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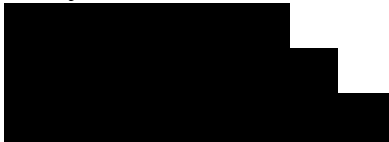
STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

1 State of Nevada Way, Suite 100
Las Vegas, Nevada 89119

August 27, 2026

Via U.S. Mail and Email

Mary Anne Park



Re: Open Meeting Law Complaint, OAG File No. 13897-569

Dear Mrs. Park:

The Office of the Attorney General (“OAG”) is in receipt of your complaint (“Complaint”) alleging violations of the Open Meeting Law (“OML”) by the Douglas County Board of Commissioners (“Board”) regarding communications between Commissioners during its November 20, 2025, 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 of the Complaint included a review of the Complaint, the Response on behalf of the Board, and agenda and recording of the Board’s November 20, 2025, 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 20, 2025. Four Commissioners attended the meeting in person and one attended remotely.

Agenda Item 12.2 related to an eminent domain matter and dispute with Park Ranch Holdings, LLC (“Park Ranch”), the owner of the subject land, that had previously been heard at the Board’s April 17, 2025, meeting. During Item 12.2 of the November 20 meeting, County staff made a presentation to the Board followed by the Board taking a short recess for lunch. Representatives of Park Ranch then made a presentation to the Board, followed by questions and discussion. The Board took another short recess before calling for a public comment period on the issue. After public comment, County staff gave a rebuttal and answered additional questions. The Commissioners then deliberated and voted to approve the item.

The Complaint alleges that during one of the recesses Commissioner Sharla Hales made a phone or video call to Commissioner Wesley Rice, who was participating remotely, to pressure him to vote in favor of the issue as he had voted against it at the Board’s April 17 meeting. The Complaint further alleges that Commissioner Daniel Tarkanian was present in the room, could overhear the conversation, and thus a quorum of Commissioners participated in deliberation outside of the public meeting.

The Board submitted sworn declarations from Commissioners Hales, Rice and Tarkanian as part of its response. Commissioner Hales stated she did not make a call to Commissioner Rice during either recess. Commissioner Rice further stated that he did not speak with Commissioner Hales during either recess, but that he had attempted to call her during the second recess. However, Commissioner Hales did not answer. Commissioner Hales’ call history listed a missed call at the corresponding time. Commissioner Tarkanian stated he did not overhear any calls of Commissioner Hales during the meeting and if he had walked into a room where she was having a conversation, he was not paying attention to what was said and does not recall it occurring.

LEGAL ANALYSIS

The Douglas County Board of Commissioners, as the governing body of a Nevada county, is a public body as defined in NRS 241.015(5) and is subject to the OML.

The OML requires that meetings of public bodies be open and public. NRS 241.020(1); *see also McKay v. Board of Supervisors*, 102 Nev. 644, 651, 730 P.2d 438, 443 (1986) (“the spirit and policy behind NRS chapter 241 favors open meetings.”). A “meeting” of a public body occurs when a quorum of

members of the body gather together, whether in person or by virtual means, to deliberate toward a decision or to take action on a matter within the public body's jurisdiction, control or advisory power. NRS 241.015(4)(a). This includes a series of gatherings at which a quorum is collectively present for the same purpose. *Id.* "Deliberate" means *collectively* to examine, weigh and reflect upon the reasons for or against an action, including the *collective* discussion or exchange of facts preliminary to an ultimate decision. NRS 241.015(3).

The OAG does not possess evidence to conclude that a collective discussion occurred in violation of the OML. First, the evidence indicates that while a call may have been attempted between Commissioners Hales and Rice, such a call did not occur. Second, even if the call had occurred and Commissioner Tarkanian was present in the room, the evidence indicates that he was unaware of the contents of any conversation let alone having participated in it. Commissioners Hales and Rice could have deliberated amongst themselves without violating the OML as they do not alone constitute a quorum triggering OML requirements. NRS 241.015(6). As such, the OAG does not find a violation of the OML.

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/ Rosalie Bordelove
ROSALIE BORDELOVE
Chief Deputy Attorney General

cc: Douglas V. Ritchie, Chief Civil Deputy District Attorney for Douglas County