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September 30, 2026

Via U.S. Mail and Email

Kenneth N. Demick
[REDACTED]
[REDACTED]

Re: Open Meeting Law Complaint, OAG File No. 13897-571

Dear Mr. Demick:

The Office of the Attorney General (“OAG”) is in receipt of your complaint (“Complaint”) alleging violations of the Open Meeting Law (“OML”) by the Northeastern Nevada Officials Association Board of Directors (“Board”). The Complaint alleges that the Board violated the OML by failing to hold public meetings and provide notice to you of a disciplinary hearing it held.

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 documents relating to the Board’s creation and operation. After investigating the Complaint, the OAG determines that the Board is not a public body under the OML and therefore was not required to comply with its requirements.

FACTUAL BACKGROUND

The Northeastern Nevada Officials Association (“NENOA”) is a nonprofit corporation organized under section 501(c)(3) of the Internal Revenue Code. Created in 1993, its purpose is training and organizing qualified officials for high school athletics in Northeastern Nevada, primarily for events sanctioned by the

Nevada Interscholastic Activities Association (“NIAA”). Members of NENOA are all NIAA registered high school sports officials. Board members are selected via election by the membership of NENOA.

NENOA sent a letter to you on October 1, 2025, stating that it had held a disciplinary hearing and suspended you. You were not notified of the disciplinary hearing prior to it occurring, were not permitted to attend and the hearing did not occur during a public meeting.

LEGAL ANALYSIS

The primary issue raised by the Complaint is whether the Board is a public body, and as such, required to comply with the OML. You have alleged that due to NENOA’s association with NIAA, which is governed by a public body under the OML, NENOA is also a public body under the OML.

The legislative intent of the OML is that actions of public bodies “be taken openly, and that their deliberations be conducted openly.” NRS 241.010(1). NRS 241.015(5)(a) defines the term “public body” as including:

Any administrative, advisory, executive or legislative body of the State or a local government consisting of at least two persons which expends or disburses or is supported in whole or in part by tax revenue or which advises or makes recommendations to any entity which expends or disburses or is supported in whole or in part by tax revenue, including, but not limited to, any board, commission, committee, subcommittee or other subsidiary thereof and includes a library foundation as defined in NRS 379.0056 and an educational foundation as defined in subsection 3 of NRS 388.750, if the administrative, advisory, executive or legislative body is created by:

- (1) The Constitution of this State;
- (2) Any statute of this State;
- (3) A city charter and any city ordinance which has been filed or recorded as required by the applicable law;
- (4) The Nevada Administrative Code;
- (5) A resolution or other formal designation by such a body created by a statute of this State or an ordinance of a local government;
- (6) An executive order issued by the Governor; or
- (7) A resolution or an action by the governing body of a political subdivision of this State. . . .

NRS 241.015(5)(d) further includes subcommittees appointed by public bodies as defined in NRS 241.015(5)(a) in the definition of a “public body.” The exceptions provided in the OML “must not be used to circumvent the spirit or the letter of [the] chapter to deliberate or act, outside of an open and public meeting, upon a matter over which the public body has supervision, control, jurisdiction or advisory powers.” NRS 241.016(4).

The NENOA was created by private citizens for the purposes outlined above. The evidence indicates that it is not a governmental entity and while it may receive some public funds in the form of payment for services rendered, it is not “supported by tax revenue” in the sense of a governmental entity. *In re Friends of the Belmont Courthouse*, OMLO 13897-318 at 2-3 (Apr. 25, 2019). Moreover, its Board does not meet any of the creation requirements contained in NRS 241.015(5)(a).

Your Complaint further alleges that the NENOA Board operates as a subcommittee of NIAA and thus is required to comply with the OML. The evidence indicates that the Board’s members are elected by NENOA membership and not chosen by NIAA. The OAG does not possess evidence that NIAA had any role in the creation of the Board as a governing body. As such, the Board does not meet the definition of a subcommittee contained in NRS 241.015(5)(d) and the OAG concludes that the Board is not a “public body” under 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: Katie Howe McConnell, Esq.