



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Danielle Milam**, Planning and
Development Director, Las Vegas-Clark
County Library District, State of Nevada,

Ethics Complaint
Case No. 20-063C

Subject. /

STIPULATED AGREEMENT

1. **PURPOSE:** This Stipulated Agreement resolves Ethics Complaint Case No. 20-063C before the Nevada Commission on Ethics ("Commission") concerning Danielle Milam ("Milam"), Planning and Development Director, Las Vegas-Clark County Library District, Nevada.

2. **JURISDICTION:** At all material times, Milam was a public employee as defined in NRS 281A.150. The Ethics in Government Law ("Ethics Law") set forth in NRS Chapter 281A gives the Commission jurisdiction over elected and appointed public officers and public employees whose conduct is alleged to have violated the provisions of NRS Chapter 281A. See NRS 281A.280. Accordingly, the Commission has jurisdiction over Milam in this matter.

3. **PROCEDURAL HISTORY BEFORE COMMISSION**

- a. On or about September 8, 2020, the Commission received Ethics Complaint No. 20-063C ("Ethics Complaint") from an employee of the District and member of the public, who requested that his/her identity remain confidential ("Requester").¹
- b. On October 26, 2020, the Commission issued its *Order on Jurisdiction* accepting jurisdiction and directing the Commission's Executive Director to investigate Milam's alleged violations of NRS 281A 400(1), (2) and (10) and NRS 281A.420(1).

¹ The identity of the Requester has been kept confidential pursuant to NRS 281A.750.

- c. On or about November 30, 2020, Milam submitted her written response to the Ethics Complaint through her legal counsel, Mitchell Stipp, Esq., to the Commission's Executive Director, disputing the allegations contained in the Ethics Complaint and providing an acknowledgement from Milam's supervisor, Dr. Ronald Heezen, that he was informed of and consented to Milam's private consulting relationship with the District vendor at issue in the Ethics Complaint.
- d. A Panel Determination was issued by a Review Panel of the Commission ("Review Panel") on January 19, 2021, which determined that credible evidence supported just and sufficient cause for the Commission to render an opinion regarding the allegations. Rather than refer the matter to the Commission for further proceedings, the Review Panel provided the Commission's Executive Director and Milam an opportunity to resolve the Ethics Complaint through a Deferral Agreement (as defined in NRS 281A.082).
- e. After good faith efforts, the Commission's Executive Director and Milam failed to enter into a Deferral Agreement which was accepted by the Review Panel. As a result, and with the agreement of Milam, the Review Panel referred the matter to the Commission for further proceedings.
- f. Milam and the Commission now enter into this Stipulated Agreement to resolve the Ethics Complaint.

4. **TERMS / CONCLUSIONS OF LAW**: Milam and the Commission agree as follows:

- a. After further investigation, the allegations that Milam violated NRS 281A 400(1), (2) and (10) and NRS 281A.420(1) are hereby dismissed for lack of evidence to support such violations by a preponderance of the evidence, which standard of proof is set forth in NRS 281A.790(9).
- b. This Stipulated Agreement depends on and applies only to the specific facts, circumstances and law related to the Ethics Complaint now before the Commission. Any facts or circumstances that may come to light after its entry that are in addition to or differ from those contained herein may create a different resolution of this matter.

- c. This Stipulated Agreement is intended to apply to and resolve only this specific proceeding before the Commission and is not intended to be applicable to or create any liability for any other proceeding, including administrative, civil, or criminal, regarding Milam. If the Commission rejects this Stipulated Agreement, none of the provisions herein shall be considered by the Commission or be admissible as evidence in a hearing on the merits in this matter.

5. WAIVER

- a. Milam knowingly and voluntarily waives her right to further proceedings before the Commission on the Ethics Complaint and all rights she may be accorded with regard to this matter pursuant to NRS Chapter 281A, the regulations of the Commission (NAC Chapter 281A), the Nevada Administrative Procedures Act (NRS Chapter 233B) and any other applicable provisions of law, except as these provisions of Nevada law pertain to the enforcement of this Stipulated Agreement.
- b. Milam knowingly and voluntarily waives her right to any judicial review of this matter as provided in NRS 281A, NRS 233B or any other applicable provisions of law, except as these provisions of Nevada law pertain to the enforcement of this Stipulated Agreement.

6. ACCEPTANCE: We, the undersigned parties, have read this Stipulated Agreement, understand each and every provision therein, and agree to be bound thereby. The parties orally agreed to be bound by the terms of this agreement during the regular meeting of the Commission on October 20, 2021.²

DATED this 20th day of October, 2021.

DocuSigned by:
Danielle Milam
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Danielle Milam

The above Stipulated Agreement is approved by:

DATED this 20th day of October, 2021.

FOR DANIELLE MILAM, Subject
DocuSigned by:
Mitchell Stipp
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Mitchell Stipp, Esq.
Counsel for Subject

² Subject waived any right to receive written notice pursuant to NRS 241.033 of the time and place of the Commission's meeting to consider her character, alleged misconduct, professional competence, or physical or mental health.

FOR EXECUTIVE DIRECTOR,
NEVADA COMMISSION ON ETHICS

DATED this 21st day of October, 2021.

/s/ Elizabeth J. Bassett
Elizabeth J. Bassett, Esq.
Associate Counsel

Approved as to form by:

FOR NEVADA COMMISSION ON ETHICS

DATED this 21st day of October, 2021.

/s/ Tracy L. Chase
Tracy L. Chase, Esq.
Commission Counsel

The above Stipulated Agreement is accepted by the Commission.³

DATED: October 21, 2021

By: /s/ Kim Wallin
Kim Wallin, CPA, CMA, CFM
Chair

By: /s/ James Oscarson
James Oscarson
Commissioner

By: /s/ Barbara Gruenewald
Barbara Gruenewald, Esq.
Commissioner

By: /s/ Thoran Towler
Thoran Towler, Esq.
Commissioner

By: /s/ Teresa Lowry
Teresa Lowry, Esq.
Commissioner

³ Vice-Chair Duffrin and Commissioners Sheets and Yen participated in the Review Panel hearing for Ethics Complaint No. 20-063C and are therefore precluded from participating in this Stipulated Agreement pursuant to NRS 281A.220(4).