

**Supporting document: Agenda Item 3.c.1
(12.6.10 Task Force meeting)**

Report: Recent OML cases with potential for OML fee/fine

2010 OML cases:

After investigation there were 48 reported dispositions/opns in 2010. Of those 48 cases, 14 public bodies were charged with OML violations; Of those 14 violations, 7 appeared to have had potential for application of a fine based on the facts, and the nature of the violation.

Technical violations may also have some potential for a fine, but generally, the following selected cases focused on ongoing problems and deliberate acts by members of public bodies during public comment, or when the alleged violation occurred where the remedy of civil suit to void the action or suit for injunctive relief was not appropriate.

10-002: Crescent Valley TAB:

Violation of notice requirements: discussion of person's character

5th violation in 8 months.

Warning issued.

10-007; Commission for Reconstruction of V&T R.R.:

Violation of "clear and complete rule"

Magnitude of this violation was somewhat serious and indicated there might have been a deliberate attempt to avoid disclosing substantial cost obligation.

V&T "cured" the violation by agreeing to disclose at the next meeting.

10-012: Fernley City Council:

Violation of public comment:

Mayor forced a member of the public to choose to comment publicly at this meeting or possibly forgo a future agenda item on the same subject.

Warning issued.

10-014: Pershing General Hospital Board of Trustees:

Chair of Bd. Of Trustees deliberately discussed CEO's performance and character despite warning from other Trustees; discussion was outside the agenda item under review and was without notice.

Chair, in exasperation, declared he didn't care about OML.

Warning issued.

10-027: Fernley City Council:

Newly elected councilman distributed fugitive document (it was not included in the clerk's packet for board members) at the meeting during an agenda item: it was related to ongoing budget issues, but it's distribution was a surprise to all in attendance and it strayed from the agenda item.

Warning issued.

10-037: Clark County Board of School Trustees:

President of BST informed public that the Trustees were "legally barred" from discussing issues raised under Public Comment on Non-agenda Items.

Warning issued.

10-044: Lyon County Board of Commissioners (Jail sub-committee).

Multiple violations: the sub-committee failed to post notice/agenda, record meetings, or keep minutes during several months of meetings. (when this came to light the committee was dissolved, partly because of the economy).

District Attorney was cooperative and promptly instituted corrective action.