



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Brett Waggoner**, Director of Planning,
Planning Department, Nye County,
State of Nevada,

Ethics Complaint
Case No. 20-023C

Subject. /

REVIEW PANEL DETERMINATION

NRS 281A.730; NAC 281A.440

The Nevada Commission on Ethics ("Commission") received Ethics Complaint No. 20-023C on March 17, 2020, regarding the alleged conduct of Brett Waggoner ("Waggoner"), Director of the Planning Department, Nye County, State of Nevada. On May 4, 2020, the Commission instructed the Executive Director to investigate alleged violations of NRS 281A.400(1), (2), (5) and (7) and NRS 281A.420(1) and (3).

Waggoner 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 involve Waggoner's conduct as a public employee and have associated implications under the Ethics Law.

On January 19, 2022, a Review Panel ("Panel")¹ consisting of Vice-Chair Brian Duffrin (Presiding Officer) and Commissioner Barbara Gruenewald, Esq. considered the following: (1) Ethics Complaint No 20-023C (2) Order on Jurisdiction and Investigation in Ethics Complaint No. 20-023C; (3) Waggoner's Response to the Complaint; and (4) Executive Director's Recommendation to the Review Panel with Summary of Investigatory Findings.²

Under NAC 281A.430, the Review Panel unanimously finds and concludes that the facts do not 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), (5) and (7) and NRS 281A.420(1) and (3).

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¹ A vacancy occurred in the Review Panel given the absence of Commissioner Sheets. Pursuant to NAC 281A.177(2), the remaining members of the Review Panel shall continue to serve and act upon matters.

²All 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.

IT IS HEREBY ORDERED:

The Review Panel dismisses this Complaint for lack of sufficient credible evidence of a violation.

Dated this 19th day of January, 2022.

REVIEW PANEL OF THE NEVADA COMMISSION ON ETHICS

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

By: /s/ Absent
Damian R. Sheets, Esq.
Commissioner

By: /s/ Barbara Gruenewald
Barbara Gruenewald, 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:

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Executive Director
Elizabeth J. Bassett, Esq.
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Dated: 1/20/22



Employee, Nevada Commission on Ethics