

**MINUTES
CITY OF FALLON
55 West Williams Ave
Fallon, Nevada
June 18, 2026**

The Honorable City Council met at a special meeting on the above date in the Council Chambers, 55 West Williams Avenue, Fallon, Nevada.

Present:

Mayor Ken Tedford
Councilwoman Kelly Frost
Councilwoman Karla Kent
Chief of Staff Bob Erickson
City Attorney Trent deBraga
Deputy City Attorney Sean Rowe
Deputy City Attorney Jaren Stanton
City Clerk Treasurer Michael O'Neill
Deputy City Clerk Elsie Lee
Public Works Director Brian Byrd
Deputy Public Works Adrian Noriega
Deputy Public Works Marco Guerrero
Deputy Public Works Erik Fain
Captain Jose Perez

The meeting was called to order by Mayor Tedford at 9:00 a.m.

Mayor Tedford led the Pledge of Allegiance.

Mayor Tedford inquired if the agenda had been posted in compliance with NRS requirements.

City Clerk Treasurer Michael O'Neill advised that the agenda was posted in compliance with the NRS requirements.

Mayor Tedford stated that Paul was unable to attend the meeting.

Public Comments

Mayor Tedford inquired if there were any public comments. He noted that comments are to be general in nature, not relative to any agenda items. No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken.

No comments were noted.

Canvass of returns for the City of Fallon Primary Election held June 9, 2026.

City Clerk Treasurer Michael O'Neill stated that on June 11, 2026, Linda Rothery, Churchill County Clerk Treasurer, submitted an affidavit to the City stating 881 voters were listed in precinct 2 when they should have been listed in precinct 1 (Ward 1), and were therefore not given the opportunity to vote in the Fallon City Council Ward 1 contest. The affidavit further stated that, as a result of the issue identified involving the inability of voters to submit ballots for the 2026 Primary City Election, a special election for Fallon City Council Ward 1 was requested.

City Attorney Trent deBraga stated that Nevada Revised Statute chapter 293C requires certain steps to be taken following a primary election. Those steps include the canvassing of returns by the City Council and the Mayor upon receipt of the returns from the Primary Election, at which time, during the canvass, if any clerical issues are discovered, the City Council and Mayor shall note those separately. The returns are provided in your agenda packet and are part of the record. Furthermore, after the canvass is complete, the City Clerk enters an abstract of the results upon the record of the City Council. The abstract prepared by City Clerk Treasurer Michael O'Neill is included with the agenda packet and is before the City Council and part of the record. Along with the City Clerk entering the abstract of the results upon the records of the City Council, the City Council is tasked with entering an Order, causing the City Clerk to certify the abstract. However, based upon the Affidavit submitted by Linda Rothery, Churchill County Clerk/Treasurer and the noted issues contained therein, including Ward I voters not having an opportunity to vote in the Fallon City Council Ward I contest, City staff recommends that the abstract of the results not be certified.

Mayor Tedford inquired if there were any questions or comments from the Council or public.

Councilwoman Kent stated that it sounds like this is a discrepancy between Ward I and Ward II. In the background notes it mentions, at the beginning of the elections, that we had an issue with Lori Norcutt showing as a resident in Ward III. How did Ward III get into the equation?

County Clerk Treasurer Linda Rothery greeted the Council. Upon discovery, we found that there were 881 voters that were not in the Ward I race. At the time it was discovered, we went and requested all of the information and did research. We manually fixed the candidate and reached out to the Secretary of State's office to identify the issue. At that time, we found that there were multiple voters that were incorrect. Then, they updated my street file, and in my election management software to reflect those changes. However, there was a failed process. So, the end result was that my street files were updated but my voter registration files were not. March is when we actually found out where the candidate was not in the right precinct, and that's when our street and address segment of our software was updated. That software update did push over to a bucket within my voter registration database. However, it was missed and it was not updated. Therefore, nothing changed for all 881 voters, at that time. It was later that we had a voter bring it to our attention, that they were in the wrong precinct or Ward. Last week, that was when we dove into it and realized that this was not a completed process, and where the error was. Upon that discovery, I immediately went to the Secretary of State, City of Fallon, and My DA's office. We figured out the error, and we just needed to move on with what our process would be for the next steps. So, moving forward because our software is still evolving, I can guarantee this will never happen again. I will be putting in auditing measures, in place, to see if there are any anomalies with the data within the street files, as well as the voter registration files. I am working closely with the Secretary of State's office in developing auditing reports, so not just me, in Churchill County, but all of the counties within the state, that they have all of these different auditing and processes in place, so it won't happen

to me, or anyone else, again. I think one of the things that occurred, prior to the discovery, was last week, and it was a failed process. Truly, it was in my backyard, and I should have caught this, but I did not. Since this happened, we are just trying to get through it to make sure everything is done effectively, by the law, and the public has been notified. I personally talked to the candidates, on Election Day, to let them know. I have talked to them multiple times with the process, so they were in the loop before anything hit the media. I have done what I think was best for our community, in getting past this. I have been with the County for 25 years and I have conducted elections. This was a personal hit to me because we go above and beyond. We follow the law, we process things, and proof things. Everything is usually so accurate, so, having this missed process was a hard hit. The voters have entrusted me in conducting elections with integrity and transparency and I have always given 200% in making the election process the most accurate and smooth way possible and because of this situation, the only remedy, is to have a special election for the Fallon City Council Ward I race. In doing this, yes, it is an extra process, and I am sorry that we had this occur, but this is the only way we can make it right. We want to ensure that the voters' voices are heard through the election process. This is what makes our democracy. I want to make sure that the candidates have an accurate election. Additionally, I would like to thank Mayor Tedford, City Clerk Treasurer Michael O'Neill, and City legal Counsel. We have worked tirelessly with you in making this process as smooth as it could possibly be. I will answer any questions you may have.

Mayor Tedford stated that as Linda knows, he has always supported her and the elections she has run. These people attack the honesty of what you have done. There is a process where the Legislature gave those elections control to the Secretary of State, and handed a portion of that down to you, as the County Clerk. Although you are falling on your sword, I don't think that is fair because there is a process where the Secretary of the State should have intervened, due to having total control of elections. There is a process here where there should have been a check and balance system. That didn't happen. I don't find you at fault for this. There may have been a mistake. I don't understand, where with this world of technology, why someone would have to manually press a button. There is a button to push at the State too, that pushes these precincts into the correct Wards, in a Ward election. I find the Secretary of State at fault also. There hasn't been anything said about that, only about you, which I think is terribly unfair. So, while you explain this to us, and maybe not to the total degree of what maybe we would understand, which I have been struggling with over the week. We try and understand, and some things I still don't understand. It is not fair to put this all on you. I guess that is the point where I am today. Yes, there needs to be a special election, as soon as someone in Ward I didn't get to vote. I have been a candidate, and you are plotting to that day of election. You have a lot of energy and emotion, and your families do too. Now, you have to have another one. Yes, a lot of harm and hurt has been caused to those candidates. Which is unfair, but fairness is to all the citizens in our County. Especially, this one, in our City. You cannot, in my opinion, and you aren't going to do it today, continually take all the blame. The buck stops here. I have a sign on my desk that says that, so, I get that, that you are in charge of the election. They are done with the Secretary of State's involvement because they have the computer system. There are checks and balances with that computer system. They trained all of you with that computer system, and it is their vote now, where it used to be yours. Prior years, before that computer system started, whenever that was, by Legislative demand, it was your responsibility, but now it is part of the State's. I think the State needs to share in the burden. Your press release didn't say that. Our press release did mention the State in it because we believe they should share in the burden of what happened here. While I except your explanation because you know better than anybody, on how these things work, and what you testified to today, and how you will

answer to what the Council might ask you. I want you to know that it is not all your fault. The State played a part. Don't try to take the whole burden today.

Councilwoman Frost stated she is trying to wrap her head around the numbers. Do you have the figures for how many total registered voters are registered in Ward I?

County Clerk Treasurer Linda Rothery stated that she has that figure somewhere in her paperwork. I must have left that paper on my desk, but it is around 1,300.

City Attorney Trent deBraga stated that we could reference the Election Summary Report. It says on there, for the registered voters, 1,308.

County Clerk Treasurer Linda Rothery stated that number does not include the 881 voters.

Councilwoman Frost stated that it would be 1,308 voters plus the 881 voters.

County Clerk Treasurer Linda Rothery that number does include active and inactive. However, don't quote me on that because I was running numbers yesterday.

Mayor Tedford stated that we don't agree with Linda on some of the numbers because of the total population of the City being 9,300 people. The three Wards have to be evenly split by at least a 5% ratio. Some of these numbers don't jive with us, regarding registered voters, because of the number of voters that nationally register or don't register. I just wanted to tell you that, but don't want to get into that today.

Councilwoman Frost stated that she appreciates Linda coming forward as soon as she found out there was a problem. You came forward, acknowledged it, and started working on a solution. I appreciate your efforts in that. This was a glitch. Historically, you have always done an excellent job, and I have always said that to you, and I appreciate all your efforts. I think if one person is disenfranchised, I think we need to have a new election. I echo the Mayor's comments that you are not the only one to blame for this. Thank you.

Councilwoman Kent stated that it is important to know that we do understand things do happen. I feel sorry for the candidates because running an election campaign is a tough thing to do. This was very unfortunate, but I value you for stepping up and taking ownership and taking steps to correct it. I think another election is the only way to go.

County Clerk Treasurer Linda Rothery stated the precinct numbers are always a moving target because they are constantly getting new registrants that move into the system. I would even be okay entertaining a more defined precinct. I say precinct because that is my world, and it is wrapped around Wards. Precinct I is Ward I, and that way I can get you those numbers. From the extract, it would be different, even now. I have identified that there were truly 881 voters missed, and I have a list of them that I manually updated myself, in the system, to make sure that they are in Ward I. I have gone through the list, verifying it between voter registration and the street file. I requested that the Secretary of the State give me an Audit Report because there is not one available, at this time, in our voter registration system. They provided that to me, showing me the mismatches, which I verified. How it ties into those final numbers, I am not quite sure if the math is correct at this meeting because I wanted to be sure I was pulling the proper information.

Mayor Tedford stated that he thinks this is where people get confused, unless you are the City, who talks strictly in Wards. The candidate that runs for office gets a print-out sheet that has precincts on it, and you have to manually go through it. In the old days, precincts used to be even, and they were even in the wards, so you knew which one was which. When the population changed, it changed the precincts and wards in order to make it work within that 5% NRS requirement. The precinct numbers weren't very clean. We hardly ever talk in precincts, here. That is your whole world, precincts. That can confuse the public, at large, about which precinct they are in. Political parties talk in precincts too, and even have Precinct Captains, but

what Ward does that mean? Often times I think the media even gets mixed up with the precincts and wards. This is a ward election. It doesn't matter what precinct you are in. Even in the first article I read it had precinct/ward, which is confusing in itself. That isn't your fault or ours. It is just how the public thinks.

Mayor Tedford inquired if there were any further questions or comments from the Council or public.

No further comments were noted.

Councilwoman Frost motioned to not certify the abstract of returns for the City of Fallon Primary Election held June 9, 2026, based on the Affidavit received from Linda Rothery, Churchill County Clerk/Treasurer; seconded by Councilwoman Kent and approved with a 2-0 vote by the Council.

Mayor Tedford stated he would like to make a brief statement. As outlined today, the City has received and reviewed the Affidavit of Linda Rothery, Churchill County Clerk/Treasurer, which acknowledges that certain Ward 1 voters were not provided with the opportunity to vote in the Fallon City Council Ward 1 election. Moreover, City Clerk Michael O'Neill has submitted a detailed statement setting forth the apparent cause of this issue based upon the information provided to the City by the Secretary of State's Office and County election officials. Based upon the facts currently before us, it is clear that a special election must be conducted for the Ward 1 Council race to ensure that all eligible voters are afforded their fundamental right to participate in the electoral process. A special election is the immediate remedy available to the City to address the current situation and restore confidence in the outcome. However, this issue extends beyond this election. While the City of Fallon has no direct role in the administration of elections or the operation of the Nevada Secretary of State's election software, the public deserves transparency, accountability, and assurance that the appropriate corrective measures will be taken to prevent this error from reoccurring. Every eligible voter must have confidence that their voice will be heard, not only in this election, but in every election moving forward. Accordingly, as Mayor of the City of Fallon, I urge the Secretary of State's Office to conduct a thorough review of its election software and implement the necessary modifications, safeguards, and testing procedures to ensure that this error does not occur again. I also urge Churchill County to evaluate and strengthen its verification processes so that election systems function as intended and any irregularities are identified and corrected before ballots are issued. The integrity of our elections is essential to public trust. The voters of Ward 1, and all residents of the City of Fallon, deserve a system that is accurate, transparent, and reliable. We remain committed to ensuring that every eligible voter has the opportunity to participate fully in the democratic process.

Consideration and possible action to declare and order a Special Election for Fallon City Council Member Ward 1 to be held on July 21, 2026.

City Attorney Trent deBraga stated that Nevada Revised Statute 293C.710 provides that, "If a city election is prevented in any precinct or district by reason of the loss or destruction of the ballots intended for that precinct or district, or any other cause, the appropriate election officers in that precinct or district shall make an affidavit setting forth that fact and transmit it to the governing body of the appropriate city. Upon receipt of the affidavit and upon the application of any candidate for any city office to be voted for by the registered voters of that precinct or district, the governing body of the city shall order a new election in that precinct or district." Attached to this agenda item is an Affidavit submitted by Linda Rothery, Churchill County Clerk/Treasurer, stating, in part, that 881 voters in Ward 1 were not given the

opportunity to vote in the Fallon City Council Member Ward 1 contest. Furthermore, one of the candidates for Fallon City Council Member Ward 1 submitted an application and request to the City of Fallon requesting a new election. NRS 293C.710 mandates that the governing body of the city shall order a new election upon receipt of an affidavit from the appropriate election officer and upon the application of a candidate. Having received both, it is recommended that the Council set a Special Election for City Council Member Ward 1 to be held on July 21, 2026.

Mayor Tedford inquired if there were any questions or comments from the Council or public.

Councilwoman Frost inquired on the special election date. If the special election is held on July 21st, would that allow appropriate time to ensure the NRS requirements for elections be fulfilled.

County Clerk Treasurer Linda Rothery stated it would. We will start by mailing out ballots. They have to hit mailboxes by July 6th. We are going to offer 2 days of early voting, that is Friday and Saturday prior to election day. We will be following the law to make sure we are accommodating everything. We will be sending out sample ballots prior to mail-in ballots. I have contacted and I am working with all my vendors, so we get this done efficiently and give the voters time to respond with mail-in ballots as well as voting in-person. The in-person voting will occur, even on election day, at the administrative building located at 155 N Taylor St. I will be putting out another press release with this information. I will probably push that out today. We will be notifying all of the voters in Ward I with that information, and why they are getting a sample ballot for a special election, which will include information on how we got to this point.

Councilwoman Frost inquired on the date the sample ballots would be mailed out.

County Clerk Treasurer Linda Rothery stated that it may be at the end of June but probably before the mailing. I do know that by July 6th we will have to have mailed out all of the ballots. Most likely, the week before. We have already built it and did our preparation. We just had to wait for Council to approve this, or not. Our sample ballots would probably go out in a week or so.

Councilwoman Frost stated that it sounds like they would be out by June 30th and the actual mail ballots would go out by July 6th. Early voting would be that Friday and Saturday prior to the election. Would that be the 17th and 18th?

County Clerk Treasurer Linda Rothery confirmed. Friday we are going to mimic what we normally do, so Friday it will be from 8:00 a.m.-6:00 p.m. Saturday it will be from 10:00 a.m.-2:00 p.m., and Election Day would be from 7:00 a.m.-7:00 p.m.

Mayor Tedford inquired about the location of the elections.

County Clerk Treasurer Linda Rothery stated that it would be in the Churchill County Administrative Building.

Councilwoman Frost stated that we will be sure and have signs at the Convention Center notifying people of the election location.

County Clerk Treasurer Linda Rothery stated that they would be getting more information out on their website. All those postings would be great if you could have stuff on your doors and have that information for the voters.

Mayor Tedford stated that if Linda could provide us with that information we could get it on our website as well.

Mayor Tedford inquired if there were any further questions or comments from the Council or public.

No further comments were noted.

Councilwoman Kent motioned to declare and order a Special Election for Fallon City

Council Member Ward 1 to be held on July 21, 2026; seconded by Councilwoman Frost and approved with a 2-0 vote by the Council.

Public Comments

Mayor Tedford inquired if there were any public comments.
No comments were noted.

Council and Staff Reports

Mayor Tedford inquired if there were any Council or staff reports.
No further reports were noted.

Adjournment

There being no further business to come before the Council, Mayor Tedford adjourned the meeting at 9:35 a.m.

Mayor Ken Tedford

Attest: _____
Michael O'Neill, City Clerk-Treasurer