



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Danielle Milam**, Acting Deputy Director,
Las Vegas-Clark County Library District,
State of Nevada,

Ethics Complaint
Case No. 20-063C

Subject. /

REVIEW PANEL DETERMINATION
NRS 281A.730; NAC 281A.440

The Nevada Commission on Ethics ("Commission") received this Ethics Complaint on September 8, 2020, regarding the alleged conduct of Subject Danielle Milam ("Milam"). On October 26, 2020, the Commission instructed the Executive Director to investigate alleged violations of NRS 281A.400(1), (2) and (10) and 281A.420(1).

Milam is a public employee as defined in NRS 281A.150, and the Commission has jurisdiction over this matter pursuant to NRS 281A.280 because the allegations contained in the Complaint relate to Milam's conduct as a public employee with the Las Vegas-Clark County Library District ("Library District") and have associated implications under the Ethics Law. Specifically, the Complaint alleged that Milam misused her public employment with the Library District to accept private consulting engagements with one of the Library District's contracted vendors.

On January 19, 2021, a Review Panel¹ consisting of Vice-Chair Brian Duffrin (Presiding Officer) and Commissioners Damian R. Sheets, Esq. and Amanda Yen, Esq. were assigned to review the following: (1) Ethics Complaint No 20-063C (2) Order on Jurisdiction and Investigation in Ethics Complaint No. 20-063C; (3) Milam's Response to the Complaint; (4) Investigatory Exhibits; and (5) Executive Director's Recommendation to the Review Panel.²

Under NAC 281A.430, the Review Panel unanimously finds and concludes that the facts establish credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter regarding the alleged violations of NRS 281A.400(1), (2) and (10) and 281A.420(1). Nevertheless, pursuant to NRS 281A.730, the Review Panel reasonably believes that Milam's conduct may be appropriately addressed through corrective action under the terms and conditions of a deferral agreement instead of referring the allegations to the Commission for further proceedings. The Deferral Agreement must confirm Milam's acknowledgement of the following:

¹ Commissioner Sheets was originally assigned to participate in the proceedings of the Review Panel and was excused from the panel hearing due to a scheduling conflict. Pursuant to NAC 281A.177, the remaining two panel members have authority to act upon any pending matters before the Review Panel.

² All materials provided to the Review Panel, except the Ethics Complaint and the Order on Jurisdiction and Investigation, represent portions of the investigatory file and remain confidential pursuant to NRS 281A.750.

- A public admonishment from the Review Panel, defined in NRS 281A.785(2)(a) as "a written expression of disapproval of the conduct of the public officer or employee."
- Compliance with the Ethics Law for a specified period without being the subject of another complaint arising from an alleged violation of the Ethics Law and for which a review panel determines there is just and sufficient cause for the Commission to render an opinion in the matter.
- Milam will attend an ethics training within ninety days from the date the Deferral Agreement is accepted by the Review Panel.
- Milam will promote ethics training for employees of the Library District.
- Milam will consult with the Library District's legal counsel to determine whether a private consulting business relationship with a District vendor is appropriate under the Ethics Law and the Library District's secondary employment and conflict of interest policies and, if so, to prepare a sufficient statement of disclosure regarding such a relationship to the Board, Executive Director and/or the members of the Executive Committee and abstain from participating on any Library District matter that may affect the Subject's private pecuniary interests or the interests of the person to whom she has a private business relationship (commitment in a private capacity).
- The Executive Director's authority to monitor compliance with the Deferral Agreement.
- The Executive Director's submission of a copy of the Deferral Agreement to the Executive Director and Legal Counsel for the Library District.
- Milam will comply with the terms of the Deferral Agreement and acknowledge the consequences associated with noncompliance, including the authority of the Review Panel to refer the Complaint to the Commission for further proceedings, which could include an adjudicatory hearing on the merits.
- Upon satisfactory compliance with the Deferral Agreement, the Complaint will be dismissed.

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Unless an extension of time is authorized or directed by the Commission Counsel on behalf of the Review Panel, the Executive Director and Subject shall provide a proposed Deferral Agreement to the Review Panel through its Commission Counsel on or before March 17, 2021, which deadline may be extended by Commission Counsel for good cause. If the Review Panel does not approve the Deferral Agreement or if the Subject declines to enter into a Deferral Agreement, the Review Panel will issue an order referring this matter to the Commission for further proceedings.

Dated this 19th day of January, 2021.

REVIEW PANEL OF THE NEVADA COMMISSION ON ETHICS

By: /s/ Brian Duffrin
Brian Duffrin
Vice-Chair/Presiding Officer

By: ABSENT
Damian R. Sheets, Esq.
Commissioner

By: /s/ Amanda Yen
Amanda Yen, Esq.
Commissioner

CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted a true and correct copy of the foregoing **REVIEW PANEL DETERMINATION** via U.S. Certified Mail and electronic mail addressed as follows:

Danielle Milam
c/o Mitchell Stipp, Esq.
Law Office of Mitchell Stipp
1180 N. Town Center Drive, Ste 100
Las Vegas, NV 89144

Certified Mail No.: 9171 9690 0935 0037 6400 78

Email: mstipp@stipplaw.com

Dated: 1/19/2021



Employee, Nevada Commission on Ethics