

NCOE

Agenda Item 3

3/18/26



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

The Commission on Ethics held a public meeting on
Wednesday, January 21, 2026 at 11:00 a.m.
at the following location:

**State Bar of Nevada
9456 Double R Blvd., 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 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 11:00 a.m. Vice Chair Kim Wallin, CPA, CMA, CFM and Commissioner Michael E. Langton, Esq. appeared in person in Reno. Commissioners Teresa Lowry, Esq., John Miller, John T. Moran III, Esq. (joined after roll call), Terry Reynolds, and Brianna Smith Esq., appeared via Zoom video conference. Present for Commission staff in Reno were Executive Director Ross E. Armstrong, Esq., Commission Counsel Elizabeth J. Bassett, Esq., Acting Associate Counsel Curtis Hazlett, Investigator Erron Terry, Senior Legal Researcher Caitlin Pagni, and Executive Assistant Elvira Saldaña. Outreach and Education Officer Sam Harvey appeared via Zoom video conference.

2. Public Comment.

There was no public comment.

3. Approval of Minutes of the November 12, 2025 Commission Meeting.

Chair Scherer asked if there were any questions or comments.

There were no questions or comments.

Commissioner Reynolds moved to approve the November 12, 2025 Commission Meeting Minutes. Commissioner Miller seconded the motion. The motion was put to a vote and carried unanimously.

4. Discussion and possible approval of Order of Dismissal following successful completion of stipulated deferral agreement regarding Kelvin Watson, Comm'n Op. No. 24-027C.

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

Commission Counsel Bassett presented an overview of the Order of Dismissal for Case No. 24-027C. All requirements have been fulfilled by Mr. Watson. Commission Counsel Bassett suggests that the proposed Order of Dismissal be approved by the Commission.

Chair Scherer asked if Mr. Watson's counsel was present.

Scott Abbott confirmed his presence.

Chair Scherer asked if there were any comments Mr. Abbott would like to make.

Mr. Abbott stated he submitted the compliance report to the Commission on Mr. Watson's behalf and agrees with Commission Counsel Bassett that all the terms of the stipulated agreement have been fulfilled.

Chair Scherer asked if Commissioners had any questions or comments.

There were no questions or comments.

Vice Chair Wallin made a motion to approve the Order of Dismissal in Ethics Case No. 24-027C regarding Kelvin Watson. Commissioner Langton seconded the motion. The motion was put to a vote and carried unanimously.

5. Discussion and approval of a Proposed Stipulated Agreement concerning Ethics Complaint No. 25-059C regarding Caroline Sexton, Chief Marketing Officer, Division of Tourism, State of Nevada.

Chair Scherer introduced the item and noted that Commissioners Langton, Miller and himself served on the Review Panel for the matter and are precluded from participating in any further proceedings pursuant to NRS 281A.220, subsection 4. He turned the item over to Vice Chair Wallin to act as presiding officer.

Vice Chair Wallin asked if there were any disclosures.

Executive Director Armstrong stated he has a close personal friend named Cass Munoz. Ms. Munoz and he have almost daily contact, have vacationed together with her and her husband and other friends, and occasionally exchange gifts. He considers the friendship with Ms. Munoz to be "substantially similar" to a relative within the 3rd degree of consanguinity and therefore qualifying as a commitment in a private capacity pursuant to NRS 281A.065(6). During the course of this matter, he learned that Ms. Munoz was paid by the third-party marketing firm for some modeling and social media work related to the Travel Nevada x Deso project. She was not involved with the

contract with the Argosy or the kickoff event, which is central to this matter. She has no financial interest in the outcome of this matter, and the relationship was with Noble Studios and not with Travel Nevada, Deso, or the Argosy. She has no direct or indirect stake in the outcome of this matter therefore, he believes he does not need to abstain from this matter.

Vice Chair Wallin asked the Counsel for the parties to introduce themselves.

Deputy Attorney General Harry Ward appeared via Zoom video conference and stated he represents Ms. Sexton.

Executive Director Armstrong stated he is representing himself.

Vice Chair Wallin asked Executive Director Armstrong for his presentation.

Executive Director Armstrong presented an overview of Ethics Complaint No. 25-059C and the Proposed Stipulated Agreement. Under the terms of the agreement, Ms. Sexton agrees that her conduct constitutes one non-willful violation of NRS 281A.400(10), agrees to pay a \$1207.68 civil penalty, and agrees to complete Ethics Law training within 60 days. All other alleged violations after the Review Panel are agreed to be dismissed.

Vice Chair Wallin asked Commissioners if there were any questions.

There were no questions from Commission members.

Vice Chair Wallin thanked Ms. Sexton for working with staff to resolve the matter in the most efficient manner and Deputy Attorney General Ward for his assistance.

Commissioner Reynolds made a motion to accept the terms of the proposed Stipulated Agreement and direct Commission Counsel to finalize the agreement in the appropriate legal form. Commissioner Lowry seconded the motion. The motion was put to a vote and carried unanimously.

Deputy Attorney General Harry Ward thanked the Commission members.

6. Report by the Executive Director on agency status and operations.

Chair Scherer introduced the item and invited Executive Director Armstrong to provide his report.

Executive Director Armstrong stated a written report was submitted. Executive Director Armstrong reported an AI policy has been adopted. The strategic plan continues to move forward. The Request for Proposal responses for the case management system have been received. The strategic plan will be integrated into any legislative requests for the 2027 Legislative Session. Legislative proposals are due to the Governor's office in March, after the Commission meeting, and will be submitted for consideration. The budget kickoff is scheduled for late February. Review Panels will take place in February and a full Commission meeting in March. An adjudicatory hearing is anticipated in May, and the June meeting will be in Elko.

Chair Scherer noted there will be a Legislative Committee meeting in February.

Commissioner Lowry asked if the AI policy was included in the meeting materials.

Executive Director Armstrong stated it was not; however, he can provide it.

7. Report on Ethics Outreach and Education.

Chair Scherer introduced the item and invited Outreach and Education Officer Harvey to provide their report.

Outreach and Education Officer Harvey reported outreach to Nevada Ethics online users has started. The rural tour has wrapped up and there are scheduled trainings in late January. An overview of the training feedback received was provided, along with information on what has helped boost training compared to previous years. The annual report has been finalized. There will be an upcoming article on the Complaint Process in Senior ResQ Magazine. The next issue of the Ethics newsletter is scheduled to go out later this month. There has been an increase in public records requests this fiscal year.

Vice Chair Wallin asked why more public records requests are being received.

Outreach and Education Officer Harvey responded that it may be due to the types of cases being addressed and the high-profile nature of some of them.

Chair Scherer brought up publishing an article in the Nevada Lawyer Magazine.

Commissioner Smith commented there is a September 20, 2026 ethics issue for the Nevada Lawyer that Chair Scherer mentioned. The article deadline is June 19, 2026.

Report from the Commission's Legislative Committee on progress toward a recommendation for the full Commission and feedback to the Legislative Committee from Commission members on next steps.

Vice Chair Wallin reported the committee met earlier in the day. The committee has agreed on 6 items which include mandatory training for all public officers, unwarranted harm, appearance of impropriety, gifts, cooling off, and confidentiality. Vice Chair Wallin provided an overview of the proposed language for each of the items.

Commissioner Langton asked if the language has been drafted.

Vice Chair Wallin responded that the concepts will be presented to the full Commission. After Commission approval, the Executive Director will submit them to the Governor's Office.

Commissioner Langton asked if Commissioner members who are not on the committee will be able to provide input.

Chair Scherer stated it will be submitted at the March meeting and Commission members will have an opportunity to vote.

Executive Director Armstrong noted that the meeting materials for the January 21, 2026 Legislative Committee meeting include the initial draft language. Commission members will have the proposed language at the March meeting.

Vice Chair Wallin suggested that non-committee members attend the next Legislative Committee meeting if they would like to obtain more details or provide feedback prior to the March full Commission meeting.

Chair Scherer encouraged Commission members to get up to speed on the concepts and provide feedback early in the process. Chair Scherer stated he offered feedback regarding confidentiality during public comment at the committee meeting. He would like to reduce confidentiality and increase transparency for the subject of the complaint, so they have more information about what the accusations against them are without divulging the identity of the requester.

Vice Chair Wallin asked if the subject is provided with a copy of the complaint.

Executive Director Armstrong stated the subject receives a copy of the complaint and all the materials the Commission members receive to make a jurisdictional determination.

Chair Scherer commented in a previous case, Counsel wanted to be able to look at the information that was available and respond appropriately.

Vice Chair Wallin noted that the mandatory training requirement may be the only item the Legislature may have an issue with.

Executive Director Armstrong commented that he met with the Interim Committee Chair recently and hopes any issues will be addressed during the interim.

Chair Scherer stated that the Legislature may object to the 30-day requirement due to them conducting training during orientation in January. Under the Nevada Constitution, Legislators take office as soon as they are elected. They may want a longer timeframe.

8. Commissioner Comments on matters including, without limitation, identification of future agenda items, upcoming meeting dates and meeting procedures

Vice Chair Wallin suggested adding a policy that if a member attends via Zoom, their camera must be on, they must unmute when a vote is taken and they must participate in the meeting.

Chair Scherer requested it to be added to the March meeting agenda.

Commissioner Lowry commented that recently there was a case which involved reviewing a video of a small board meeting. It was difficult to determine who voted.

Regarding Vice Chair Wallin’s suggestion, it will provide clarity of the voting records and the reliability of the meeting minutes.

Commissioner Reynolds stated he concurs with Commissioner Lowry, noting the importance of clearly identifying who is voting and how votes are recorded.

9. Public Comment.

There was no public comment.

10. Adjournment.

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

The meeting adjourned at 11:56 a.m.

Minutes prepared by:

Minutes approved March 18, 2026

/s/ Elvira Saldaña

Elvira Saldaña
Executive Assistant

Scott Scherer, Esq.
Chair

/s/ Ross Armstrong

Ross Armstrong, Esq.
Executive Director

Kim Wallin, CPA, CMA, CFM
Vice Chair

NCOE

Agenda Item 8

3/18/26



Statutory Language Proposals

As Approved by the Ethics Legislative Committee

Mandatory Training

New requirement that all public officers (not public employees) complete Ethics training within 60 days of taking office.

NRS 281A.500

3. Each public officer shall, on or before the 60th day following the date on which they take office, complete an ethics training course covering the requirements of NRS 281A.400 through NRS 281A.550 inclusive.

4. Each public officer shall acknowledge that the public officer:

(a) Has received, read and understands the statutory ethical standards;

(b) Has completed an ethics training course covering the requirements of NRS 281A.400 through NRS 281A.550 inclusive, and

(c) Has a responsibility to inform himself or herself of any amendments to the statutory ethical standards as soon as reasonably practicable after each session of the Legislature.

...

12. Willful refusal to complete ethics training or to execute and file the acknowledgment required by this section shall be deemed to be:

(a) A willful violation of this chapter for the purposes of NRS 281A.785 and 281A.790; and

(b) Nonfeasance in office for the purposes of NRS 283.440 and, if the public officer is removable from office pursuant to NRS 283.440, the Commission may file a complaint in the appropriate court for removal of the public officer pursuant to that section. This paragraph grants an exclusive right to the Commission, and no other person may file a complaint against the public officer pursuant to NRS 283.440 based on any violation of this section.

Former Agency One Year Lobbying

Expands the restriction on lobbying your old agency to place a one-year complete prohibition on lobbying not just issues that were before the body while there.

NRS 281A.410

In addition to the requirements of the code of ethical standards and the other provisions of this chapter:

1. Except as otherwise provided in NRS 678A.360, if a public officer or employee serves in a state agency of the Executive Department or an agency of any county, city or other political subdivision, the public officer or employee:

(a) Shall not accept compensation from any private person to represent or counsel the private person on any issue pending before the agency in which that public officer or employee serves, if the agency makes decisions; and

(b) If the public officer or employee leaves the service of the agency, shall not, for 1 year after leaving the service of the agency, represent or counsel for compensation a private person upon any issue ~~which was under consideration by~~ before the agency ~~during the public officer's or employee's service~~. As used in this paragraph, "issue" includes a case, proceeding, application, contract or determination, but does not include the proposal or consideration of legislative measures or administrative regulations.

Confidentiality Expansion

Adds two categories to confidentiality protections for requesters. First, protects individuals who leave an agency but observed misconduct while at the agency. Second, permissive confidentiality protections for “substantial economic harm.”

281A.750(2)

Except as otherwise provided in subsection 3, if a person who files an ethics complaint asks that his or her identity as the requester be kept confidential, the Commission:

- (a) Shall keep the identity of the requester confidential if he or she is a public officer or employee who works for the same public body, agency or employer as the public officer or employee who is the subject of the ethics complaint **or who worked at the same public body, agency or employer as the public officer or employee at the time of the alleged misconduct.**
- (b) May keep the identity of the requester confidential if he or she offers sufficient facts and circumstances showing a reasonable likelihood that disclosure of his or her identity will subject the requester or a member of his or her household to a bona fide threat of physical force or violence.
- (c) **May keep the identity of the requester confidential if he or she offers sufficient facts and circumstances showing a reasonable likelihood that disclosure of his or her identity would result in substantial economic harm to the requester or his or her household.**

Unwarranted Harm

Add a new violation to NRS 281A.400 that prohibits a public officer or employee from using their position to cause unwarranted harm to an individual.

A public officer or employee shall not use the public officer's or employee's position or power in government to take any actions or compel a subordinate to take any actions that would cause unwarranted harm or damage to another person to benefit a significant personal or pecuniary interests of the public officer or employee or any person to whom the public officer or employee has a commitment in a private capacity. As used in this section "unwarranted" means without justification or adequate reason.

Appearance of Impropriety

Adds a definition of "appearance of impropriety" to clarify the limited use exception to prohibitions on use of government time, property, equipment or other facility.

"Appearance of Impropriety" means a reasonable person would find, based on the given set of facts and circumstances, that a public officer's or public employee's limited use of governmental property, equipment or other facility for personal purpose is inappropriate, disproportionate, excessive, or unreasonable under that given set of facts and circumstance.

Gift Definition and Prohibition Factors

Adding a definition of gift with exceptions to the definition and adding factors for the Commission to consider when evaluating alleged violations of the gift prohibition statute.

For purposes of this chapter “gift” means any payment, conveyance, transfer, distribution, deposit, advance, loan, forbearance, subscription, pledge or rendering of money, services or anything else of value, unless consideration of equal or greater value is received.

For purposes of this chapter “gift” does not mean:

(1) Modest items of food and refreshments, such as soft drinks, coffee, and donuts, offered other than as part of a meal;

(2) Greeting cards and items with little intrinsic value, such as plaques, certificates, and trophies, which are intended primarily for presentation;

(3) Loans from banks and other financial institutions on terms generally available to the public;

(4) Opportunities and benefits, including favorable rates, commercial discounts, and free attendance or participation available to the public or to a class consisting of all Government employees or all uniformed military personnel, whether or not restricted on the basis of geographic considerations;

(5) Rewards and prizes given to competitors in contests or events, including random drawings, open to the public;

NRS 281A.400(1) 1. A public officer or employee shall not seek or accept any gift, service, favor, employment, engagement, emolument or economic opportunity, for the public officer or employee or any person to whom the public officer or employee has a commitment in a private capacity, which would tend improperly to influence a reasonable person in the public officer’s or employee’s position to depart from the faithful and impartial discharge of the public officer’s or employee’s public duties.

(a) When determining if a gift under this section “would tend improperly to influence a reasonable person to depart from the faithful and impartial discharge of the public officer’s or employee’s public duties” the Commission shall consider, without limitation:

- I. Whether or not the giver of the gift is an individual with a substantial interest in the legislative, administrative, or other government action of the public officer or employee.
- II. The value of the gift;

- III. The ability of the public officer or employee to make official decisions regarding the individual or entity providing the gift;
 - IV. Any existing relationship between the giver and public officer or employee not related to their position as a public officer or employee;
 - V. The language used in the seeking of the gift by the public officer or employee or the offering of the gift by the gift giver;
 - VI. Whether or not an event primarily provides educational information clearly related to the public officer's or employee's public duties;
 - VII. If the public officer's or public employee's attendance at an event is clearly for ceremonial purposes;
 - VIII. The extent to which event attendance offered to the public officer or employee is broadly available to the public and media in duration and scope;
- (b) The factors set forth in this section are not exclusive or exhaustive, and the Commission or the review panel, as appropriate, may consider other factors if they bear a reasonable relationship to the determination of a violation.

NCOE

Agenda Item 9

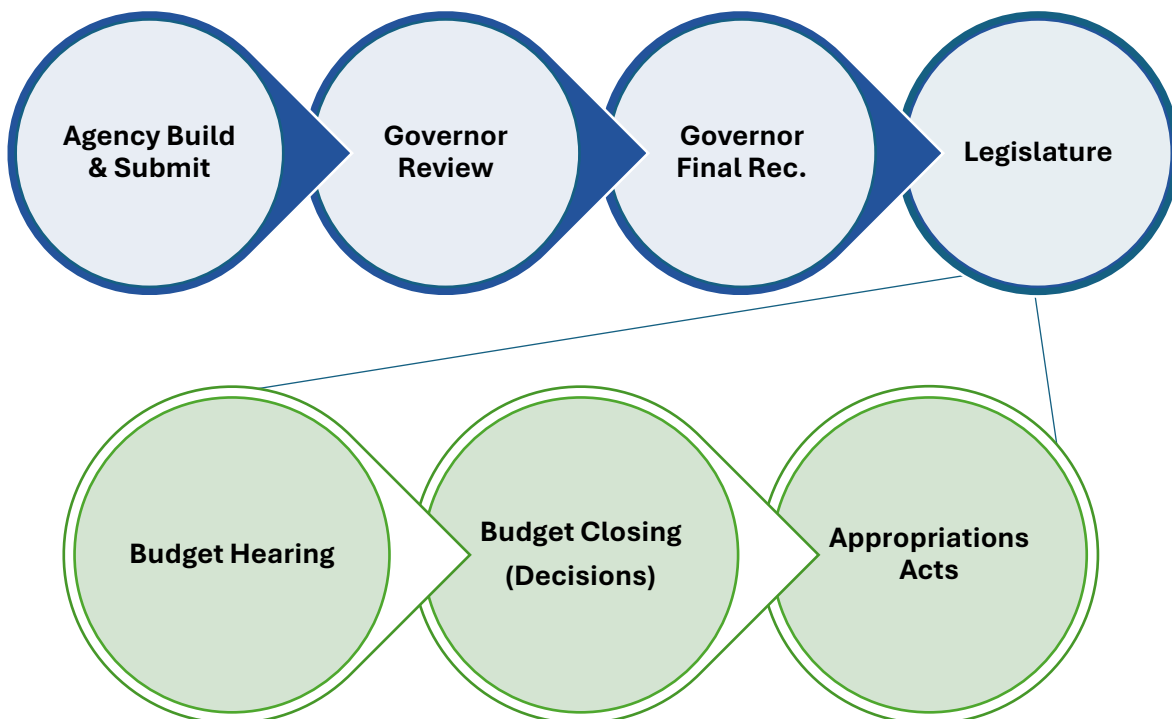
3/18/26



Budget Kickoff Highlights

1. Technology Investment Notifications due – April 1
2. Special forms for leasing services and position requests
3. System lock date – September 1
4. Budget meetings with Governor’s Office September 21-October 2
5. Agency requests become public – October 15

State Budget Process



Proposed Budget Enhancement Priorities

1. Administrative Assistant III (1 FTE) – public records, advisory opinions, contested cases, primary support to Commission Counsel and Outreach and Education Officer.
 - a. 5.1.2 – Develop and grow employee career pathways
 - b. 5.2.1 – Ensure adequate workforce for customer-facing staff
 - c. NCOE Strategic Focus 3 – Sufficient Staffing to Deliver the Mission of the Commission
 - d. NCOE Strategic Focus 4 – Technology and Service Improvements

Justification includes growth in advisory opinion and complaint caseloads, expansion of training and education requests, resources needing proofing, and tracking, allows Senior Legal Researcher to assist with contested cases past panel.

2. Office Relocation
 - a. 5.1.2 – Develop and grow employee career pathways
 - b. 5.1.3 – Ease hiring and promotion processes within state agencies
 - c. NCOE Strategic Focus 3 – Sufficient Staffing to Deliver the Mission of the Commission

Justification includes recruitment and retention, privacy for investigator interviews now that most witness interviews have shifted to virtual meetings, reduced travel expenses to meetings, utilization of newly purchased state buildings.

3. Summer Legal Intern Program (.1 FTE equivalent)
 - a. 1.1.3 – Establishing pathways from Education to Workforce
 - b. 5.1.2 – Develop and grow employee career pathways
 - c. NCOE Strategic Focus 1 – Outreach and Education
 - d. NCOE Strategic Focus 3 – Sufficient Staffing to Deliver the Mission of the Commission

Justification includes workforce development and expanded number of future Nevada attorneys with government ethics experience, temporary boost to workload capacities, and assistance with large projects.

4. General State Employee compensation and benefits
 - a. 5.2.1 – Ensure adequate workforce for customer-facing staff
 - b. NCOE Strategic Focus 3 – Sufficient Staffing to Deliver the Mission of the Commission

NCOE

Agenda Item 11

3/18/26



Executive Director Report – March 2026

Operations Highlights

- Shifts in assignments of Administrative Service Division assigned to the NCOE
- Starting Annual Report process
- Refrigerator replacement complete
- Legislative Committee met and completed their work

Strategic Plan

- Staff holding a strategic meeting on March 19
- Alignment of strategic priorities with budget asks

Budget Update

- Budget Kickoff 2/25
- Payments received in:
 - *In re Kalkoske*, Comm'n Op. No. 24-184C (2025)
 - *In re Bartlett*, Comm'n Op. No. 23-015C (2024)

Recent Review Panel Determinations

- *In re Gardner* (Division of Industrial Relations) 25-157C – referral
- *In re Chisum* 25-160C (Mineral County) – deferral agreement
- *In re Whisler* 25-180C (Lyon County School District) – deferral agreement
- *In re Ford* (Attorney General) 25-181C and 25-216C – referral
- *In re Hanan* (City of Fernley) 25-190C – dismissal

Upcoming Meetings

- May 20 – adjudicatory hearing anticipated / administrative matters
- June 17 - Elko

Submitted: Ross E. Armstrong, Executive Director
Date: 3/11/26

NCOE

Agenda Item 12

3/18/26

Education & Communications Report

March 18, 2026



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.

Recent Trainings (1,051 people trained FY26)

- Jan 27th NV Department of Transportation (17 attendees, in-person)
- Jan 27th UNR Counsel's Office Academy (8 attendees, in-person)
- Jan 28th Boards and Commissions Training (211 attendees, hybrid)
- Feb 4th Governor's Office (3 attendees, in-person)
- Feb 11th Secretary of State Executive Staff (12 attendees, hybrid)
- Feb 11th NV Emergency Preparedness Assoc (29 attendees, in-person)
- Feb 25th University Medical Center Southern NV Board (46 attendees, in-person)

Upcoming Live Trainings * estimated

- April 2nd NV Department of Transportation Division Heads (15 attendees*, in-person)
- April 21st Cannabis Compliance Board (105 attendees*, hybrid)
- May 16th PEPB Board (11 attendees*, in-person)
- May 21st PERS Board (11 attendees*, in-person)
- June 25th State Contractors Board (20 attendees*, in-person)

Training Partnerships

Agreements Finalized to train all members of the agency

- Las Vegas Convention Visitors Authority (pending, agreements finalized 2025)
- Las Vegas Clark County Library District (ongoing since Dec 2024, initiated by compliance)
- Gaming Compliance Staff (ongoing since Sept 2024)
- Clark County (ongoing since 2022)

Established Ethics Liaisons

- Cannabis Compliance (appointed in Feb 2026)
- Office of Nevada Boards, Commissions, and Council Standards (connecting the newly appointed to ethics training and resources since April 2024)



In-Person Outreach

Connected with an estimated 150 attendees at the NV Emergency Preparedness conference on Feb 11th following training in the breakout session by providing resources cards and talking with members of each table during lunch.

Digital Outreach

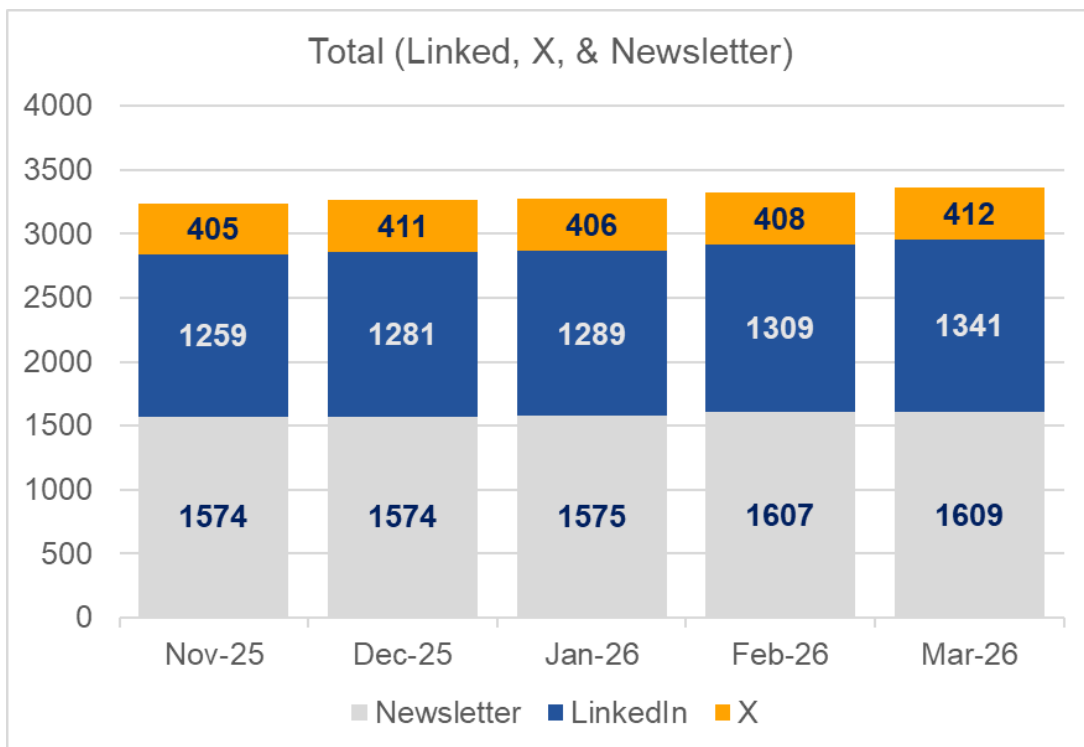
- Commission staff supporting growth of LinkedIn following by inviting their connections to follow the Commission's page.
- Inviting staff associated with agencies who recently received ethics training to connect with and follow the Commission on LinkedIn.
- Connecting with agencies directly to encourage agency-wide ethics promotion.

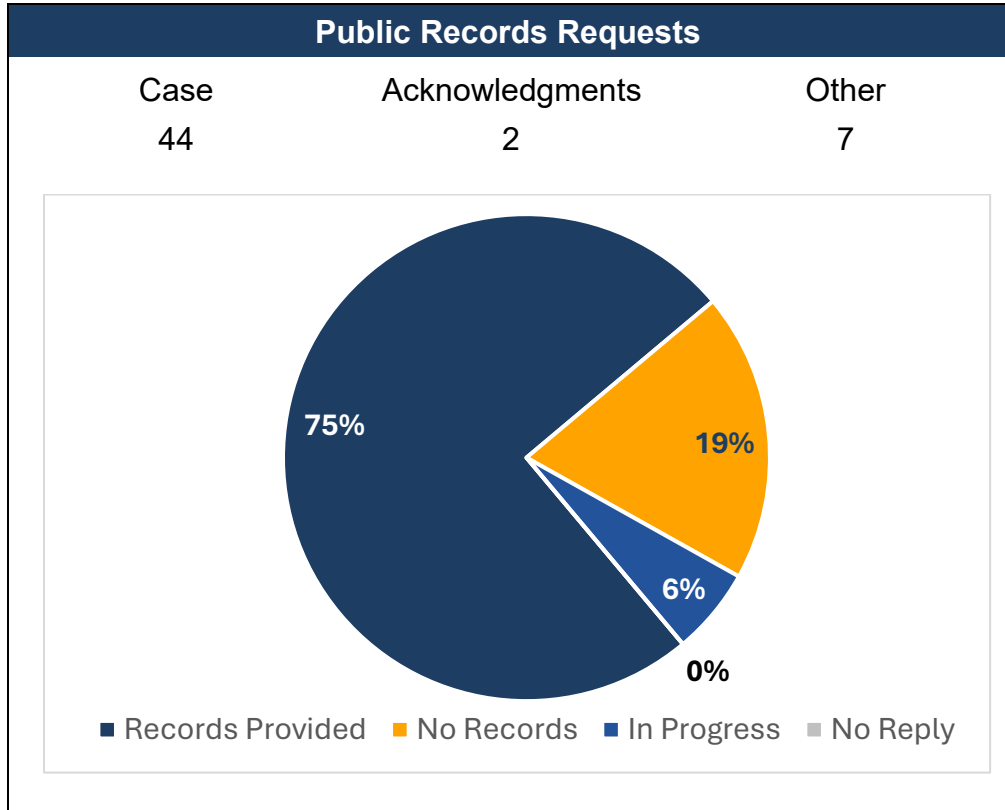
Publications

- Upcoming article on the Complaint Process in Senior ResQ Magazine
- Ethics Link NV Quarterly Newsletter (See prior issues [here](#))



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Information Requests Tallying

Public	Press
206	34

FY26 Running Total: 293

