

Open Meeting Law

- Intent of open meeting law that board deliberations and board actions be conducted openly
- Open meeting law is necessary when at least a quorum of a public body is present to deliberate toward a decision or take action on a matter
- Serial communication must not be used to circumvent OML
 - Walking quorum – talking individually or less than quorum, but the series of discussions or gatherings collectively constitutes a quorum
 - Don't deliberate outside of meetings
- Notice
 - Important to inform public of what will be discussed at meeting
- Agenda
 - For possible action
 - Deliberation, decision, motion, vote
 - Discussion only
- Person may make OML complaint to Attorney General
 - AG may void an action
 - Serious violations can be a misdemeanor
 - Not a violation if relying on counsel
- Follow agenda and stay within the scope of the item

Ethics

- Disclose
 - If a member has a conflict of interest, it must be disclosed at the time a matter is called
 - Conflicts include commitments in a private capacity to the interests of others in the matter, pecuniary interest in the matter, receipt of a gift or loan in connection with a matter, etc.
 - Recusal necessary where the independence of judgment of a reasonable person in the public officer's situation would be materially affected by the conflict
- Public Officer **SHALL NOT**:
 - Seek or accept any gift or service that would improperly influence
 - Use position to get unwarranted privileges
 - Negotiate contracts with business entities they have significant pecuniary interests in or which they have commitment in a private capacity
 - Accept payment from private sources for performance of duties
 - Use confidential information to further a pecuniary interest
 - Use governmental property improperly
- 281A.500 requires filing a form with Nevada Ethics Commission