



STATE OF NEVADA  
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July 16, 2015

**Via First Class Mail**

Beatrice D. Turner  
1300 Ralston Drive  
Las Vegas, Nevada 89106

Re: Open Meeting Law Complaints, A.G. File No. 13897-143 and 13897-144  
Southern Nevada Regional Housing Authority

Dear Ms. Turner:

We received two Open Meeting law complaints you've filed regarding allegations that certain actions taken by the Southern Nevada Regional Housing Authority Board of Directors (Board) were in violation of the OML. Specifically you've alleged that at the Board's meeting on January 28, 2015, Commissioner Dora LeGrande (Commissioner LeGrande) barred the Executive Director John Hill (Director Hill), from attending the agenda item in which the Board was discussing goals and objectives of the Agency. It's alleged this action violated his right to be present in a public meeting. The second complaint alleges that Commissioner LeGrande directed the Executive Director's assistant to omit certain back-up materials from supporting materials for the January 28<sup>th</sup> meeting.

We received and reviewed the agendas and minutes for two meetings – January 28, 2015 and February 19, 2015. We also were provided audio recordings for both meetings and statements from Agency Executive Director John Hill, Commissioners Dora LeGrande, Tim O'Callaghan, and Executive Director's assistant Pamela Reid-McDuel.

The Office of the Attorney General (AGO) has jurisdiction to investigate Open Meeting Law complaints. NRS 241.039. The AGO may sue a public body to void an action, or may sue a person or a public body for injunctive relief in a court of competent jurisdiction to require compliance with the OML. Civil remedies including monetary fines are also authorized by statute. NRS 241.037 and NRS 241.040. The Attorney General

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may issue Findings of Fact and Conclusions of Law following an investigation. NRS 241.0395. We reviewed the complaints, the statements, and the minutes of the meetings.

From our review of statements from Commissioner LeGrande and Director Hill, we conclude that Director Hill was asked to leave the meeting for a portion of the meeting concerning authority's goals and objectives for the Executive Director. He was not barred, but he eventually agreed voluntarily to leave the meeting room. He returned following the Board's lengthy discussion. This was not a violation of the OML, because he left voluntarily.

The second issue as stated in the second complaint No. 13897-144 alleges that certain supporting materials were not included in the Board's packet for the February 19<sup>th</sup> meeting. This fact is disputed among the parties. But the confusion may simply be the result of a misunderstanding. Commissioner LeGrande asserts that the disputed material was included. Pamela Reid-McDuel stated that the document at issue was made available at the meeting. The document, John Hill's 2014-2015 Goals and Objectives, was handed out at the February 19, 2015 meeting.

Despite the confusion, we conclude that no violation occurred because only those materials to be used by the public body for an agenda item must be "made available" to the public even if it was only available at the meeting. NRS 241.020(5). The evidence indicates that the absence of Agency Goals and Objectives is explained by the fact there was no such document and the item was not considered at the meeting.

We don't find a violation of the OML under either complaint. We are closing our file on this matter.

Sincerely,

ADAM PAUL LAXALT  
Attorney General

By:



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Cc: Theodore Parker, Esq.  
Robert Noyes, Chairman  
John Hill, Executive Director