



Government Ethics
and
Accountability

admin@GovernmentEthicsandAccountability.com

P: 480-238-4460

Thursday | May 30, 2024

Attention to the Following:

Matthew Leo Cahoon [SBN Bar #15515]
City Attorney for Ely, Nevada
501 Mill Street | Ely, Nevada 89301
P: 775-289-1543 | 702-217-9164
attorney@cityofelynv.gov

cc/ Patrick Stork
Fire Chief for City of Ely Fire Department
1780 Great Basin Blvd | Ely, Nevada 89301
P: 775-289-6633
F: 775-289-3122

cc/ Maxine Lantz, Victim Advocate at WPCSO
802 Avenue E | Ely, NV 89301
vws@sbcglobal.net
T: 775-289-3410 | 800-372-7202

cc/ Nevada State VWS Oversight:
USANV.VWC@usdoj.gov
LV P: 702-388-6336 | 800-539-8002
Reno P: 775-784-5438 | 800-303-5545

Letter and Public Record Request

**Re: May 30, 2024 Response by City Attorney Leo Cahoon
to May 23, 2024 Public Records Request**

From: Leo Cahoon <attorney@cityofelynv.gov>
To: *Government Ethics and Accountability* ; Pat Stork <firechief@cityofelynv.gov>
Sent: Wednesday, May 29, 2024 at 01:54:22 PM PDT
Subject: Re: Public Records Request to Fire Chief, Pursuant to NRS 239

Mrs. Brown,

[REDACTED] was never an employee of the City of Ely. Rather, he was on with the volunteer fire department. Since he was not an employee of the City of Ely, I cannot provide any of the information you have requested. Please let me know if you have any questions. Thank you.

Best regards,

M. Leo Cahoon, Esq.
Ely City Attorney

501 Mill Street
Ely, Nevada 89301
Office: (775) 289-1543
Mobile: (702) 217-9164
attorney@cityofelynv.gov

City Attorney Leo Cahoon:

Thank you for responding to our May 23, 2024 Public Records Request. I'd just like to correct you on your position regarding this. We copied you yesterday on an email sent to the WPCDA office regarding the investigation into a matter involving this individual, as well as the investigation into what appears to be a collaborated cover-up effort to try sweeping failures of public concern under the rug. Now you understand the reason for our most recent request. I must profess my severe disappointment that it appears even you may not understand the laws surrounding public record requests. I do mean this respectfully Leo but one has to ask, is this just sheer incompetence we are seeing or are you in on this cover-up too? I've worked with you for several years Leo and I can't imagine it'd be either; or at least I certainly wouldn't want to believe it. The records we've requested are in fact subject to NRS 239 irrespective of position title ["employee" vs. "volunteer"] and *The Nevada Public Records Act* [NPR], for TWO reasons:

- (1) During the tenure of aforesaid '*Public Worker*', this volunteer was allowed to make use of and operate property funded by this public. Therefore, any records that are requested for said 'public worker' does in fact fall within the perimeters of public scrutiny laws, including but not limited to, our specific public records request pursuant to NRS 239.
- (2) If a 'Public Worker' receives any compensation through *Public* Funds (which Ely Fire Department Volunteers do), this then becomes a qualifying condition that would make such records subject to Public Record Transparency under Nevada Statute 239 and The Nevada Public Records Act [NPRA]. I've attached an Ely Payroll & Disbursement Excel Worksheet to illustrate that Fire Department "Volunteers" are in fact on the payroll log and do receive compensation (this one is for 2019).

An Ely Fire Department "Public" Volunteer is not exempt from the same Public Record Nevada Statutes under NRS 239 which applies to any other public worker (not just NRS 239, but other public rights to access public information laws that you are probably aware of as a public employee licensed attorney). Our May 23, 2024 Official Public Records Request is indeed a Legitimate Request. You may consider today's public record request an additional addendum to our original 05/23/2024 PRR. [attached]

Thank you,

Leah Brown, Government Ethics and Accountability
admin@GovernmentEthicsandAccountability.com | P: 480-238-4460

May 30, 2024

Attention to the Following:

Matthew Leo Cahoon [SBN Bar #15515]
City Attorney for Ely, Nevada
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P: 775-289-6633
F: 775-289-3122

PUBLIC RECORDS REQUEST

Pursuant to NRS 239

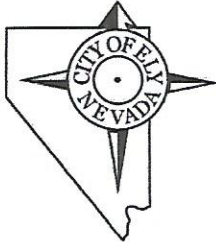
This is a written request to obtain the following Public Records:

- (1) We'd like to obtain the same City Payout Payroll & Public Fund Disbursement Record that we attached in this 05/30/2024 email. To be specific, we'd like to obtain this for the following years: **2020, 2021, 2022, 2023**, and to date (for **2024**). The records we currently have on file for the previous years came in an Excel worksheet format, but whatever format you have on file for these more recent years is acceptable to us.

You may send these public records electronically to the following email address:
admin@GovernmentEthicsandAccountability.com

Thank you,

Leah Brown, Government Ethics and Accountability
admin@GovernmentEthicsandAccountability.com | P: 480-238-4460



CITY OF ELY

501 Mill Street Ely, Nevada 89301
City Hall (775) 289-2430
Cityofelynv.gov

PUBLIC RECORDS REQUEST PURSUANT TO NRS 239

In an effort to serve the public, please provide the following information. In the event the public records you request cannot be immediately located, the City of Ely will contact you.

Name: Leah Brown

- Leah Brown 5/30/2024

Phone Number: 480-238-4460

Email address: Admin@GovernmentEthicsAndAccountability.com

Please **specifically describe** the records you require in the space below. For example: If you wish to review and/or copy certain minutes of the City Council meeting, state the date of the meeting(s). If you wish to review and/or copy any ordinance or resolution or ordinance number, state the approximate date it was passed. If you request audio for a particular meeting, state the date of the meeting; only entire meeting audio will be copied, and no excerpts or edited CDs will be provided. City staff cannot respond to non-specific requests. **MINUTES AND MEETING AUDIO ARE PROVIDED FREE OF CHARGE.**

All pages shall be paid for when received at the rate of \$.50 per page.

All maps, plats or blueprint copies shall be paid at the rate of \$5.00 per page.

Item #1:

Please see the attached 05/30/2024 Public Records Request

Item #2:

Item #3:

Number of pages: _____ X \$0.50 = \$ 0.00

Number of blueprints copies: _____ X \$5.00 = \$ 0.00

Total due: \$ \$ 0.00

Records received by:

Name

Date

City Staff

Date

The City of Ely is an equal opportunity provider and employer.