich attended in person and provided verbal public comment under this item pertaining to Agenda Item 4.

3. Approval of Minutes of the November 13, 2024, Commission Meeting.

Chair Scherer stated all Commissioners were present for the November 13, 2024, Commission Meeting except Commissioner Lowry who was excused and therefore precluded from participating in this item. Commissioner Smith is also precluded from participating as this was her first Commission meeting.

Commissioner Moran moved to approve the November 13, 2024, Commission Meeting Minutes as presented. Commissioner Reynolds seconded the motion. The motion was put to a vote and carried as follows:

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

4. Discussion and possible action following the Notice of Alleged Failure to Comply in relation to the Deferral Agreement executed in Ethics Complaint Case No. 22-104C regarding Devon Reese, Member, City Council, City of Reno, State of Nevada.

Chair Scherer introduced the item and asked for disclosures in the matter.

Commission Counsel Bassett noted that Senior Deputy Attorney General St-Jules would be the acting Commission Counsel for the Item and out of an abundance of caution disclosed that in her private capacity she is a client of the Maupin, Cox & LeGoy law firm and she is aware that Mr. Reese is also a client of the law firm although he was not represented by them in this matter before the Commission. She confirmed that her representation by Maupin, Cox & LeGoy in her private capacity is completely unrelated to Mr. Reese or any matters before the Commission, she is financially responsible for the payment of fees due to the law firm at the prevailing rate and has no other business relationship with the law firm beyond being an estate planning client. Commission Counsel Bassett added that she does not vote or make any decisions on matters before the Commission concerning Mr. Reese and her representation by Maupin, Cox & LeGoy in her private capacity in matters unrelated to Mr. Reese or any Commission matters would not materially affect the independence of judgment of a reasonable person in her position on matters concerning Mr. Reese.

Commissioner Moran made a disclosure in Ethics Complaint Case No. 22-104C. He is a partner with the law firm of Hutchison & Steffen. Mr. Reese was a partner of the same law firm during the time of the events alleged in this matter and his position with the law firm during that time is a part of the ethics law violations alleged herein. Commissioner Moran joined the firm after Mr. Reese had already departed and to his understanding Mr. Reese's last period of employment with Hutchison & Steffen was in February 2024; Commissioner Moran joined the law firm a month or so thereafter. Commissioner Moran acknowledged that he and Mr. Reese did not have overlap in their employment with the firm and he does not have a personal relationship with Mr. Reese, not in Mr. Reese's capacity as a city councilman for Reno nor as a colleague or partner at Hutchison & Steffen. Commissioner Moran further declared that he was not involved in any of the events alleged in the matter and does not have independent knowledge of the events alleged outside of the proceedings before the Commission. Given the public policy in favor of public officers performing their duties and voting on matters and that a reasonable person in his position's judgment would not be materially affected by the circumstances, he will not be abstaining on the matter and will be voting on the item as advised by counsel.

Chair Scherer noted that Commissioner Lowry served on the review panel for this matter and was precluded from participating in the consideration of the alleged failure to comply with the terms and conditions of the deferral agreement pursuant to NRS 281A.220(4). He acknowledged that Commission Counsel Bassett served as Associate Counsel in some of the earlier proceedings related to this complaint and is precluded from participating; Senior Deputy Attorney General St-Jules would be acting as Commission Counsel in the matter. Chair Scherer asked the parties to the Complaint to introduce themselves for the record. Appearing on his own behalf was Executive Director Armstrong. Jonathan Shipman, Esq. from the Reno City Attorney's Office, appeared in person on behalf of Devon Reese, who was not in attendance but was provided proper notice of the Agenda Item and understood that the Commission would proceed in his absence.

Chair Scherer received confirmation from both parties related to the allowance and admittance into the record of demonstrative exhibits from each in the matter. Chair Scherer outlined the proceedings as follows:

- i. Executive Director Armstrong - present argument on the alleged failure to comply with the deferral agreement and proposed action to be taken;
- ii. Mr. Shipman – present argument on the same issues;
- iii. Executive Director Armstrong – present rebuttal.

Executive Director Armstrong provided his argument on Mr. Reese's failure to comply with the deferral agreement referencing his demonstrative exhibit. See Attachment A to the minutes.

Jonathan Shipman, Esq. presented argument on behalf of his client, Mr. Reese, referencing his demonstrative exhibit. See Attachment B to the minutes.

Chair Scherer asked a clarifying question regarding the Ethics training Mr. Reese received and Executive Director Armstrong provided the clarification.

Executive Director Armstrong presented his rebuttal.

Commissioner Reynolds, Vice Chair Wallin and Chair Scherer asked questions, and Mr. Shipman answered their questions.

Vice Chair Wallin made a motion to call the meeting into confidential closed session for Commission deliberation and discussion with Senior Deputy Attorney General St-Jules. Commissioner Reynolds seconded the motion. The motion was put to a vote and carried as follows:

Chair Scherer:	Aye.
Vice Chair Wallin:	Aye.
Commissioner Lowry:	Abstain pursuant to NRS 281A.220(4).
Commissioner Moran:	Aye.
Commissioner Reynolds:	Aye.
Commissioner Smith:	Aye.

The Commission deliberated in a confidential closed session from 10:55 a.m. until Chair Scherer called the meeting back into open session at 11:07 a.m.

Vice Chair Wallin made a motion that the Commission find that Mr. Reese failed to comply with the deferral agreement. Vice Chair Wallin further moved that the deferral agreement be vacated and that the Commission conduct further proceedings in the matter. Commissioner Reynolds seconded the motion. Chair Scherer noted for the record that Commission discussion found there had been a violation of the deferral agreement, there has to be a consequence if deferral agreements are violated, the appropriate consequence in this case was to vacate the deferral agreement and let Mr. Reese make his case on both violations and the trigger in the deferral agreement is a just and sufficient cause finding by a review panel, not a full finding of violation, a condition permitted by NRS 281A. The motion was put to a vote and carried as follows:

Chair Scherer:	Aye.
Vice Chair Wallin:	Aye.
Commissioner Lowry:	Abstain pursuant to NRS 281A.220(4).
Commissioner Moran:	Aye.
Commissioner Reynolds:	Aye.
Commissioner Smith:	Aye.

Chair Scherer thanked Mr. Shipman.

5. Public Comment, discussion and possible action on proposed Language Access Plan pursuant to NRS 232.0081
 - a. Public Comment
 - b. Commission Discussion and Possible Action to approve the proposed Language Access Plan

Chair Scherer introduced the item and asked for Public Comment.

- a. Public Comment

Received via Zoom chat from Laura Fussell (Executive Assistant Pedroza read aloud for the record): According to the meeting materials, page 10 of 22, this Commission's Outreach and Education officer has been supported with funds to enhance ASL skills. I'm interested to know which sources are being used for ASL learning. I'm also curious if there's been any meaningful connection with other existing state resources related to the Deaf and Hard of Hearing community such as the Commission for Persons who are Deaf and Hard of Hearing (https://adsd.nv.gov/Boards/NCPWADHHSI/Nevada_Commission_for_Persons_Who_Are_Deaf_Hard_of_Hearing_or_Speech_Impaired/) or the Communication Access Services program (<https://adsd.nv.gov/Programs/Physical/ComAccessSvc/CAS/>), both currently housed within Aging and Disability Services Division (ADSD).

- b. Commission Discussion and Possible Action to approve the proposed Language Access Plan

Chair Scherer asked Executive Director Armstrong to provide his presentation and highlight the information responsive to Ms. Fussell's public comment questions included in the proposed Language Access Plan. Executive Director Armstrong presented the draft plan which is statutorily required for each state agency.

Commissioner Reynolds informed Executive Director Armstrong that he could be of assistance with language access contacts he developed in his previous position as the Director of the Nevada Department of Business and Industry and offered to share those contacts with Executive Director Armstrong. Commissioner Reynolds and Executive Director Armstrong discussed translation service options.

Vice Chair Wallin made a motion to adopt the proposed Language Access Plan as presented and discussed. Commissioner Moran seconded the motion. The motion was put to a vote and carried unanimously.

6. Delegation of authority to the Chair of the Nevada Commission on Ethics ("Chair") to represent the Nevada Commission on Ethics ("Commission") at the 2025 Legislative Session or any special sessions called, including without limitation, confirmation of authority to direct staff pursuant to NAC 281A.155, on matters relating to proposed bills affecting the Commission.

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

Executive Director Armstrong noted the purpose of the item was to ensure fast action and/or responses during the Legislative session without calling emergency meetings of the Commission. He shared his plan to provide weekly Legislative updates to the Commission via email.

Chair Scherer confirmed his availability and willingness to take on this duty in cooperation with Vice Chair Wallin. He shared that he is available to assist in Carson City during the upcoming Legislative session.

Commissioner Reynolds shared that he was in agreement with the Chair representing the Commission in coordination with the Vice-Chair.

Commissioner Moran agreed that the Chair and the Vice Chair were both well suited for this delegation and to represent the Commission's will before the Legislature. He asked that the Chair reach out to him if he could be of any assistance during the session. Commissioner Moran added that he was glad that the Commission did not propose its own bill this session.

Commissioner Reynolds made a motion to delegate the authority from the Commission to the Chair of the Commission for purposes of direction to the Executive Director and staff related to Legislative proposals and actions during the 2025 Legislative Session noting that the Commission's administrative regulations permit the Vice Chair to perform duties of the Chair in the event the Chair is unavailable or conflicted from acting on a matter. Commissioner Reynolds further moved that the Chair and Vice Chair work in concert with each other on Legislative matters as they occur. Commissioner Moran seconded the motion. The motion was put to a vote and carried unanimously.

7. Discussion and Notice of granted extension to pay civil fine in Ethics Complaint No. 23-015C regarding John Bartlett.

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

Executive Director Armstrong outlined the extension process and noted the purpose of the item was to inform the Commission about the initial payment extension granted to Mr. Bartlett. He clarified that the final payment due date did not change, only the first payment in the payment plan was pushed back to June 1, 2025.

No action was taken on this Item.

8. 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. Strategic Plan Implementation Update
- d. Upcoming Meetings

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 Commissioners Caleb Cage and Brianna Smith, Esq. to the Commission. Executive Director informed the Commission about Investigator Terry and Outreach and Education Officer Harvey's attendance at the Council on Governmental Ethics Laws conference in December. He also informed the Commission of the article he submitted to be published in the upcoming edition of the Nevada Lawyer magazine regarding government law and commemorating the Commission on Ethics' 50th anniversary this year.

a. Quarterly Case Log: Executive Director Armstrong referenced the newly formatted case logs provided in the meeting materials, reminded Commissioners that their version is confidential with the public version redacted and asked them to use the case number if they had specific questions about a case. He thanked Outreach and Education Officer Harvey and Executive Assistant Pedroza for their work on the case log design and data, which will ensure easier data compilation for reporting purposes. Of note, there are twenty four cases currently under investigation, eight of those are consolidated cases scheduled to be heard by the review panel that day. Executive Director Armstrong highlighted the new data provided in the case log.

b. Budget Update: Executive Director Armstrong noted that the Governor's Recommended Budget had just been released, and it included additional funds for educational subscriptions and resources and an updated case management system. He shared that the next step would be to prepare for the Commission's budget presentation and explain the benefit of a new case management system. Executive Director Armstrong stated that Commission staff will continue their monthly budget meetings with the administrative services division (ASD) fiscal staff and provided that the Commission is on track for expending current fiscal year allocated funds.

c. Strategic Plan Implementation Update: Executive Director Armstrong thanked staff for all of their hard work on the implementation pieces of the strategic plan. He informed the Commission of the progress in each of the four strategic plan focus areas.

d. Upcoming Meetings: Executive Director Armstrong confirmed that the next meeting is scheduled to be held February 19 in Las Vegas.

Vice Chair Wallin asked for an update on the salary reclassification study and potential salary increases for Commission staff and Executive Director Armstrong replied that general salary increases were not included in the Governor's State of the State address the preceding night.

Chair Scherer, Vice Chair Wallin and Commissioner Moran provided positive feedback on utilizing SharePoint for materials distribution and jurisdictional determinations. Commissioner Moran thanked Executive Director Armstrong and Commission Counsel Bassett for their assistance with SharePoint accessibility and navigation.

Vice Chair Wallin informed her fellow Commissioners about the state required cybersecurity training she just completed and encouraged them all to complete the training as well.

Commissioner Lowry thanked Executive Director Armstrong for extending the opportunity to attend the COGEL training to his team. She asked a clarifying question about the strategic implementation plan time study and Executive Director Armstrong provided clarification. Commissioner Lowry inquired about the Associate Counsel position vacancy and recruitment progress and Executive Director Armstrong responded that he has a plan to underfill the position and would provide more information at the February meeting.

No action was taken on this Item.

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

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, outlined the recent education and outreach efforts including the recently concluded newly elected officers training and noted upcoming outreach events. They provided details on increased acknowledgment filings, newsletter subscription requests, Nevada Ethics Online Ambassador training development, and the Commission's 50th anniversary this year. OEO Harvey informed the Commission of the public records requests received since the last Commission meeting.

Vice Chair Wallin asked a question regarding potential social media platform changes and OEO Harvey responded. She discussed options for celebrating the Commission's 50th anniversary and suggested the Commission may look into purchasing a commemorative coin for the occasion as previously discussed when the Commission was considering rebranding last year.

No action was taken on this Item.

10. Commissioner Comments.

Vice Chair Wallin stated it is a pleasure to have Brianna Smith newly appointed and welcomed her to the Commission.

Commissioner Smith thanked Vice Chair Wallin, her fellow Commissioners and Commission staff for the warm welcome, and agreed she looked forward to working with everyone and meeting them in person at the next Commission Meeting. She concurred with the comments Commissioners made about SharePoint during the Executive Director's report discussion.

Executive Director Armstrong reminded the Commission that the February meeting will be in Las Vegas and asked that travelers reach out to Executive Assistant Pedroza to coordinate travel for them as soon as they can.

11. Public Comment.

There was no public comment.

12. Adjournment.

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

The meeting was adjourned at 11:56 a.m.

Minutes prepared by:

/s/ Kari Pedroza

Kari Pedroza
Executive Assistant

/s/ Ross Armstrong

Ross Armstrong, Esq.
Executive Director

Minutes approved February 19, 2025:

/s/ Scott Scherer

Scott Scherer, Esq.
Chair

/s/ Kim Wallin

Kim Wallin, CPA, CMA, CFM
Vice Chair

Attachment A

DEVON REESE FAILED TO COMPLY WITH THE TERMS OF HIS DEFERRAL AGREEMENT



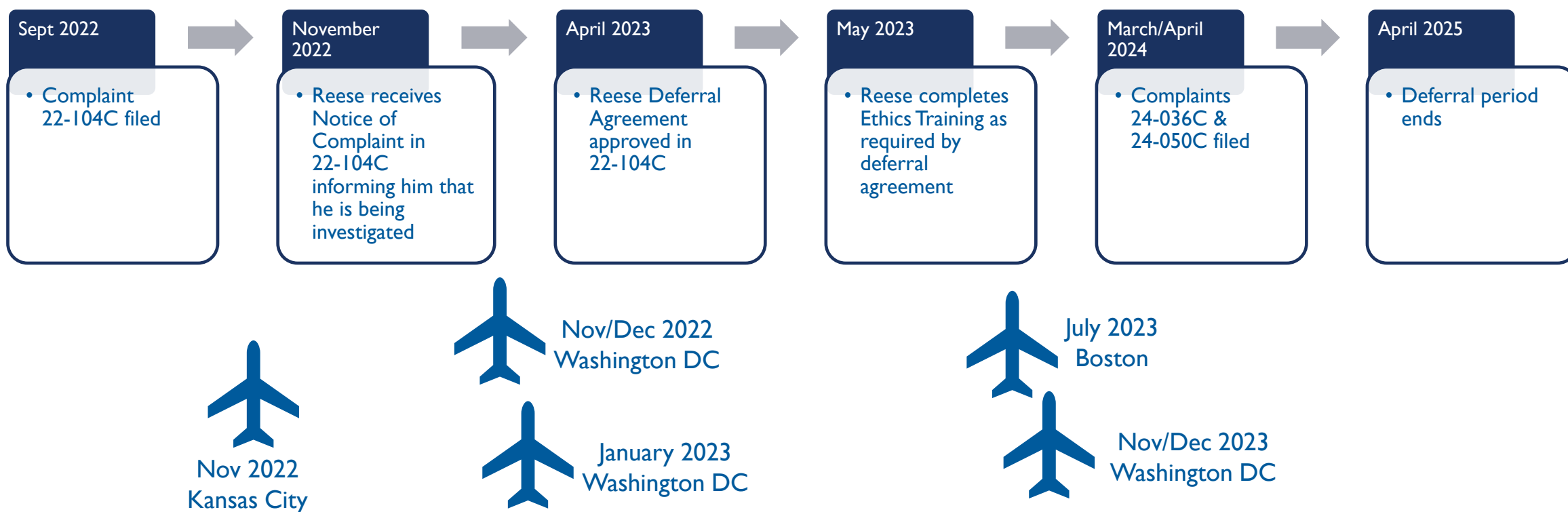
Deferral Agreement - Condition #2

Reese must comply in all material respects with the provisions of the Ethics Law set forth in NRS Chapter 281A during the Deferral Period without being the subject of another ethics complaint arising from an alleged violation of the Ethics Law which occurs during the Deferral Period and for which a Review Panel determines that there is just and sufficient cause for the Commission to determine that Reese violated any Ethics Law.

Elements of a Violation		
Another Ethics Complaint	24-036C / 24-050C	✓
Conduct occurs during deferral period	Deferral began April 2023 Alleged conduct occurred in July & Nov/Dec 2023	✓
Review Panel Determines "just and sufficient cause"	Panel determination on September 18, 2024	✓

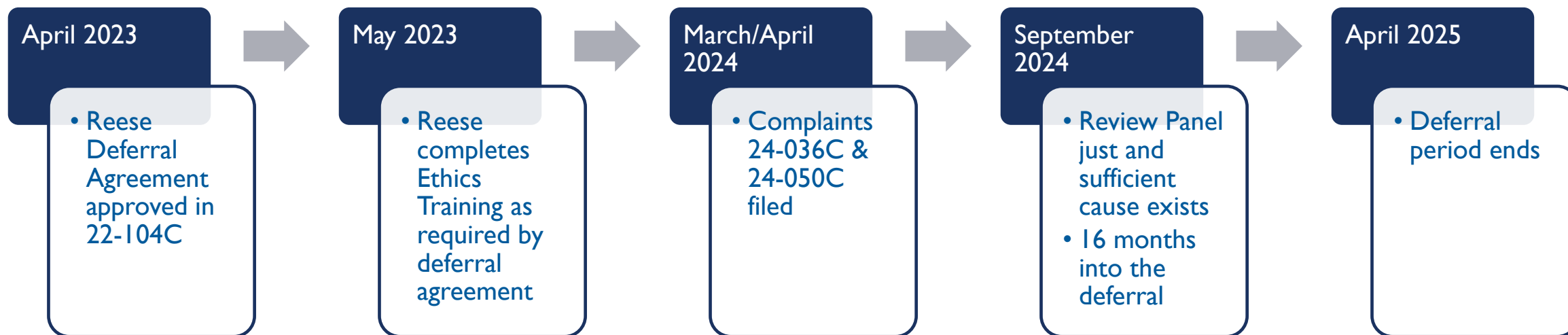


DEVON REESE TIMELINE - OVERVIEW





DEVON REESE TIMELINE – DEFERRAL AND PANEL SPECIFICS



July 2023
Boston



3 months into the deferral agreement

Nov/Dec 2023
Washington DC



5 months into the deferral agreement

**Deferral period
2/3 complete
1/3 remaining**

Attachment B

Case No. 22-104C is not factually or legally comparable to the facts and legal issues in Case Nos. 24-036C and 24-050C.

- Case No. 22-104C involved allegations that Reese inadequately disclosed and failed to abstain under **NRS 281A.420** when he voted to approve a collective bargaining agreement at a City Council meeting.
- Case Nos. 24-036C and 24-050C involve allegations that Reese used City funds to pay for personal expenses under **NRS 281A.400(2)** and influenced a subordinate under **NRS 281A.400(9)**.

The **alleged misconduct** in Case Nos. 24-036C and 24-050C triggers the **alleged violation** of Section B.2 in Case No. 22-104C. *Case Nos. 24-036C and 24-050C have not been adjudicated.*

NRS 281A.770 required that the panel treat comparable situations in a comparable manner and ensure that the disposition of the matter bears a reasonable relationship to the severity of the violation or alleged violation.

Reese has complied—and continues to comply—with the terms and conditions of the Deferral Agreement; specifically:

- Completed ethics training;
- Developed and implemented a NRS 281A.420 conflict checking system approved by the Executive Director; and,
- Regularly submitted City Council meeting minutes involving H&S clients to the Executive Director for monitoring purposes.

If the Deferral Agreement is left undisturbed, its existence can still be admitted at a later date in Case Nos. 24-036C and 24-050C under NRS 281A.775(1)(b) (“[t]he number and history of previous warnings, letters of caution or instruction, deferral agreements or violations or alleged violations of the provisions of this chapter relating to the public officer or employee;”) to determine whether violation(s) in Case Nos. 24-036C or 24-050C are willful and, if so, the appropriate penalty to be imposed.

Reese submits that Case Nos. 24-036C and 24-050C should have no bearing on Case No. 22-104C, and vacating the Deferral Agreement and conducting further proceedings in Case No. 22-104C does not advance the interests of justice.