

EXHIBIT "A"

Heidi White

From: Aaron L Katz <s4s@ix.netcom.com>
Sent: Monday, January 8, 2024 9:31 PM
To: Heidi White
Subject: Fwd: Re:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Here's the e-mail from Trustee Noble to you and Mike Bandelin. This would be Exhibit "A."

----- Forwarded Message -----

Subject:Re:

Date:Sat, 9 Dec 2023 17:20:52 +0000

From:Dave Noble <noble_trustee@ivgid.org>

To:Mike L. Bandelin <MLB@ivgid.org>, Heidi White <hhw@ivgid.org>

Thank you Mike and Heidi!

From: Mike L. Bandelin
Sent: Friday, December 8, 2023 8:53:30 PM
To: Mike L. Bandelin; Heidi White
Subject:

Hello Board by (Bcc)-

Informing you that the 12/13/2023 Board of Trustees meeting packet materials have been posted on line as well as the material's assembled and awaiting your pick up at the administration building.

Thanks for your time.

Mike

EXHIBIT "B"

From: s4s@ix.netcom.com
To: [Heidi White](#)
Subject: Exhibit "B" to Written Statement
Date: Monday, January 8, 2024 1:35:28 PM
Attachments: [public.comments.exhibits.doc](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Heidi -

I think this e-mail is Exhibit "B" to my written statement. Please make sure it is preceded by one of my exhibit markers. Those markers are attached to this e-mail.

Thank you, Aaron

-----Forwarded Message-----

From:
Sent: Dec 11, 2023 3:12 PM
To:
Cc: Mike L. Bandelin , Matthew Dent , Ray Tulloch , Michaela Tonking , Dave Noble , Schmitz Sara
Subject: Re: Staff's Failure to Make Available to Members of the Public Who Have Requested, the Dec 13, 2023 IVGID Board Meeting Packet of Materials - Consequence: Cancel and Re-Notice the IVGID Board's Dec 13, 2023 Meeting

Hello Mr. Rudin -

Here's installment three on this subject.

Find below Ms. White's e-mail to me advising that this morning, she would be forwarding me a copy of her bounced December 8, 2023 e-mail advising that the Board packet for the upcoming December 13, 2023 IVGID meeting was available for my pick-up.

So this morning, what did I receive from Ms. White? The answer is NOTHING. Where is the alleged e-mail she claims she sent on December 8, 2023 which did not go through because the District had lost its internet? Could it be that she never sent me such an e-mail? Could it be that there was some other "error?"

While I wait for your response I am sending a copy of this e-mail to the IVGID Board. I want each member to see how its vaunted staff continues to fail to tell the truth. Just the way it has been for fifty (50) or more years. In other words, the more things change the more they remain the same.

Again I ask what do we do with public employees who just can't seem to speak the truth to the public?

Respectfully, Aaron Katz

-----Original Message-----

From: Heidi White
Sent: Dec 9, 2023 11:31 AM
To: s4s@ix.netcom.com , Sara Schmitz
Cc: Mike L. Bandelin , Matthew Dent , Ray Tulloch , Michaela Tonking , Dave Noble
Subject: Re: Staff's Failure to Make Available to Members of the Public Who Have Requested, the Dec 13, 2023 IVGID Board Meeting Packet of Materials - Consequence: Cancel and Re-Notice the IVGID Board's Dec 13, 2023 Meeting

Mr. Katz,

Thank you for your review and diligence,.

I will find the email that I believe was sent on the evening of 12-18-2023, on Monday morning, once I am back in the office.

I am sorry for any inconvenience this may cause you.
It was late last night when I left the office, and much later when I got home.

Have a wonderful weekend.

Respectfully

Heidi White
District Clerk

Get Outlook for Android

From: s4s@ix.netcom.com
Sent: Saturday, December 9, 2023 11:20:34 AM
To: Sara Schmitz
Cc: Mike L. Bandelin ; Matthew Dent ; Tulloch Ray ; White Heidi ; Tonking Michaela ; Noble Dave
Subject: Re: Staff's Failure to Make Available to Members of the Public Who Have Requested, the Dec 13, 2023 IVGID Board Meeting Packet of Materials - Consequence: Cancel and Re-Notice the IVGID Board's Dec 13, 2023 Meeting

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thanks for your staff rah rah Sara -

Demonstrates that you think you know where your bread is buttered.

Unfortunately, your rah rah is unwarranted. It's going on deaf ears.

So here's the point. I WAS NOT NOTIFIED. Not until this morning (see below) more than 12 hours after Board members were notified.

The attached notice Ms. White provides is an 8:53:30 P.M. e-mail from Mike Bandelin to the Board (NOT to me and not to other members of the public who have requested notice) advising that their meeting packets were available. We know the internet was not down at the time and that the e-mail was received by the intended recipients because Trustee Noble later acknowledged receipt. So that representation is untrue.

Moreover, if Ms. White or Mr. Bandelin knew she/he had not provided notice to me because the internet was allegedly down, why didn't she/he follow up later with that notice when the internet was back up? She/he could have sent me a notice anytime thereafter. Through and including this morning before my e-mail to Ms. White and the Board. But she didn't. Why? Because I was not notified. Pure and simple.

And just to put the nail in the coffin, show me the error message Ms. White allegedly received when she attempted to send me notice that the Board packet was available for my pick up. Where is it assuming it exists? I'm sending a copy of this e-mail and this request to Mr. Bandelin and Ms. White. Please provide me with the e-mail! Or admit that representation is untrue.

Bottom line, there was and is an OML violation.

Now live with the consequences. No more water under the bridge. No more acceptance of a lack of competence, and can't we all get along. You fail to comply with the NRS. You pay the consequences. And that means cancel the

meeting, re-noticing it, and then making the 1,100+ page Board packet available to the Board members as well as those members of the public who have requested the same.

It's too bad you don't care that members of the public are not given an adequate period of time to examine massive Board packets like this one. But I do. And you don't care that you allow your staff to assemble 1,100+ page Board packets and then give the Board and the public the most minimal of time to review?

Finally, since you feel the need to instruct me what to do or not do in my communications to the Board, do I have standing to request the same from you? Because if I do, I say how about insisting that your staff hire competent colleagues? Or to train them properly? Or to supervise their actions? Or to implement internal controls? Where is our Director of Admin Services who was so necessary to supervise colleagues such as Ms. White? How about your insisting that staff NOT present Board packets half the size or more than the current one? How about your insisting that staff present Board packets a minimum of seven (7) days prior to a Board meeting? If they did any of this, you wouldn't have to hear from me. So I say to you, how about you trying to understand?

Respectfully, Aaron Katz

-----Original Message-----

From: Sara Schmitz

Sent: Dec 9, 2023 9:42 AM

To: Heidi White , s4s@ix.netcom.com

Cc: Mike L. Bandelin , Matthew Dent , Sara Schmitz

Subject: Re: Staff's Failure to Make Available to Members of the Public Who Have Requested, the Dec 13, 2023 IVGID Board Meeting Packet of Materials - Consequence: Cancel and Re-Notice the IVGID Board's Dec 13, 2023 Meeting

Aaron,

In the future, please refrain from accusations and instead simply state your request. You were notified at the same time the board was.

Seek first to understand,

Sara

Sent from iPhone.

925-858-4384

From: Heidi White

Sent: Saturday, December 9, 2023 9:39:13 AM

To: s4s@ix.netcom.com

Cc: Mike L. Bandelin ; Matthew Dent ; Sara Schmitz ; Michaela Tonking ; Dave Noble ; Ray Tulloch

Subject: RE: Staff's Failure to Make Available to Members of the Public Who Have Requested, the Dec 13, 2023 IVGID Board Meeting Packet of Materials - Consequence: Cancel and Re-Notice the IVGID Board's Dec 13, 2023 Meeting

Good Morning Mr. Katz,

I do apologize that the email did not go out to you last night, as the internet was down once the printing was complete last night at 8:30 p.m. your Agenda packet is ready and available for pickup.

Please see the attached email .

Respectfully,

Heidi H. White

District Clerk

Incline Village General Improvement District

893 Southwood Blvd., Incline Village, NV 89451

Cell: 775-558-9500 hhw@ivgid.org

[\[https://lh4.googleusercontent.com/4oZZCbA3zNbR4_gIjv067kdrClI457NxnXGrommed48vAbJZcmfJoU4-mA2cew-xeDtrhd8DQeWFTaPUDQA7nECs7RN2g3BOyuEq3SDIBaDSGsNn12OQSXdIuJ-Bw_-hZ91TlqXZ\]](https://lh4.googleusercontent.com/4oZZCbA3zNbR4_gIjv067kdrClI457NxnXGrommed48vAbJZcmfJoU4-mA2cew-xeDtrhd8DQeWFTaPUDQA7nECs7RN2g3BOyuEq3SDIBaDSGsNn12OQSXdIuJ-Bw_-hZ91TlqXZ)

Email: hhw@ivgid.org

Office: (775)832-1268

Cell: (775)558-9500

From: s4s@ix.netcom.com

Sent: Saturday, December 9, 2023 8:54 AM

To: Heidi White

Cc: Mike L. Bandelin ; Matthew Dent ; Sara Schmitz ; Michaela Tonking ; Dave Noble ; Ray Tulloch

Subject: Staff's Failure to Make Available to Members of the Public Who Have Requested, the Dec 13, 2023 IVGID Board Meeting Packet of Materials - Consequence: Cancel and Re-Notice the IVGID Board's Dec 13, 2023 Meeting

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Ms. White -

If you had been properly trained for your job, and properly supervised, you would know that NRS 241.020(7) states that "upon any request, a public body shall provide, at no charge, at least one copy of: (a) an agenda for a public meeting...and, (c) any other supporting material provided to the members of the public body for an item on the agenda." You know I have requested notices of Board meeting agendas and Board packets.

NRS 241.020(8) states that "unless it must be made available at an earlier time pursuant to NRS 288.153, a copy of supporting material required to be provided upon request pursuant to paragraph (c) of subsection 7 must be: (a) If the supporting material is provided to the members of the public body before the meeting, made available to the requester at the time the material is provided to the members of the public body."

Have you made the Board packet for this December 13, 2023 meeting available to Board members? If so, where are my Board packet materials? When did you advise me they were available for my pick up? And when did you make them available to Board members for their pick-up?

On December 7, 2023 at 3:35 P.M., as a requester pursuant to NRS 241.020(7)(a), and pursuant to NRS 241.020(8) (a), you provided me with a copy of the agenda for the Board's December 13, 2023 meeting. But you have never provided me with notice that the Board packet for that meeting is available for my pick up. Do your records evidence something else? If so, please provide me with evidence of the same.

If there is no evidence, I am asking that the meeting be cancelled, re-noticed, and I be provided with the Board packet for that re-noticed meeting at the same time those materials are made available to IVGID Board members. For this reason I am sending a copy of this e-mail to our interim GM and IVGID Board members.

Board members. Although I will have more to say about this later, if Ms. White did not provide notice that the required materials were available for my pick-up, at the same time she provided notice to each of you, we have another example of a public employee who either: doesn't know her job; is not competent to perform her job; has not been adequately trained to perform her job; and/or is not being properly supervised to perform her job (what

happened to the Director of Admin Services?).

You people need to understand there is a consequence for non-compliance with the NRS. And here I have asked for the consequence. Hopefully by re-noticing the meeting Ms. White will have learned a valuable lesson. And if you ignore my request, I will be filing an OML complaint which if sustained, you know voids any action you take at that meeting. Is that what you want to happen?

It just goes on and on and on. It doesn't matter what your staff do. At the end of the day, and after one has peeled away the various levels, one gets to the true core of IVGID.

Respectfully, Aaron Katz

EXHIBIT "C"

From: s4s@ix.netcom.com
To: [Heidi White](#)
Subject: Exhibit "C" to my written statement
Date: Monday, January 8, 2024 1:35:37 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Heidi -

I think this e-mail is Exhibit "C" to my written statement. Please make sure it is preceded by one of my exhibit markers. Those markers were previously sent to you.

Thank you, Aaron

-----Forwarded Message-----

From: <s4s@ix.netcom.com>
Sent: Dec 11, 2023 3:12 PM
To: <Sergio.Rudin@bbkllaw.com>
Cc: Mike L. Bandelin <MLB@ivgid.org>, Matthew Dent <dent_trustee@ivgid.org>, Ray Tulloch <tulloch_trustee@ivgid.org>, Michaela Tonking <tonking_trustee@ivgid.org>, Dave Noble <noble_trustee@ivgid.org>, Schmitz Sara <schmitz_trustee@ivgid.org>
Subject: Re: Staff's Failure to Make Available to Members of the Public Who Have Requested, the Dec 13, 2023 IVGID Board Meeting Packet of Materials - Consequence: Cancel and Re-Notice the IVGID Board's Dec 13, 2023 Meeting

Hello Mr. Rudin -

Here's installment three on this subject.

Find below Ms. White's e-mail to me advising that this morning, she would be forwarding me a copy of her bounced December 8, 2023 e-mail advising that the Board packet for the upcoming December 13, 2023 IVGID meeting was available for my pick-up.

So this morning, what did I receive from Ms. White? The answer is NOTHING. Where is the alleged e-mail she claims she sent on December 8, 2023 which did not go through because the District had lost its internet? Could it be that she never sent me such an e-mail? Could it be that there was some other "error?"

While I wait for your response I am sending a copy of this e-mail to the IVGID Board. I want each member to see how its vaunted staff continues to fail to tell the truth. Just the way it has been for fifty (50) or more years. In other words, the more things change the more they remain the same.

Again I ask what do we do with public employees who just can't seem to speak the truth to the public?

Respectfully, Aaron Katz

-----Original Message-----

From: Heidi White
Sent: Dec 9, 2023 11:31 AM
To: s4s@ix.netcom.com , Sara Schmitz
Cc: Mike L. Bandelin , Matthew Dent , Ray Tulloch , Michaela Tonking , Dave Noble
Subject: Re: Staff's Failure to Make Available to Members of the Public Who Have Requested, the Dec 13, 2023 IVGID Board Meeting Packet of Materials - Consequence: Cancel and Re-Notice the IVGID Board's Dec 13, 2023 Meeting

Mr. Katz,

Thank you for your review and diligence,.

I will find the email that I believe was sent on the evening of 12-18-2023, on Monday morning, once I am back in the office.

I am sorry for any inconvenience this may cause you.

It was late last night when I left the office, and much later when I got home.

Have a wonderful weekend.

Respectfully

Heidi White
District Clerk

Get Outlook for Android

From: s4s@ix.netcom.com

Sent: Saturday, December 9, 2023 11:20:34 AM

To: Sara Schmitz

Cc: Mike L. Bandelin ; Matthew Dent ; Tulloch Ray ; White Heidi ; Tonking Michaela ; Noble Dave

Subject: Re: Staff's Failure to Make Available to Members of the Public Who Have Requested, the Dec 13, 2023 IVGID Board Meeting Packet of Materials - Consequence: Cancel and Re-Notice the IVGID Board's Dec 13, 2023 Meeting

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thanks for your staff rah rah Sara -

Demonstrates that you think you know where your bread is buttered.

Unfortunately, your rah rah is unwarranted. It's going on deaf ears.

So here's the point. I WAS NOT NOTIFIED. Not until this morning (see below) more than 12 hours after Board members were notified.

The attached notice Ms. White provides is an 8:53:30 P.M. e-mail from Mike Bandelin to the Board (NOT to me and not to other members of the public who have requested notice) advising that their meeting packets were available. We know the internet was not down at the time and that the e-mail was received by the intended recipients because Trustee Noble later acknowledged receipt. So that representation is untrue.

Moreover, if Ms. White or Mr. Bandelin knew she/he had not provided notice to me because the internet was allegedly down, why didn't she/he follow up later with that notice when the internet was back up? She/he could have sent me a notice anytime thereafter. Through and including this morning before my e-mail to Ms. White and the Board. But she didn't. Why? Because I was not notified. Pure and simple.

And just to put the nail in the coffin, show me the error message Ms. White allegedly received when she attempted to send me notice that the Board packet was available for my pick up. Where is it assuming it exists? I'm sending a copy of this e-mail and this request to Mr. Bandelin and Ms. White. Please provide me with the e-mail! Or admit that representation is untrue.

Bottom line, there was and is an OML violation.

Now live with the consequences. No more water under the bridge. No more acceptance of a lack of competence, and

can't we all get along. You fail to comply with the NRS. You pay the consequences. And that means cancel the meeting, re-noticing it, and then making the 1,100+ page Board packet available to the Board members as well as those members of the public who have requested the same.

It's too bad you don't care that members of the public are not given an adequate period of time to examine massive Board packets like this one. But I do. And you don't care that you allow your staff to assemble 1,100+ page Board packets and then give the Board and the public the most minimal of time to review?

Finally, since you feel the need to instruct me what to do or not do in my communications to the Board, do I have standing to request the same from you? Because if I do, I say how about insisting that your staff hire competent colleagues? Or to train them properly? Or to supervise their actions? Or to implement internal controls? Where is our Director of Admin Services who was so necessary to supervise colleagues such as Ms. White? How about your insisting that staff NOT present Board packets half the size or more than the current one? How about your insisting that staff present Board packets a minimum of seven (7) days prior to a Board meeting? If they did any of this, you wouldn't have to hear from me. So I say to you, how about you trying to understand?

Respectfully, Aaron Katz

-----Original Message-----

From: Sara Schmitz

Sent: Dec 9, 2023 9:42 AM

To: Heidi White , s4s@ix.netcom.com

Cc: Mike L. Bandelin , Matthew Dent , Sara Schmitz

Subject: Re: Staff's Failure to Make Available to Members of the Public Who Have Requested, the Dec 13, 2023 IVGID Board Meeting Packet of Materials - Consequence: Cancel and Re-Notice the IVGID Board's Dec 13, 2023 Meeting

Aaron,

In the future, please refrain from accusations and instead simply state your request. You were notified at the same time the board was.

Seek first to understand,

Sara

Sent from iPhone.

925-858-4384

From: Heidi White

Sent: Saturday, December 9, 2023 9:39:13 AM

To: s4s@ix.netcom.com

Cc: Mike L. Bandelin ; Matthew Dent ; Sara Schmitz ; Michaela Tonking ; Dave Noble ; Ray Tulloch

Subject: RE: Staff's Failure to Make Available to Members of the Public Who Have Requested, the Dec 13, 2023 IVGID Board Meeting Packet of Materials - Consequence: Cancel and Re-Notice the IVGID Board's Dec 13, 2023 Meeting

Good Morning Mr. Katz,

I do apologize that the email did not go out to you last night, as the internet was down once the printing was complete last night at 8:30 p.m. your Agenda packet is ready and available for pickup.

Please see the attached email .

Respectfully,

Heidi H. White

District Clerk

Incline Village General Improvement District

893 Southwood Blvd., Incline Village, NV 89451

Cell: 775-558-9500 hhw@ivgid.org

[\[https://lh4.googleusercontent.com/4oZZCbA3zNbR4_gIjv067kdrClI457NxnXGrommed48vAbJZcmfJoU4-mA2cew-xeDtrhd8DQeWFTaPUDQA7nECs7RN2g3BOyuEq3SDIBaDSGsNn12OQSXdIuJ-Bw_-hZ91TlqXZ\]](https://lh4.googleusercontent.com/4oZZCbA3zNbR4_gIjv067kdrClI457NxnXGrommed48vAbJZcmfJoU4-mA2cew-xeDtrhd8DQeWFTaPUDQA7nECs7RN2g3BOyuEq3SDIBaDSGsNn12OQSXdIuJ-Bw_-hZ91TlqXZ)

Email: hhw@ivgid.org

Office: (775)832-1268

Cell: (775)558-9500

From: s4s@ix.netcom.com

Sent: Saturday, December 9, 2023 8:54 AM

To: Heidi White

Cc: Mike L. Bandelin ; Matthew Dent ; Sara Schmitz ; Michaela Tonking ; Dave Noble ; Ray Tulloch

Subject: Staff's Failure to Make Available to Members of the Public Who Have Requested, the Dec 13, 2023 IVGID Board Meeting Packet of Materials - Consequence: Cancel and Re-Notice the IVGID Board's Dec 13, 2023 Meeting

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Ms. White -

If you had been properly trained for your job, and properly supervised, you would know that NRS 241.020(7) states that "upon any request, a public body shall provide, at no charge, at least one copy of: (a) an agenda for a public meeting...and, (c) any other supporting material provided to the members of the public body for an item on the agenda." You know I have requested notices of Board meeting agendas and Board packets.

NRS 241.020(8) states that "unless it must be made available at an earlier time pursuant to NRS 288.153, a copy of supporting material required to be provided upon request pursuant to paragraph (c) of subsection 7 must be: (a) If the supporting material is provided to the members of the public body before the meeting, made available to the requester at the time the material is provided to the members of the public body."

Have you made the Board packet for this December 13, 2023 meeting available to Board members? If so, where are my Board packet materials? When did you advise me they were available for my pick up? And when did you make them available to Board members for their pick-up?

On December 7, 2023 at 3:35 P.M., as a requester pursuant to NRS 241.020(7)(a), and pursuant to NRS 241.020(8) (a), you provided me with a copy of the agenda for the Board's December 13, 2023 meeting. But you have never provided me with notice that the Board packet for that meeting is available for my pick up. Do your records evidence something else? If so, please provide me with evidence of the same.

If there is no evidence, I am asking that the meeting be cancelled, re-noticed, and I be provided with the Board packet for that re-noticed meeting at the same time those materials are made available to IVGID Board members. For this reason I am sending a copy of this e-mail to our interim GM and IVGID Board members.

Board members. Although I will have more to say about this later, if Ms. White did not provide notice that the required materials were available for my pick-up, at the same time she provided notice to each of you, we have another example of a public employee who either: doesn't know her job; is not competent to perform her job; has not

been adequately trained to perform her job; and/or is not being properly supervised to perform her job (what happened to the Director of Admin Services?).

You people need to understand there is a consequence for non-compliance with the NRS. And here I have asked for the consequence. Hopefully by re-noticing the meeting Ms. White will have learned a valuable lesson. And if you ignore my request, I will be filing an OML complaint which if sustained, you know voids any action you take at that meeting. Is that what you want to happen?

It just goes on and on and on. It doesn't matter what your staff do. At the end of the day, and after one has peeled away the various levels, one gets to the true core of IVGID.

Respectfully, Aaron Katz