



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

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July 19, 2012

Victor Yohey
Storey County Fire Fighters Association
P.O. Box 50373
Sparks, Nevada 89435

Re: Open Meeting Law Complaint / AG File No. 12-010
Storey County Board of Commissioners/ Storey County
Fire Protection District

Dear Mr. Yohey:

The Storey County Fire Fighters Association (Association) alleges that the Storey County Board of Commissioners (BOCC) sitting as the Storey County Fire Protection District (SCFPD, an NRS 474 district) did not provide separate agendas or minutes for the SCFPD meetings.

This complaint alleges a violation of the Open Meeting Law (OML) requirement that written notice of all meetings of public bodies be provided including an agenda of topics to be considered during the meeting. NRS 241.020(2).

This office has jurisdiction to investigate OML complaints and to seek civil remedies, including injunctive relief, to require compliance with the OML, or to prevent violations of the OML. A criminal misdemeanor penalty and a monetary penalty are also authorized relief in any court of competent jurisdiction. NRS 241.037.

SCFPD provided a copy of the agenda and minutes for the April 3, 2012 BOCC meeting, which was the last time the SCFPD had met at the time of the filing of the complaint. Additionally, the Storey County District Attorney submitted a legal review and response to the Association's complaint.

SCFPD does not dispute the allegation that it has not been providing separate notices and agendas for its meetings. Before April 3, 2012, SCFPD business had just been an item to be acted on by the BOCC just like any other item of business.

Victor Yohey, President
Storey County Fire Fighters Association
July 19, 2012
Page 2

The District Attorney reviewed past practice of the Storey County Board of County Commissioners when it considered business of the NRS 474 fire district and concluded that its practice must change. Beginning with the April 3, 2012 meeting, the District Attorney has assured this office that it will continue to separately notice the SCFPD meeting. Furthermore, he stated that the SCFPD corrected their incorrect practice as soon as it was brought to their attention.

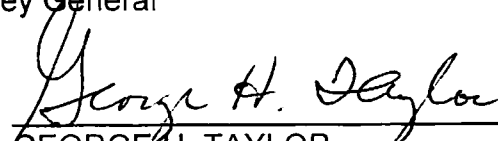
SCFPD has voluntarily corrected its procedure so that notice and agenda will be separate from the rest of the BOCC's meeting.

We are satisfied that SCFPD action has corrected the problem complained of. We are closing our file.

Sincerely,

CATHERINE CORTEZ MASTO
Attorney General

By:



GEORGE H. TAYLOR
Senior Deputy Attorney General
(775) 684-1230

GHT/CG

cc: William A. Maddox, District Attorney
Pat Whitten, Storey County Manager
Storey County Commission:
Bob Kershaw, Chairman
Greg "Burn" Hess, Vice Chairman
Bill Sjovangen, Member