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March 31, 2026

Via U.S. Mail
Peter Scherr



**Re: Open Meeting Law Complaint, OAG File No. 13897-551
Incline Village General Improvement District Board of Trustees**

Dear Mr. Scherr,

The Office of the Attorney General (“OAG”) has reviewed your Complaint (“Complaint”) alleging violations of the Open Meeting Law (“OML”) by the Incline Village General Improvement District Board of Trustees (“Board”) regarding their November 27, 2024, meeting.

The OAG has statutory enforcement powers under the OML and the authority to investigate and prosecute violations of the OML. NRS 241.037; NRS 241.039; NRS 241.040. The OAG’s investigation included a review of the Complaint, the Response on behalf of the Board and the agenda, minutes and video recording for the Board’s November 27, 2024, meeting. After investigating the Complaint, the OAG determines that the Board did not violate the OML as alleged in the Complaint.

FACTUAL BACKGROUND

The Board held a public meeting on November 27, 2024, at 1:45 p.m., in its Boardroom, location at 893 Southwood Boulevard, Incline Village, Nevada, 89451, with simultaneous livestream via the Board’s website. The agenda was properly posted in compliance with OML and included clear instructions for accessing the meeting and submitting public comment. As required under NRS 241.020, public comment was scheduled for each agenda item.

The Board held a public meeting on November 27, 2024, to consider approval of the General Manager’s Employment Contract. The meeting was noticed in advance as a “Special Meeting of the Board of Trustees” and included a publicly posted agenda. The agenda listed Agenda Item E.1. as: “Review, Discuss and Possibly Approve the General Manager’s Employment Contract.”

Prior to the November 27, 2024, meeting, the Board had publicly selected Mr. Kent Walrack (“Mr. Walrack”) as the General Manager during an earlier open meeting on November 13, 2024. The November 27, 2024, meeting was limited to reviewing and approving the employment contract negotiated with Mr. Walrack.

The Complainant filed an OML Complaint on November 27, 2024, asserting the November 27, 2024, meeting notice was improper because it did not identify the meeting as a “special” meeting within the agenda “header” and that Agenda Item E.1. lacked sufficient specificity because it did not expressly name the individual under consideration and because contract modifications were allegedly made during the meeting.

On July 22, 2025, the Board responded and stated the Board maintains a pre-set schedule of meetings, colloquially referred to as “regular” meetings. Meetings held outside the pre-set schedule may be called “special” informally for convenience. The Board further explained that the OML does not distinguish between types of meetings (i.e., regular vs. special), the agenda clearly described the discussion and contract approval, and supplemental materials identifying Mr. Walrack were publicly available. The letter emphasized that the Trustees had previously selected Mr. Walrack, that any contract modifications were made in open view, and that the Complainant received notice, attended, and provided input.

LEGAL ANALYSIS

- 1. The OML Was Not Violated Because All Meetings are Subject to the Same Requirements, Regardless of Label**

Under NRS 241.015(4), a “meeting” is defined as any gathering of a quorum of members of a public body where public business is discussed or acted upon. The

statute contains no distinction between “regular” and “special” meetings, nor does it require a meeting notice to include such labels.

The OML’s purpose is to ensure transparency and public access to decision-making; it does not impose technical requirements regarding the terminology used in notice headings. “Special” does not appear anywhere in the statute in the context of meetings or notice requirements.

IVGID follows a pre-established schedule of meetings, commonly referred to as “regular” meetings, while meetings held outside this schedule may be informally labeled as “special” for convenience. These descriptors are merely colloquial and have no legal significance under the OML. Although the term “special” may create confusion by suggesting that different procedural requirements apply, Nevada law does not require its use or mandate any change in terminology, therefore there was no OML violation.

2. The OML Was Not Violated Because the Agenda Provided Clear and Complete Notice of Agenda Items

NRS 241.020(3)(d) requires that a meeting agenda include “a clear and complete statement of the topics scheduled to be considered.” The Nevada Supreme Court has confirmed that the purpose of agenda specificity is to provide the public with notice of what topics will be discussed, not to mandate disclosure of every detail associated with an agenda item, especially when supplemental materials are made available. *See Sandoval v. Board of Regents*, 119 Nev. 148, 155 (2003).

Agenda Item E.1. stated: “Review, Discuss and Possibly Approve the General Manager’s Employment Contract.” This description clearly informed the public that the Board would be discussing a General Manager employment contract. The agenda’s description accurately reflected the nature of the discussion and allowed the public to participate with full knowledge of the topic.

3. The OML Was Not Violated Because Modifications to the Contract Were Made in Full Public View

4. All actions taken by the Board regarding Agenda Item E.1. occurred in full view of the public, ensuring transparency and compliance with statutory obligations. Accordingly, the Board did not violate

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**the Nevada OML in connection with the November 27, 2024,
meeting.**

CONCLUSION

Upon review of your Complaint and available evidence, the OAG has determined that no violation of the OML has occurred. The OAG will close the file regarding this matter.

Sincerely,
AARON D. FORD
Attorney General

By: /s/ Stephanie Itkin-Goodman
STEPHANIE ITKIN-GOODMAN
Deputy Attorney General

cc: David H. Rigdon, Esq., counsel to Incline Village General Improvement District
Board