



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Timothy Hipp**, Commissioner,
Board of County Commissioners,
Esmeralda County, State of Nevada,

Ethics Complaint
Case No. 24-081C

Subject. /

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

The Nevada Commission on Ethics (“Commission”) received this Ethics Complaint (“Ethics Complaint”) on June 3, 2024, from a member of the public alleging violations of NRS Chapter 281A by Subject Timothy Hipp (“Subject”). The Commission issued its Order on Jurisdiction on July 18, 2024, and directed the Executive Director to investigate Subject’s alleged violations of NRS 281A.400(1), 281A.400(2), NRS 281A.400(9), NRS 281A.410, NRS 281A.420(1), and NRS 281A.420(3).

Subject is a public officer as defined in NRS 281A.160, and the Commission has jurisdiction over this matter pursuant to NRS 281A.280 because the allegations contained in the Complaint relate to Subject’s conduct as a public officer and associated implications of the Ethics Law.

On September 17, 2024, a Review Panel consisting of Commissioner Yen¹ (Presiding Officer) and Commissioners Langton and Reynolds considered the following: (1) Ethics Complaint; (2) Order on Jurisdiction; (3) Subject’s Response; and (4) Executive Director’s Recommendation to the Review Panel with Summary of Investigatory Findings and Relevant Evidentiary Exhibits.²

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

¹ Yen is a partner at the law firm of McDonald Carano and the law firm represents Esmeralda County. Pursuant to NRS 281A.065(4) and (5), Commissioner Yen has a commitment in a private capacity to the law firm as her employer and Esmeralda County based upon the law firm’s continuing business relationship with this client. Consequently, the independence of judgment of a reasonable person in Commissioner Yen’s situation could be materially affected in voting upon items related to the Subject. In order to avoid conflicts of interest and any appearance of impropriety and comply with the Ethics Law and Judicial Canons applicable to the Commission, Commissioner Yen is disclosing these relationships and is abstaining from participation in this matter. Since Commissioner Yen’s abstention is required by NRS 281A.420, under NRS 281A.420(5), the required quorum to vote on this matter is reduced from 3 members to 2 members of the Review Panel. Therefore, any vote on this matter requires 2 members for passage

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.

281A.400(1), NRS 281A.400(2), and NRS 281A.400(9) and these allegations are dismissed.

Furthermore, the Review Panel unanimously finds and concludes that although the facts establish credible evidence that Subject failed to strictly comply with the requirements of NRS 281A.410, and NRS 281A.420(1) and (3), the facts and evidence do not support a determination that just and sufficient cause exists for the matter to be referred to the Commission to render an opinion in the matter regarding the alleged violations of NRS 281A.410 and NRS 281A.420(1) and (3).

A Review Panel may issue a Confidential Letter of Caution to “warn a public officer or employee that his or her conduct as alleged in the ethics complaint is sufficient to implicate a violation of chapter 281A of NRS” and the facts and evidence presented in this matter indicate that issuing a Confidential Letter of Caution to Subject is appropriate so that Subject is aware of the requirements for strict compliance with the Ethics Law.

Upon issuance of the Confidential Letter of Caution to Subject, this matter is dismissed.

DATED this 18th day of September, 2024.

REVIEW PANEL OF THE NEVADA COMMISSION ON ETHICS

By: /s/Abstained
Amanda Yen, Esq.
Commissioner (Presiding Officer)

By: /s/Terry J. Reynolds
Terry J. Reynolds
Commissioner

By: /s/Michael E. Langton
Michael E. Langton, Esq.
Commissioner