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**OFFICE OF THE ATTORNEY GENERAL
STATE OF NEVADA**

In the Matter of:
FERNLEY SWIMMING POOL DISTRICT
BOARD OF TRUSTEES.

AG FILE NO.: 13897-177

SETTLEMENT AGREEMENT

This Settlement Agreement is hereby entered into between ADAM P. LAXALT, Attorney General of the State of Nevada (Attorney General), and the FERNLEY SWIMMING POOL DISTRICT BOARD OF TRUSTEES, a political subdivision of the State of Nevada, and Trustees Jann Vann Horne, Paul Murphy, Marty Hanna, Bill Riesen, and Bill Clegg. The Attorney General agrees to forgo prosecution of the individual Trustees for their actions taken on December 28, 2015, and January 5, 2016, in violation of the Nevada Open Meeting Law, Chapter 241 of the Nevada Revised Statutes (the "OML"), in consideration of the promises herein.

The Attorney General and the Fernley Swimming Pool District Board of Trustees, hereby stipulate and agree as follows:

- A. The Attorney General has statutory enforcement powers under the OML and the authority to investigate and prosecute violations of the OML.
- B. The Attorney General may forego prosecution of a violation of the OML, when in his judgment the public interest will be served.
- C. This Settlement Agreement, by and between the Attorney General and the Fernley Swimming Pool District Board of Trustees, arose out of the Trustees' action in meeting, deliberating and taking action as a Board on December 28, 2015, without providing public notice and without an agenda, and the Trustees' subsequent action to ratify the acts of December 28, 2015, at the January 5, 2016, Board meeting, without proper notice and an

1 agenda item.

2 D. Each Trustee acknowledges that his/her attendance, deliberation and vote at the
3 December 28, 2015 meeting was a violation of NRS 241.020 and NRS 241.040.

4 E. Each Trustee acknowledges that his/her vote at the January 5, 2016, meeting to
5 ratify the prior vote that was taken at the December 28, 2015, meeting constituted a second
6 violation of NRS 241.020.

7 F. Each Trustee acknowledges and stipulates to the Attorney General's "Findings
8 of Fact and Conclusions of Law" dated May __, 2016, attached hereto.

9 G. In light of the violations of the OML that occurred, and as a compromise only, the
10 Board of Trustees consents to pay a civil fine of FIVE HUNDRED DOLLARS (\$500.00) for the
11 violations specified in Paragraphs D and E above, pursuant to NRS 241.040. The individual
12 Trustees shall be joint and severally liable for the fine. Payment of the fine is suspended on
13 the condition that neither the Board of Trustees nor any of individual Trustees commit any
14 further violations of the OML for a period of one year from the effective date of this
15 Agreement.

16 Based on the foregoing, the Attorney General finds that forgoing prosecution under
17 NRS 241.040 is in the public's interest, and that this Settlement Agreement is an appropriate
18 compromise.

19 This Settlement Agreement shall become effective upon execution by the parties.

20 STATE OF NEVADA
21 OFFICE OF THE ATTORNEY GENERAL

FERNLEY SWIMMING POOL DISTRICT
BOARD OF TRUSTEES

22 By: _____
23 ADAM PAUL LAXALT
Attorney General

By: _____
CHAIRMAN

24 DATED: _____, 2016

DATED: _____, 2016

25 _____
26 Print Name
27
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