



AGENDA

CITY COUNCIL SPECIAL MEETING

55 West Williams Avenue Fallon, NV

June 18, 2026 at 9:00 AM

The Honorable City Council will meet in a special meeting on June 18, 2026 at 9:00 a.m. in the City Council Chambers, 55 West Williams Avenue, Fallon, Nevada.

Items on the agenda may be taken out of order. The Council may combine two or more agenda items for consideration. The Council may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Unless otherwise allowed by the City Council, public comments by an individual will be limited to three minutes.

1. Pledge of Allegiance to the Flag
2. Certification of Compliance with Posting Requirements
3. Public Comments
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. **(For discussion only)**
4. Canvass of returns for the City of Fallon Primary Election held June 9, 2026. **(For possible action)**
5. 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. **(For possible action)**
6. Public Comments **(For discussion only)**
7. Council and Staff Reports **(For discussion only)**

This agenda has been posted on or before 9:00 a.m. on June 15, 2026 at City Hall, City's website (<https://fallonnevada.gov>) and the State of Nevada public notice website (<https://notice.nv.gov/>).

The supporting material for this meeting is also available to the public on the City's website (<https://fallonnevada.gov>) and the State of Nevada public notice website (<https://notice.nv.gov/>) or by contacting Elsie Lee, Deputy City Clerk, City Clerk's Office, City Hall, 55 West Williams Avenue, Fallon, Nevada, 775-423-5104

/s/ Elsie M. Lee

NOTICE TO PERSONS WITH DISABILITIES: Reasonable effort will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Please call the City Clerk's Office at 775-423-5104 in advance so that arrangements may be conveniently made.



CITY OF FALLON

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: June 12, 2026
 AGENDA DATE: June 18, 2026
 TO: The Honorable City Council
 FROM: Michael O’Neill, City Clerk/Treasurer
 AGENDA ITEM TITLE: Canvass of returns for the City of Fallon Primary Election held June 9, 2026.
(For possible action)

TYPE OF ACTION REQUESTED:

- | | |
|--|--|
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Ordinance |
| <input checked="" type="checkbox"/> Formal Action/Motion | <input type="checkbox"/> Other – Discussion Only |

RECOMMENDED COUNCIL ACTION: Motion to not certify the abstract of returns from the City of Fallon Primary Election held June 9, 2026, based on the affidavit received from Linda Rothery, Churchill County Clerk/Treasurer.

DISCUSSION:

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.

Pursuant to NRS 293C.387(2), after the City Council receives the returns from the Primary Election from all the precincts and districts (wards) in the City, the City Council and the Mayor shall canvass the returns. The canvass must be completed on or before the 10th day following the election.

Pursuant to NRS 293C.387(3), in completing the canvass of the returns, the City Council and the Mayor shall:

- (a) Note separately any clerical errors discovered; and

- (b) Take account of the changes resulting from the discovery, so that the result declared represents the true vote cast.

Pursuant to NRS 293C.387(4), after the canvass is completed, the City Council and Mayor shall declare the result of the canvass. The City Clerk shall enter upon the records of the City Council an abstract of the results pursuant to NRS 293C.387(5).

Pursuant to NRS 293C.387(6), after the City Clerk enters an abstract of the results upon the records of the City Council, the City Council should, by motion, enter an Order causing the City Clerk to:

1. Certify the abstract;
2. Make a copy of the certified abstract;
3. Make a mechanized report of the abstract in compliance with regulations adopted by the Secretary of State;
4. Transmit a copy of the certified abstract and the mechanized report of the abstract to the Secretary of State on or before the 10th day following the election; and
5. Transmit on paper or by electronic means to each public library in the City, or post on a website maintained by the City or the City Clerk on the internet or its successor, if any, a copy of the certified abstract within thirty (30) days after the election.

FISCAL IMPACT:

FUNDING SOURCE:

PREPARED BY: Michael O'Neill, City Clerk/Treasurer

registered voters of that precinct or district, the governing body of the city shall order a new election in that precinct or district."


6. This affidavit is made in accordance with NRS 293C.710 because the election for Fallon City Council Ward 1 involved a number of voters who were unable to vote in the Fallon City Council Ward 1 election. As a result of the issue identified involving the inability of voters to submit ballots for the 2026 Primary Election, I hereby transmit this affidavit to the Fallon City Council requesting City of Fallon to order a special election for Fallon City Council Ward 1 pursuant to NRS 293C.710.

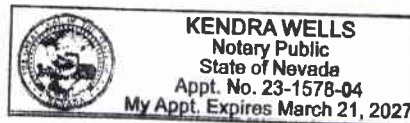
7. Affiant further sayeth naught.

Dated this 11th day of June, 2026.


Linda Rothery
Churchill County Clerk/Treasurer

Subscribed to and sworn before me
this 11th day of June, 2026


Kendra Wells, Deputy



**City of Fallon - Clerk's Office
2026 Ward 1 Primary Election
Background Information**

In 2019, Assembly Bill 50 passed that required, starting with the 2022 election cycle, The City of Fallon (City) to hold both primary and general elections on even-numbered years during the statewide election cycle. The City historically held its elections during odd numbered years.

In 2021, Assembly Bill 422 was passed mandating that the State of Nevada implement a centralized Voter Registration and Election Management Solution (VERMS) designed to replace the current “bottom-up” county-by-county voter registration process.

Prior to the election cycle in 2022, the City amended its ward boundaries for City Council representation in compliance with Nevada Revised Statute 266.095. As the 2022 election was the first election with City races that would be fully administered by County, the City provided updated ward information to the County. A review of the updated ward information was conducted by City and County staff in advance of the 2022 election. No known issues were identified during the 2022 election relating to voter registrations and their City ward assignment.

Beginning with the 2024 election, the County transitioned to the State of Nevada’s VERMS system. No known issues relating to voter registration and ward assignment were noted after the implementation of Total Vote.

In March 2026 during the filing period for the 2026 elections, City staff noted that a candidate, who was filing for City Council Ward 1 candidacy, was incorrectly listed as residing in Ward 3. The City contacted the County Clerk’s office regarding this error. After discussion with County staff, it was noted that during an update to Total Vote an incorrect ward/precinct map was loaded to the sub-system that maintains location data called Total Address. County staff manually updated the candidate in question’s ward and contacted staff at the Secretary of State (SOS). The SOS and County worked together to correct the erroneous map issue in Total Address.

On June 8, 2026, a City resident residing in Ward 1 contacted staff with the County Clerk's office and informed them that their official ballot did not include the race for Ward 1. Thereafter, the individual contacted the City Clerk’s office to inform them of the issue. City staff contacted the County and confirmed that the individual’s voter registration incorrectly showed Ward 3. After additional discussion between the City and County it was noted that the ward map per Total Address was correct, however, a sampling of voter registrations in Total Vote showed incorrect ward information. A virtual meeting was held with SOS, County and City representatives during the afternoon of June 8 to discuss the ramifications of the erroneous ward information. During the meeting it was discovered that a manual process within Total Vote that completes a “force” update of the information, including ward/precinct, in Total Address was not initiated.

June 12, 2026

Statement on City of Fallon Council Election

The City of Fallon is working closely with election officials from the Nevada Secretary of State's Office and Churchill County to address the election issue affecting the Ward 1 City Council race. Although the City has no direct role in the administration of the election process, the City will ensure transparency and the appropriate remedies are taken so that every eligible voter of Ward 1 is able to have their voice heard through the election process. We will share additional information as it becomes available to the City.

City of Fallon

Abstraction of Election Results

June 16, 2026

Prepared By: Michael O'Neill, City Clerk/Treasurer

Votes Cast Reconciliation	Ward 1 Council	Percent Thereof
Election Day Totals	60	19.05%
Early Voting Totals	102	32.38%
Mail-In Totals	153	48.57%
Election Wide Total	315	100.00%
Total Registered Voters	1,308	
Voter Turn Out	24.08%	

Abstract of City Council Ward 1 Race	Election Day	Early Voting	Mail-in	Provisional	Total	%
Doty, Daniel J.	7	4	20	1	32	10.56%
Norcutt, Lori K.	53	35	73	0	161	53.14%
Swirczek, Ryan A.	38	19	53	0	110	36.30%
Total	98	58	146	1	303	100.00%
Undervotes	12					
Overvotes	0					

I, Michael O'Neill, City Clerk/Treasurer, certify that this is a copy of the abstraction of election results held June 9, 2026 and approved by the Fallon City Council on June 18, 2026.

City of Fallon Seal

Michael O'Neill
City Clerk/Treasurer

Date

Election Summary Report

Closed Primary

CHURCHILL COUNTY

June 09, 2026

Summary for: CITY COUNCIL, WARD 1 - NP, CITY OF FALLON: WARD 1, All Tabulators,
Early Vote, Election Day, Mail, Prov-Election Day, Prov-Early Vote

Churchill County Results - City of Fallon

Electors Group	Counting Group	Voters Cast	Registered Voters	Turnout
NONPARTISAN	Early Vote	11	560	1.96%
	Election Day	3		0.54%
	Mail	33		5.89%
	Prov-Election Day	0		0.00%
	Prov-Early Vote	0		0.00%
	Total	47		8.39%
	DEMOCRATIC PARTY	Early Vote		7
Election Day	9	4.86%		
Mail	42	22.70%		
Prov-Election Day	1	0.54%		
Prov-Early Vote	0	0.00%		
Total	59	31.89%		
REPUBLICAN PARTY	Early Vote	83	563	14.74%
	Election Day	48		8.53%
	Mail	78		13.85%
	Prov-Election Day	0		0.00%
	Prov-Early Vote	0		0.00%
	Total	209		37.12%
	Total	Early Vote		101
Election Day		60	4.59%	
Mail		153	11.70%	
Prov-Election Day		1	0.08%	
Prov-Early Vote		0	0.00%	
Total		315	24.08%	

Voters Cast: 315 of 1,308 (24.08%)

CITY COUNCIL, WARD 1 - NP (Vote for 1)

	Early Vote	Election Day	Mail	Prov-Election	Prov-Early Vo	Total	
Times Cast	101	60	153	1	0	315 / 1,308	24.08%
Undervotes	3	2	7	0	0	12	
Overvotes	0	0	0	0	0	0	

Candidate	Party	Early Vote	Election Day	Mail	Prov-Election Day	Prov-Early Vote	Total	
Doty, Daniel J.	NP	7	4	20	1	0	32	10.56%
Norcutt, Lori K.	NP	53	35	73	0	0	161	53.14%
Swirczek, Ryan A.	NP	38	19	53	0	0	110	36.30%
Total Votes		98	58	146	1	0	303	

Item 4.

Item 4.

Statement of Votes Cast

Closed Primary

CHURCHILL COUNTY

June 09, 2026

SOVC for: CITY COUNCIL, WARD 1 - NP, CITY OF FALLON: WARD 1, Early Vote, Election Day, Mail, Prov-Election Day, Prov-Early Vote

2026 PRIMARY ELECTION - CITY OF FALLON

Precinct	Registered Voters	Voters Cast	% Turnout
County			
Churchill County			
01	1,308	315	24.08%
Churchill County - Total	1,308	315	24.08%
County - Total	1,308	315	24.08%

Item 4.

CITY COUNCIL, WARD 1 - NP (Vote for 1) **** - Insufficient Turnout to Protect Voter Privacy

Precinct	Times Cast	Registered Voters	Undervotes	Overvotes
County				
Churchill County				
01	315	1,308	12	0
Churchill County - Total	315	1,308	12	0
County - Total	315	1,308	12	0

Precinct	Doty, Daniel J. (NP)		Norcutt, Lori K. (NP)	
County				
Churchill County				
01	32	10.56%	161	53.14%
Churchill County - Total	32	10.56%	161	53.14%
County - Total	32	10.56%	161	53.14%

Item 4.

Precinct	Swirczek, Ryan A. (NP)		Total Votes
County			
Churchill County			
01	110	36.30%	303
Churchill County - Total	110	36.30%	303
County - Total	110	36.30%	303



CITY OF FALLON

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: June 12, 2026
 AGENDA DATE: June 18, 2026
 TO: The Honorable City Council
 FROM: Trent deBraga, City Attorney
 AGENDA ITEM TITLE: 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.
(For possible action)

TYPE OF ACTION REQUESTED:

- | | |
|--|--|
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Ordinance |
| <input checked="" type="checkbox"/> Formal Action/Motion | <input type="checkbox"/> Other – Discussion Only |

RECOMMENDED COUNCIL ACTION: 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.

DISCUSSION:

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.

PREPARED BY: Trent deBraga, City Attorney

**AFFIDAVIT OF LINDA ROTHERY PURSUANT TO
NRS 293C.710 IN SUPPORT OF REQUEST FOR SPECIAL ELECTION**

STATE OF NEVADA)
) ss.
COUNTY OF CHURCHILL)

I, Linda Rothery, being first duly sworn, upon oath says:

1. That I am the duly elected Churchill County Clerk/Treasurer.

2. I am aware that Churchill County had a Cooperative Agreement with the City of Fallon to handle the City's elections which expired at the end of 2022. However, the County has continued handling their elections since then.

3. On or about June 9, 2026, Churchill County Election Officials identified an issue involving some ballots for the Fallon City Council Ward 1 contest, wherein we found that 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.

4. After consultation with the Nevada Secretary of State and the Fallon City Clerk/Treasurer, I have determined that a Special Election for Fallon City Council Ward 1 contest is necessary.

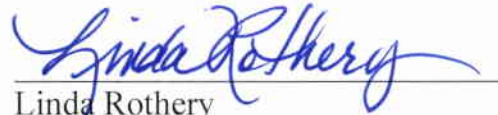
5. NRS 293C.710 states: "NRS 293C.710 Loss or destruction of ballots, or other cause, preventing election in precinct or district; new election. If a city election is prevented in any precinct or district by reason of the loss or destruction of the ballots intended for that precinct or district, or any 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."


6. This affidavit is made in accordance with NRS 293C.710 because the election for Fallon City Council Ward 1 involved a number of voters who were unable to vote in the Fallon City Council Ward 1 election. As a result of the issue identified involving the inability of voters to submit ballots for the 2026 Primary Election, I hereby transmit this affidavit to the Fallon City Council requesting City of Fallon to order a special election for Fallon City Council Ward 1 pursuant to NRS 293C.710.

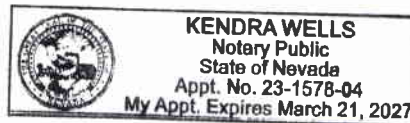
7. Affiant further sayeth naught.

Dated this 11th day of June, 2026.


Linda Rothery
Churchill County Clerk/Treasurer

Subscribed to and sworn before me
this 11th day of June, 2026


Kendra Wells, Deputy



Ryan Swirczek
Candidate for Fallon City Council, Ward 1
1041 Maple Way
Fallon, NV 89406
775-426-9306
Swirczek35@gmail.com

June 12, 2026

Mayor Ken Tedford
Members of the Fallon City Council
City Clerk

Subject: Application and Request for New Election Pursuant to NRS 293C.710 – Fallon City Council Ward 1

Dear Mayor Tedford, Members of the Fallon City Council, and City Clerk:

I am writing as a candidate for Fallon City Council Ward 1 to formally apply for and request a special election pursuant to NRS 293C.710.

According to the public update issued by Churchill County on June 12, 2026, election officials identified a ballot issue affecting the Fallon City Council Ward 1 contest. The County reported that 881 voters were listed in Ward 2 when they should have been listed in Ward 1 and, as a result, were not provided the opportunity to vote in the Fallon City Council Ward 1 election.

The County further stated that it worked closely with the City of Fallon legal counsel and the Churchill County District Attorney's Office to determine the appropriate course of action. The public notice specifically referenced NRS 293C.710, which provides:

"The appropriate election officers in that precinct or district shall make an affidavit setting forth the facts 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."

The County announced that on June 11, 2026, Churchill County Clerk/Treasurer Linda Rothery submitted an affidavit to the City of Fallon pursuant to NRS 293C.710 regarding the Fallon City Council Ward 1 election. The County also announced that the affidavit will be presented to the Fallon City Council during its June 18, 2026 meeting.


As a candidate for the Fallon City Council Ward 1 office affected by this ballot error, I hereby submit my formal application under NRS 293C.710 and respectfully request that the Fallon City Council order a special election as required by the statute.

The disenfranchisement of 881 voters is significant and undermines confidence that the election accurately reflects the will of the voters residing in Ward 1. The purpose of NRS 293C.710 is to provide a remedy in precisely these circumstances when qualified voters were not given the opportunity to vote in a city election contest due to an election error.

I appreciate the efforts of Churchill County election officials to investigate the matter, notify the affected candidates, and provide transparency throughout this process. I likewise appreciate the City Council's attention to this issue and respectfully request that this application be included in the record for the June 18, 2026 meeting and any subsequent proceedings regarding the Ward 1 election.

Thank you for your consideration. Please confirm receipt of this application and include it as part of the official record concerning the Fallon City Council Ward 1 election.

Respectfully submitted,



Ryan Swirczek

Candidate for Fallon City Council, Ward 1