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INCLINE VILLAGE
GENERAL IMPROVEMENT DISTRICT
BOARD OF TRUSTEES

TRANSCRIPT OF HEARING
PUBLIC MEETING
Live and Via Zoom

Held at 893 Southwood Boulevard
Incline Village, Nevada

Wednesday, July 26, 2023

24 Reported by: Brandi Ann Vianney Smith
25 Job Number: 999221

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<p>1 A P P E A R A N C E S</p> <p>2</p> <p>3 BOARD MEMBERS PRESENT</p> <p>4 MATTHEW DENT, CHAIR</p> <p>5 SARA SCHMITZ, VICE CHAIR</p> <p>6 DAVE NOBLE, SECRETARY</p> <p>7 RAY TULLOCH, TREASURER</p> <p>8</p> <p>9 ALSO PRESENT</p> <p>10 ANNE BRANHAM, LEGAL COUNSEL</p> <p>11</p> <p>12 -o0o-</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1</p> <p>2 I N D E X</p> <p>3 PAGE</p> <p>4 A. CLOSED SESSION 4</p> <p>5 B. PLEDGE OF ALLEGIANCE 5</p> <p>6 C. ROLL CALL OF TRUSTEES 5</p> <p>7 D. INITIAL PUBLIC COMMENTS 6</p> <p>8 E. APPROVAL OF AGENDA 45</p> <p>9 F. REPORTS TO THE BOARD 46</p> <p>F 1 46</p> <p>10 F 2 67</p> <p>F 3 70</p> <p>11 F 4 77</p> <p>12 G. CONSENT CALENDAR 104</p> <p>13 H. GENERAL BUSINESS 105</p> <p>G 1 105</p> <p>14 G 3 136</p> <p>G 4 120</p> <p>15 G 5 145</p> <p>G 6 134</p> <p>16</p> <p>I. REDACTIONS FOR PENDING PUBLIC 175</p> <p>17 RECORDS REQUESTS</p> <p>18 J. LONG RANGE CALENDAR 175</p> <p>19 K. BOARD OF TRUSTEES UPDATE 181</p> <p>20 L. FINAL PUBLIC COMMENTS 182</p> <p>21 M. ADJOURNMENT 195</p> <p>22 -o0o-</p> <p>23</p> <p>24</p> <p>25</p>
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<p>1 INCLINE VILLAGE, NEVADA - July 26, 2023 - 6:00 P.M.</p> <p>2 -o0o-</p> <p>3</p> <p>4</p> <p>5 (Chairman Dent called the meeting to</p> <p>6 order at 6 p.m.)</p> <p>7 (Trustee Tonking made a motion to</p> <p>8 enter closed session. Trustee Schmitz</p> <p>9 seconded the motion. Chairman Dent</p> <p>10 called the question and the motion was</p> <p>11 passed 4 in favor with one absent. The</p> <p>12 Board then adjourned to closed</p> <p>13 session.)</p> <p>14 (This happened at approximately 6:02</p> <p>15 p.m.)</p> <p>16 A. CLOSED SESSION.</p> <p>17 (Closed session.)</p> <p>18 CHAIR DENT: We appreciate your patience.</p> <p>19 We tried to get out of there as quick as we could.</p> <p>20 I'll entertain a motion to close the closed session.</p> <p>21 TRUSTEE TONKING: I move that the Board of</p> <p>22 Trustees close the closed session.</p> <p>23 TRUSTEE NOBLE: Second.</p> <p>24 CHAIR DENT: Motion's been made and</p> <p>25 seconded. All those in favor, state aye.</p>	<p>1 TRUSTEE TONKING: Aye.</p> <p>2 TRUSTEE TULLOCH: Aye.</p> <p>3 TRUSTEE NOBLE: Aye.</p> <p>4 TRUSTEE SCHMITZ: Aye.</p> <p>5 CHAIR DENT: Aye.</p> <p>6 Opposed? Motion passes 5/0. Moving on to</p> <p>7 item B, Pledge of Allegiance.</p> <p>8 B. PLEDGE OF ALLEGIANCE</p> <p>9 (Pledge of Allegiance.)</p> <p>10 CHAIR DENT: Thank you. Moving on to item</p> <p>11 C, roll call of Trustees.</p> <p>12 C. ROLL CALL OF TRUSTEES</p> <p>13 CHAIR DENT: Trustee Noble?</p> <p>14 TRUSTEE NOBLE: Here.</p> <p>15 CHAIR DENT: Trustee Tulloch.</p> <p>16 TRUSTEE TULLOCH: Present.</p> <p>17 CHAIR DENT: Trustee Schmitz?</p> <p>18 TRUSTEE SCHMITZ: Here.</p> <p>19 CHAIR DENT: Trustee Tonking?</p> <p>20 TRUSTEE TONKING: Here.</p> <p>21 CHAIR DENT: And I'm Trustee Dent. All</p> <p>22 five Trustees are present, and we have a quorum.</p> <p>23 That closes out item C. Moving on to Item</p> <p>24 D, initial public comments.</p> <p>25 D. INITIAL PUBLIC COMMENTS.</p>

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1 MS. SHACKFORD: Kay Shackford, Donna
 2 Drive.
 3 At the July 12th Board meeting, Brand
 4 Underwood, Director of Public Works, brought Kendra
 5 Kostelecky, Waste Management's Northern Nevada
 6 contract manager to make a status report to the
 7 Board. One relatively innocuous item was whether
 8 IVGID might want to increase the number of weeks in
 9 which Waste Management would pick up stickered bags
 10 of yard debris.
 11 I watched Trustee Tulloch verbally attack
 12 Kendra over that item endlessly. He seemed
 13 delighting with his performance.
 14 After listening to multiple minutes of his
 15 abuse, I said to a woman, "He reminds me of a rabid
 16 Pit Bull," then I realized I had seen this behavior
 17 before. It's called "hard positional negotiation."
 18 The Harvard project on negotiation identified the
 19 elements: Participants are adversaries, the goal is
 20 winning, demand concessions to continue the
 21 relationship, be hard on the people and the problem,
 22 distrust others, make threats, demand one-sided
 23 gains, search for the single answer, the one I can
 24 accept, insist on my position, and apply pressure.
 25 In a closed system, such Russia or North

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1 their place, if they have a brain in their heads,
 2 will steer clear. What kind of idiot would choose
 3 to enter such a toxic, hostile work environment.
 4 Roger Fisher, Professor Emeritus and
 5 founder of the Harvard Project on Negotiation has
 6 this piece of advice for us: Be hard on the data,
 7 the facts and unconditionally constructive with the
 8 people, doing only those things good for you and
 9 good for the relationship, whether or not they
 10 reciprocate.
 11 I am watching Ray Tulloch destroy
 12 relationships with our suppliers and inside IVGID.
 13 I call upon to other Board members to rein him in.
 14 CHAIR DENT: We're going to take a three-
 15 to four-minute break while we fix the sound system.
 16 (Recess 6:22 P.M. to 8:24 P.M.)
 17 CHAIR DENT: First up is Kendra
 18 Kostelecky.
 19 MS. KOSTELECKY: All right. I'm Kendra
 20 Kostelecky. Waste Management, 1076 Tahoe Boulevard.
 21 At the July 12th Board meeting, I agreed
 22 to provide a full explanation of the guardrails in
 23 section 11 of the Solid Franchise Agreement
 24 governing any annual adjustment of rate,
 25 specifically the 15 percent cap on return on

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1 Korea or in a semiclosed system when the other party
 2 needs your business, this can seem to succeed.
 3 However, when you treat people this way, you
 4 guarantee they will only work to the minimal letter
 5 of the contract. Every wise business person knows
 6 that when your suppliers trust and respect you, they
 7 have many ways they can help that are not spelled
 8 out contractually. When you violate their
 9 self-esteem, they withhold those elements.
 10 And the research shows that when someone's
 11 self-esteem has been violated, they find ways to
 12 get back.
 13 Trustee Tulloch violated not just
 14 Ms. Kostelecky's self-esteem, she was here as a
 15 representative of her company. Every other supplier
 16 to IVGID as been put on notice. I suspect we will
 17 experience negative fallout from his performance for
 18 years to come.
 19 In a more open system like IVGID, people
 20 don't have to put up with that abuse. They can vote
 21 with their feet.
 22 Our management team is evaporating. Brad
 23 Underwood recently resign. With each departure we
 24 lose decades of competence and caring and tribal
 25 knowledge. And any competent person who might take

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1 revenue.
 2 11.2 states that any annual rate
 3 adjustment is based on the December to
 4 December percentage change in consumer price index
 5 for garbage and trash as published by the Bureau of
 6 Labor Statistic. 11.1(a) states that the collector
 7 not be entitled to that increase if the rolling
 8 average return on revenue for the prior three years
 9 is the greater than nine percent. I previously
 10 stated this to you as a three-year ROR cap of nine
 11 percent.
 12 Assuming that that benchmark is met,
 13 11.1(b) limits a one-year return on revenue for the
 14 prior year, just the prior year, to 15 percent.
 15 So even if the three-year average is met
 16 because two years performed poorly, the collector is
 17 not eligible for rate adjustment if the prior year
 18 reached 15 percent ROR.
 19 11.1(c) is a third-layer protection to the
 20 rate payer capping any adjustment at maximum of six
 21 percent, regardless of the published CPI, and if the
 22 collector is under both caps outlined in (a) and
 23 (b).
 24 B I would also like to acknowledge section
 25 11.2, other rate adjustments. This language

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<p style="text-align: right;">Page 10</p> <p>1 specifically addresses the addition of new services 2 or increased fees imposed during the franchise 3 agreement. If any changes in rates under section 4 11.2 are made, they would require Board approval. 5 I will continue to be honest and 6 transparent with you. WM employees take pride in 7 being good community partners in Incline Village. 8 The current agreement is available to the public on 9 the Incline Village Public Works website. 10 Thank you. 11 MS. RICHARDS: Hi there. 12 Since the 60s, there has been a parcel 13 known as "Village Green." It has remained opened 14 space over the years for a spectrum of activities: 15 Concerts, tournaments, reading, meditation. 16 Village Green today remains a last vestige 17 of our park areas. It's also used as a dog park 18 today, and my 100-pound Lab loves that dog park. 19 In 2018, community service was contracted 20 by the trustees to research opportunity sites and 21 potential uses. Their work included dog park sites. 22 Five dog park sites were suggested. Village Green 23 was excluded. Graphic boards were installed at the 24 Rec Center lobby for about six months, a testimony 25 to a \$200,000 finish contract -- I could be</p>	<p style="text-align: right;">Page 11</p> <p>1 corrected on that number. 2 Fast forward to today, Village Green was 3 excluded to remain one of our community's most 4 precious and priceless pieces of real estate, open 5 use, without fences, without imposing manmade 6 artifacts. After all, the Village Green is a 7 mountain space where nature and the natural are 8 sacred. 9 Fast forward to tonight. Hopefully within 10 the next two hours you're going to hear a 11 presentation on a dog park. Fences, barriers, 12 walls, and water features. Before this community 13 has tried to be all things to all people. Now it 14 has raised it purpose to all things to all dogs. 15 Take one of the most precious settings of the 16 community and designate it as wild waters for dogs. 17 I don't know whether to be horrified or embarrassed. 18 Was the vision of architects at Incline 19 Village to pause for 60 years so as to finally reach 20 today to have a dog park in the Village Green? 21 Thank you. 22 MR. DOBLER: Cliff Dabler, 995 Fairway. 23 I draw your attention to the food and 24 beverage operation for the six years from 2018 to 25 2023. The claim made is that the combined</p>
<p style="text-align: right;">Page 12</p> <p>1 operations for food and beverage provided a 12.66 2 percent operating margin for five years. Somehow 3 2023 was conveniently left off. 2023 was a terrible 4 year. Here are some facts: 5 Total revenues for all venues was only 78 6 percent of budget, a miss of \$953,000. Net income 7 was only 14 percent of budget, generating over 8 100,000 or 2.9 percent of the 3,500,000 in revenue, 9 far below any acceptable level. All revenues except 10 Diamond Peak lost money. Diamond Peak actually was 11 ahead of budget. Revenues at the Champ Course were 12 72 of budget, and lost \$315,000. For every dollar 13 received, IVGID had to fund \$.51. The Mountain 14 Course revenue was only 54 percent of budget, but 15 only lost 11,000, a (inaudible) by delivery of 16 service. Event revenues are troubling, reaching 17 only 63 percent of budget and losing only 43,000. 18 Most revenues come from wedding business. Why are 19 we in the wedding business? 20 A major concern is that Howard has 21 budgeted a pie-in-the-sky revenue increase of 33,000 22 to 942,000 for the Champ Course in 2024. I believe 23 results will not be met. 24 Keep in mind that revenue expenses do not 25 include any rent, property taxes, or capital costs,</p>	<p style="text-align: right;">Page 13</p> <p>1 which for an outside business would be approximately 2 six percent of revenues. Howard appears to have 3 failed managing F and B effectively. 4 Let's jump to the Incline Beach House 5 project. Where is that robust presentation that was 6 promised by Indra Winquest? Asking the Board to 7 decide of five items is not their job. 8 The parks and recreation should be 9 bringing concepts and proposals requirements to the 10 Board, not engineers. A CMAR contract cannot be 11 used. NRS states CMAR can only be used if a project 12 presents unique and complex construction challenges. 13 Explain the unique and the complex challenges of 14 building some restrooms and a kitchen. 15 Think about this: The beaches have what's 16 almost 200,000 visitors each year. Historically, 17 food and beverage service generated only 300,000 or 18 a buck fifty per visit. The Mountain Course was 19 only 18,000 -- 20 (Expiration of three minutes.) 21 MR. GATELY: Hi. My name is Jim Gately, 22 and I live in Crystal Bay. 23 I'm here to comment on the dog park 24 proposal. Upon looking also details of proposal, I 25 was very disappointed in the work product as it</p>

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1 several fatal flaws, and let me explain.
 2 The first one is that, basically, the
 3 tail's wagging the dog. I feel it is fair to say
 4 that the Village Green is being used as a dog park
 5 mostly 90 percent of the time, with all other
 6 elements approximately ten. This is based on the
 7 usage of 365 days per year as the dog park,
 8 mornings, lunch, and evenings, rain, snow, or shine
 9 versus all other events, such as soccer, lacrosse,
 10 4th of July, et cetera, which make up probably ten
 11 to 12 weeks a year.
 12 With this clearly the case, why should the
 13 dog park, with it's much greater community
 14 involvement and usage, take a back seat and be
 15 fenced in to the upper field, which has a much
 16 smaller footprint.
 17 Number 2, size does matter. This proposed
 18 dog park is far too small. When you scale out the
 19 different water features, entry systems, big versus
 20 small dog areas, and the like, the already-too-small
 21 upper field shrinks dramatically. The small and
 22 confined area will most certainly lead dogs to not
 23 only get into fights, but it could cause the owners
 24 to get into fights.
 25 Months ago, I was confronted by Myles

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1 Number 5, costs are still unknown. A
 2 project with unknown costs, asking a Board for
 3 approval to go to the next step is very scary,
 4 especially with the fatal flaws this project has.
 5 Just looking at the memorandum narrative and
 6 descriptive pictures, I can see the costs easily
 7 exceeded \$3 million.
 8 I am, by the way, a general contractor and
 9 developer and a CPA.
 10 MR. WATSON: Hello. My name's Rob Watson,
 11 Incline resident at 361 Country Club Drive.
 12 My comments tonight are focused on some of
 13 the FAQ attachments, which I believe are
 14 self-serving for the some of the Board members
 15 facing a recall movement, and not really focused on
 16 clearing up any questions.
 17 On questions 4 and 5 that deal with the
 18 Board intent of privatizing venues or changing the
 19 model, the question itself deals with the Board's
 20 intentions or plans, not past actions. At a
 21 minimum, the change pushed publicly by Trustee
 22 Tulloch to get golf to cover all operating expenses,
 23 including depreciation, is an example of the change
 24 in the model.
 25 Question 7 and 8 deal with the impact of

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1 Riner when he was pushing for the dog park being
 2 moved to the U.S. Forest service land off village.
 3 He told me about all the fighting the owner did at
 4 the Village Green. Well, that simply was not true.
 5 However, if this dog park plan is
 6 implemented, Myles Riner's lie could turn out to be
 7 a very prophetic statement.
 8 3. Daily usability as a dog park will be
 9 reduced by approximately 40 percent. The usability
 10 of current the green dog park is a hundred percent;
 11 that is 365 days a year. This is proposed plan you
 12 have in front of you will reduce the usage from 12
 13 months to seven to eight.
 14 The reason is the double gated, entry/exit
 15 system will get bogged down with snow and ice and
 16 become inoperable. Our dog park will become as
 17 useless as the California dog park at Tahoe Vista in
 18 the winter.
 19 Number 4, parking is not thought through.
 20 Ten to 12 parking spaces for our dog park is grossly
 21 inadequate. The proposed parking presented would
 22 also be very expensive and not cost effective. The
 23 existing parking situation with the main lot and
 24 overflow lot, as exists, works fine, and winter snow
 25 plowing costs will not increase.

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1 reducing rec fees and punch card values and the
 2 negative impact on home values and rights. There is
 3 no factual answer for this. Combined with a cap on
 4 punch card availability, I can easily see how
 5 residents believe their beach rights have declined
 6 and their home ownership may be worth less as a
 7 result.
 8 This is exasperated by Trustee Schmitz
 9 recent unilateral attempt to reduce the value of
 10 punch cards to the golf community by trying to
 11 overturn decades of practice and Board guidance that
 12 allowed punch card to buy down their guest rates
 13 from published golf guest rates as stated on the
 14 website of IVGID.
 15 On question 9, the only recommendation
 16 that was written by the staff was the one that was
 17 originally proposed for the March 8th meeting. That
 18 proposal was an across-the-board, five to six
 19 percent increase in daily multi-play and unlimited
 20 play passes, along with the retention of both
 21 individual and couples All You Can Play Pass at five
 22 percent increase. Everything after that was Trustee
 23 Schmitz' directing of our Director of Golf to revise
 24 her wishes.
 25 On question 10, very clearly, the Board

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1 very clearly did push for and approve more punitive
 2 golf cancellation policy that they just rescinded.
 3 This was not a recommendation by the Director of
 4 Golf, and clearly the Board made a bad decision by
 5 not listening to the Director of Golf.
 6 And on the question of 11, dealing with
 7 the Duffield grant, the better question to ask is
 8 whether the project would have continued to proceed
 9 if Trustee Schmitz had voted yes on both votes.
 10 The community a smart enough to realize
 11 that there was no actual contract in hand for the
 12 Duffield donation. It was a voluntary donation.
 13 Donations by their very nature are not contractual.
 14 It never got to the point of an actual commitment
 15 because Trustee Schmitz' no vote killed it before it
 16 got there. The fact that responds to this rumor is
 17 deflecting.
 18 MR. SCHULTZ: Good evening, Board and
 19 community. Joe Schultz, Putter Court, Incline
 20 Village.
 21 With regards to the recall, the reasons
 22 given to justify the recall are not based on facts,
 23 but rather on exaggerations and twisted
 24 interpretations of unfortunate circumstances. We're
 25 hearing some of those things tonight on other

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1 my background: I had a 40-year professional career
 2 in auditing and corporate controllership. I retired
 3 as a chief accounting office of a Fortune 50
 4 company. Part of my responsibility who to ensure
 5 every fact stated in our financial reporting, both
 6 financial and non-financial, was accurate and
 7 supported by underlying documentation. That
 8 activity protected the company, its leadership, and
 9 our shareholders from legal and financial exposures
 10 that result from presenting misleading information.
 11 I develop a very good eye for topspin and
 12 the art of deflection and rationalization as tools
 13 to overcome an unfavorable situation. CFOs, CEOs,
 14 and chairs took my advice when I told them they
 15 couldn't say something.
 16 With that in mind, most of the topics
 17 included in the meeting materials are simply not
 18 factual. They represent the opinion of certain of
 19 the Board members. They do not present both sides
 20 of a broader story, and can be easily countered with
 21 differing opinions or facts, so they can easily be
 22 characterized as misleading. They do not deal with
 23 IVGID policies or practices.
 24 In addition, most deal with concerns
 25 raised about individual trustees, not the Board as a

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1 topics.
 2 Despite signs and admonitions to the
 3 contrary at Raley's, the proponents of the recall
 4 continue to ignore to prohibitions and set up tables
 5 to solicit additional signatures.
 6 The current members of this Board have
 7 integrity and are tackling significant and important
 8 issues that been kicked down the road for decades.
 9 Recall advocates without rather populate
 10 this board with those who have no integrity and with
 11 those who have defective egos. They would rather
 12 employ nice people, rather than people who are
 13 competent and effective employees.
 14 This Board has my full support, each and
 15 every one of you. Continue the good work.
 16 MR. HOMAN: Mick Homan, Incline resident.
 17 I want to follow up on an item I commented
 18 on at the last meeting, item H 4 on tonight's
 19 agenda, frequently asked questions.
 20 I believe the inclusion of this material
 21 is a direction violation of Nevada ethic statutes,
 22 NRS 281A.520, which deals with utilizing District
 23 resources to impact the current ballot issues or
 24 candidates in an upcoming election.
 25 Before going into the details, a little of

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1 whole.
 2 Even more concerning to the extent that
 3 they deal with concerns about individual trustees,
 4 they largely overlap with the issues raised in the
 5 current recall efforts.
 6 I provided some examples in my public
 7 comments last week, so I won't repeat them here.
 8 But I wanted to remind you that, as trustees, your
 9 only responsibility to the District. It's not
 10 appropriate for you to use District resources or
 11 publications for the benefit of individual trustees.
 12 Doing so results in financial and legal exposure for
 13 both the Board and the District. And you're
 14 creating this exposure when the underlying document
 15 provides no broader benefit to the District. Any
 16 perceived benefit of the document accrues directly
 17 to the individual trustees.
 18 It's not lost on a reader that the
 19 document only tackles rumors that are damaging to
 20 the trustees. Why doesn't it tackle misinformation
 21 that benefits the trustees agendas, like the golf
 22 course loses \$4 million a year, or the clubs get all
 23 the tee times?
 24 Under any circumstances, it's
 25 inappropriate to utilize District resources to

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<p style="text-align: right;">Page 22</p> <p>1 defend the actions of individual trustees. At 2 present with the recall effort related to many of 3 the same topics included in the materials, it 4 appears to be a direction violation of Nevada ethics 5 statutes that prohibit the use of District resources 6 to impact current ballot issues or candidates in an 7 upcoming election. 8 In my professional life, the general 9 counsel and her office were my best allies in terms 10 of policing external communications, and we were 11 almost always of a single view on the boundaries. 12 I'm pretty sure I know where they would fall on this 13 document. 14 I'd ask both the Board and general counsel 15 to to consider this seriously and take appropriate 16 action. 17 Thank you. 18 MS. CARS: Linda Cars, 625 Lariat Circle. 19 I have a lot of things to address, but 20 right now I'm going to address Summer Water Safety 21 Program. Since 1996 or before, the North Lake Tahoe 22 Fire Department has coordinated with the public 23 schools the Summer Water Safety Program at Ski Beach 24 in collaboration with IVGID lifeguards. 25 On April 18th, 2023, at 11:58, Kerrian</p>	<p style="text-align: right;">Page 23</p> <p>1 Neu, a fifth grade teacher at Incline Elementary 2 School emailed Trustees Schmitz and Dent, on April 3 8th, the following, quote: 4 "Each end of school year, our 5 third and fifth grade students 6 walk down to Ski Beach, learn 7 about water safety from NLTFD 8 and lifeguards. Students go for 9 one hour each grade, students 10 learn for thirty minutes, and 11 the Fire Department cooks a hot 12 dog lunch. Teachers attend and 13 watch groups. 14 "Starting last year, we've been 15 asked to give passes or have 16 punch cards donated to attend. 17 Before this, we just went during 18 our time. 19 "We understand Ordinance 7 and 20 its importance, but our students 21 are also just going to learn how 22 to be safe at the beach and near 23 water during the summer months. 24 "Can you help us? We would love 25 to keep attending and have our</p>
<p style="text-align: right;">Page 24</p> <p>1 students learn from IVGID 2 employees and the Fire 3 Department without trying to get 4 people to donate punch cards. 5 Is it possible to get a waiver 6 for this event?" 7 End of quote. On April 18th, seven 8 minutes later at 12:05, Trustee Schmitz responded: 9 "Thank you for your question. 10 As trustees, we are obligated to 11 protect the Direct's asset, and 12 that includes our 13 deed-restricted beaches. Our 14 beaches are restricted to those 15 whom are beneficiaries of the 16 beach deed, and that includes 17 parcel owners and their guests. 18 "Punch cards are no longer 19 transferable, except to a guest 20 of a parcel owner, per Ordinance 21 7." 22 NLTFD went to state parks, got permission 23 in conjunction with state parks, IVGID lifeguards, 24 there was a Summer Water Safety Program at Sand 25 Harbor and the school district had to pay to bus the</p>	<p style="text-align: right;">Page 25</p> <p>1 children. The students could have been guests, but 2 the process was way too cumbersome. 3 Trustee Schmitz, you continue to show by 4 your actions, (a), you don't care about your 5 community schools, (b), you don't prioritize the 6 safety education of the children in our community. 7 As a member of this community, my husband 8 and I find it abhorrent that educating our children 9 on water safety is a detriment to maintaining the 10 beach deed. Your laser focus on beach deed is 11 shameful and elitist. 12 Once again, your exclusive use objectives 13 take precedence over educating students for one hour 14 on the beach. 15 Please resign, Sara. As a community, we 16 should, must educate the children. All of their 17 parents should be signing the petition and demanding 18 that you resign. 19 One more point not written out is that I 20 am the person that's being written up about finding 21 the table -- where to put the tables for the recall. 22 It is legal, it's according to an ordinance. I 23 checked with the authorities, Sheila, and there's 24 nothing wrong with putting tables where they are for 25 the petitions. It's our right as citizens.</p>

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1 MR. CARS: Good evening, trustees and
 2 community.
 3 The \$25-million donation by the Duffields
 4 last year found a home at the Incline High School.
 5 Good for Incline High School, but unfortunate for
 6 IVGID who lost the boy's and girl's club space, teen
 7 center, a gymnastics center for youth, and an
 8 upgrade to the Rec Center. The money was there, but
 9 Trustee Schmitz voted it down. But that's old news.
 10 Then came the beach vote to exclude not
 11 non-Picture Pass holders under the umbrella -- or
 12 should I say "disguise" of protecting the beach
 13 deed. The triumvirate of Trustees Dent, Schmitz,
 14 and Tulloch voted to further separate and exclude
 15 non-Picture Pass holders from beach access, further
 16 distancing community members who no longer qualify
 17 to be part of the beach community. Sorry, summer
 18 employees, unless you're a Picture Pass holder, you
 19 can work at the beach, but you better exit as soon
 20 as you punch out. You're probably not qualify to
 21 hang around.
 22 In addition, Trustees Tulloch and Schmitz,
 23 with the acknowledgement of Trustee Dent, increased
 24 their direct involvement in directing IVGID
 25 employees in the performance of their tasks. This

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1 have written statements submitted to be attached to
 2 the minutes of the Board meeting.
 3 Chair Dent asks that all who submit public
 4 comment to address the Board and to refrain from
 5 directing their comments towards any person.
 6 And then we have people, like the
 7 81-year-old in the back, who just seizes an
 8 opportunity to direct their venom to those in our
 9 community to whom they disagree. So I wasn't going
 10 to speak about this, but now I am going to speak
 11 about this.
 12 There's the diagnosis for that woman, it's
 13 called -- I had it written here -- NPD, or
 14 narcissistic personality disorder. It's actually
 15 documented in the medical --
 16 CHAIR DENT: Quiet in the room, please.
 17 MR. KATZ: I've submitted a written
 18 statement, which describes the disorder and the
 19 symptoms. I suggest all of you to read it,
 20 including the woman to the back there. She might
 21 learn something. She claims that her seminars are,
 22 oh, we all live together. Oh, we all need to find a
 23 way to get along.
 24 When you listen to her speak, does she
 25 ever speak like that? I think she didn't take her

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1 has resulted in in what some describe as "a hostile
 2 work environment," leading to the severance of the
 3 GM and resignations of multiple staff managers. Is
 4 there on an ongoing remove-and-replace plan that
 5 this community is not aware of? Or does it lead
 6 down the road to privatization plan? Which the
 7 Board has dismissed.
 8 The community, however, should not be so
 9 quick to dismiss privatization. If management
 10 talent leaves due to a hostile environment, it may
 11 become a realistic option.
 12 It's also discomfoting to think that a
 13 takeover of IVGID by Washoe County might yield a
 14 more credible government than the triumvirate in
 15 place now.
 16 Further, unless Trustees Tonking and Noble
 17 cast votes with the other three in future decisions,
 18 I will personally have zero confidence of the
 19 respectable outcome.
 20 So two trustees on the ongoing recall
 21 effort, this is a vote of no confidence. It's not a
 22 joke, and it's not wasted effort.
 23 To the community, I ask that you put the
 24 community first, support the recall.
 25 MR. KATZ: Aaron Katz, PO Box 3022. I

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1 seminar, because she has no regard for her fellow
 2 resident.
 3 Our problem with attacking competent staff
 4 and keeping them here is a problem that I see as
 5 two-fold.
 6 The first is, IVGID was founded upon a
 7 fraud. In order to be granted the basic power to
 8 furnish facilities for public recreation, the
 9 Board's predecessors represented to County Board of
 10 Commissioners and the public that if this power were
 11 granted, it would never be used to acquire, operate,
 12 or finance the very recreational venues we have here
 13 today, other than the beaches. This turned out to
 14 be a lie. It's called "fraudulent representation,"
 15 you'd know about that, Trustee Noble, wouldn't you?
 16 And the remedy for fraud is rescission. That means
 17 give back everything you got as a result of your
 18 fraud. And that's what we're grappling with today.
 19 The second reason is the rec fee. The
 20 reason I keep attacking the rec fee is because the
 21 District does not have the money to do all of this
 22 stuff it shouldn't be doing. Pull the money, and
 23 you will every wrong that we have here in IVGID.
 24 And, I submit, that almost every issue we have has
 25 evil at its core.

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<p style="text-align: right;">Page 30</p> <p>1 So now you know the problem, I hope you'll 2 address it a fix it. 3 Thank you. 4 MR. ROSS: Good evening, trustees. I'm 5 Steven Ross, I live on Northwood here in -- 6 CHAIR DENT: Hey, quite in the room 7 please. You guys, we're trying to have a meeting. 8 If you guys need to step out, you can step out. 9 Thank you. 10 UNKNOWN SPEAKER: Tell him to. He's 11 harassing me. 12 CHAIR DENT: Thank you. 13 Mr. Ross, go ahead. 14 MS. ROSS: It's sad when someone thinks 15 they can make a diagnosis when they're not 16 qualified. 17 I'm Steve Ross. I live on Northwood, and 18 I really wanted to comment tonight about the 19 composition of a golf advisory committee that is due 20 to be selected in the near future. 21 My hope is that the members that you chose 22 are familiar with golf operations, have a strong 23 interest in making our courses successful, have a 24 history of working collaboratively, and that's 25 really important. And also don't have a history of</p>	<p style="text-align: right;">Page 31</p> <p>1 anti-golf rhetoric. Please don't include those 2 people. 3 The previous Golf Advisory Committee was 4 hard working and thoughtful and had a genuine 5 interest in making positive impact on our IVGID golf 6 community. But, unfortunately, their 7 recommendations were ignored. 8 I hope that you will choose wisely so that 9 the new recommendations might have a larger impact 10 on your deliberations. 11 Thank you very much. 12 MS. MCKOWEN: My name is Trish McKowen, 13 and I live at 335 Ski Way. 14 I want to start by sharing that I had a 15 40-minute conversation with Sara Schmitz back in 16 May. I had many concerns, so I had taken the time 17 make a list of so many issues that I felt were 18 negatively impacting the community. 19 In moved here in 1968. I've been a 20 lifeguard at the beaches for over seven years when I 21 was a kid, and I really was struggling with changes 22 the Board made to the beach deed. Back in those 23 days, kids from Kings Beach and Carson City would 24 come up and be lifeguards, and they could stay on 25 the beach.</p>
<p style="text-align: right;">Page 32</p> <p>1 When I talked to Sara about it, she was 2 adamant, we had to change the beach deed. And she 3 said, and I quote, "If we didn't make the change, 4 Washoe County was going to come and take our 5 beaches." 6 At 5:00 P.M. today, I had a 30-minute 7 conversation with Washoe County Commissioner Alexis 8 Hill, and I asked her is she could help me 9 understand the changes to the beach deed and the 10 treat of Washoe County coming in and seizing our 11 beaches. 12 She responded with, "I don't think that's 13 even possible." 14 I shared exactly what Sara had been 15 telling me, and she said, "We have a lot going on in 16 Washoe County. Taking the IVGID beaches is not on 17 our list." Secondly, she said that it was her 18 understanding that the Board wanted to make the 19 beaches more restricted, so they made the changes to 20 fit the new restricted policy. 21 Alexis Hill told me there was never any 22 plan to come and take our beaches. 23 I'm going to come out and just say it: I 24 have caught Trustee Schmitz multiple times 25 bold-faced lying to me about the beach deed and her</p>	<p style="text-align: right;">Page 33</p> <p>1 story about why the IVGID CFO quit. 2 I was at the Crosby's meeting, and she 3 made it sound like he quit because he got a much 4 bigger job in the Bay Area, that his kids were going 5 to be so much happier there, and they were going to 6 have a much nicer house. 7 Unfortunately, Michaela was there that 8 day, and Sara turned to Michaela and said, "Do you 9 have anything you'd like to add?" 10 And Michaela said, "Would you like me to 11 add what I know?" 12 And she said, "Please." 13 And she said, "Paul left because of the 14 Board." 15 And so I don't know how much longer we can 16 allow her to deflect and lie. Our remaining IVGID 17 employees need our support. They need positive 18 change, and it's time for Schmitz and Dent to resign 19 for the good of the community. 20 Thank you. 21 MS. MARTINI: Thank you. Margaret 22 Martini, Incline Village. 23 I was on the Ordinance 7 committee. There 24 was never any intent to change the beach deed. No 25 one can change the beach deed without a complete,</p>

<p style="text-align: right;">Page 34</p> <p>1 almost hundred percent vote of the property owners 2 that are named in the deed. 3 So, there was never any intent by anyone 4 to change the beach deed, because it's not possible 5 without some very extraordinary legal actions. 6 So, I just wanted to clarify that, that 7 the committee did not have that intent. And the 8 beach deed was not changed and Ms. Schmitz did not 9 come to us and ask us to change the deed in way, 10 shape, or form. 11 She was very supportive of the actions of 12 the committee, and she, as well as Mr. Dent and 13 everyone else, did have an active, not totally 14 weekly active meeting presence at the Ordinance 15 meeting. 16 So, just wanted to give that a big 17 clarification. 18 Thank you. 19 MR. WYMAN: I hate to do this. My wife 20 went to an event tonight -- I'm at 170 Village these 21 days. 22 My wife went to an event tonight at the 23 Thunderbird Lodge that the Parasol was sponsoring. 24 A number of my friends said, "You got to come to 25 this event. Don't go to the IVGID meeting. You're</p>	<p style="text-align: right;">Page 35</p> <p>1 going to have a lot more fun with us." 2 And I said, "That depends on your 3 perspective." 4 I also feel impelled to tell the Board 5 Chair this, I spent four years in undergraduate 6 school, five years in medical school, a year of 7 internship, three years of a residency. Most people 8 call me Dr. Wyman. I'd appreciate that given all 9 that pain and effort I put into those years. 10 So, what I wanted to talk about is a few 11 things. The Audit Committee, I listened in on that 12 meeting. It was an excellent meeting, from my 13 perspective. I respected what Mr. Nolet had to say. 14 There were a lot of complicating issues, and I'm 15 glad they're starting to be addressed. 16 One of them has to do with the State and 17 how it tells GIDs what they're supposed do. It 18 turns out that this GID made a mistake, as did many 19 other GIDs because the State failed to properly 20 articulate what they needed to do in a five-year 21 plan. This will be discussed in more detail 22 tonight. 23 It also want to talk for a moment about 24 the recall effort. I have a different perspective 25 than a lot of other people do in this meeting, and</p>
<p style="text-align: right;">Page 36</p> <p>1 it's the following: 2 I've spoken to four people I know who are 3 experts having to do with boards and how they 4 function. All of them agree that the Board has one 5 employee, the general manager. They also all agree 6 that if they have problems with the general manager, 7 if there are members of the Board who feel the 8 general manager is not operating efficiently, 9 effectively, up to par, it is the obligation of the 10 Board -- the moral and ethical obligation of the 11 Board to notify that general manager and to provide 12 some kind of education for that general manager. 13 That might take the form of a coach or a mentor or a 14 tutor or a consultant. Failure to do that is a 15 dereliction of duty of the Board of Trustees, and 16 not of the general manager. 17 From my perspective, this Board -- this 18 present Board failed to do that, and for that reason 19 I support the recall. 20 Thank you. 21 CHAIR DENT: Anybody else, public comment? 22 All right. Let's go to Zoom. 23 MR. MCKOWEN: Good evening. My name is 24 Kevin McKowen. My wife, Trish, and I live at 335 25 Ski Way.</p>	<p style="text-align: right;">Page 37</p> <p>1 We love living here, but like many 2 residents, have been more than concerned about many 3 troubling issues stemming from the Board of 4 Trustees, specifically two of those trustees. 5 Can anybody think of something good that's 6 happened in the last six months with the IVGID 7 Board? I can't. But how about the things that 8 aren't so good? Facts, not conspiracy, or made-up 9 disinformation. 10 Let's start with one board member of 11 dissenting on a vote of \$25-million donation from 12 David and Cheryl Duffield. That would be Trustee 13 Schmitz, who seemed to not understand what the David 14 Duffield Foundation required, simply a unanimous 15 vote on two separate initiatives. Are you serious? 16 I now understand that the rumors going 17 around that Mr. Duffield never actually made the 18 donation offer. Not true. Period. 19 How about the removing of Indra Winquest, 20 one of the most-beloved people to ever serve as 21 general manager of Incline Village. And now the 22 recent resignations of multiple senior IVGID 23 managers, our IVGID Director of Finance resigned, or 24 controller quit, our public records official quit. 25 I understand our legal counsel for IVGID doesn't</p>

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1 want to work with the District and has given notice.
 2 And the IVGID Director of Public Works retired,
 3 quite early, and, lastly, the head of IVGID food and
 4 beverage for over 16 years, handed in his two-week
 5 resignation.
 6 I would also like to -- Karl Thornberg,
 7 our golf head pro, ten years, and a friend who
 8 resigned last year, and mostly due to the continued
 9 board micromangement and interference, which seems
 10 to be a constant theme with departures.
 11 Lastly, if that's not a long enough list,
 12 let's add the low morale of the existing IVGID
 13 employees, especially those who can no longer use
 14 our beaches. There's not one IVGID employee that
 15 I've talked to that wants anything to do with the
 16 Board, and specifically Sara Schmitz acting like
 17 everybody's boss. This is not the role of a
 18 professional Board member.
 19 I also don't know of any other town,
 20 anywhere where there is a subculture group named
 21 "The Angry Eight." Really? In a community as
 22 beautiful and loving as Incline Village, we have the
 23 angry eight? Personally I think the angry eight
 24 should stop wasting the Board's time and consider
 25 leaving the town and taking their misery, anger, and

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1 lose that. We never had it. Why do you keep
 2 bringing it up? Because the self-serving people who
 3 are trying to get something out of our district for
 4 free just aren't going to buy into anything unless
 5 they get what they want; and what they want is they
 6 want to to turn this district upside down for their
 7 own personal use.
 8 As far as the issue of the beaches, I know
 9 more about those beaches than anybody. I sued in
 10 the Ninth Circuit. I served on Ordinance 7. I was
 11 the one who brought the issue of the employees to
 12 the Ordinance 7 Committee. I stated what are people
 13 who living in Reno doing on the beaches? I live
 14 here in Crystal Bay, we're not allowed on the
 15 beaches. But yet there are people in town who still
 16 think the employees who live in Reno should have
 17 access to those beaches.
 18 We have had attorney that says if you
 19 allow those employees on the beaches, you invalidate
 20 the beach deed and the beaches become public.
 21 As far as Alexis Hill going after the
 22 beaches, she has no chance of going after them.
 23 People who live the Crystal Bay would have a chance
 24 to go after the beaches, as well as everybody who
 25 doesn't live here, because you have invalidated the

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1 vitreal with them.
 2 Lastly, signing the recall petition for
 3 Trustees Schmitz and Dent pays respect to our
 4 Village that's been functioning very efficiently for
 5 over 60, and it's never had catastrophic senior
 6 management losses, dysfunction, and all the constant
 7 drama. These two board members have done enough
 8 damage.
 9 Matt and Sara, you no longer have the
 10 support, respect, and trust needed to continue in
 11 your respective roles. Enough is enough.
 12 And, finally, to those of you signed the
 13 recall petition, thank you.
 14 MR. WRIGHT: Frank Wright, Crystal Bay.
 15 After listening to all these previous
 16 speakers, I'm amazing that had these people don't
 17 get it. One, there never was a \$25-million dollar
 18 donation. If you show me the contract, you show me
 19 the terms and concerns, you show me where Dr.
 20 Duffield signed his name on anything and said he was
 21 going to give us money.
 22 You're blaming a trustee for some that
 23 never was. It doesn't exist. It never existed.
 24 Mr. Duffield's already started building his own gym
 25 prior to that vote that you're saying caused us to

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1 beach deed.
 2 These trustees have protected the beaches
 3 from the outside world. You should be thanking
 4 them, not going after Sara Schmitz and blaming her
 5 for everything. She is doing her job. These
 6 trustees are doing their jobs.
 7 Please, pay attention and quit listening
 8 to these morons who are talking about things they
 9 don't understand. You can't do you it. You just
 10 can't do it.
 11 And everybody that keeps coming forward,
 12 asking for their resignations are people who are
 13 self-serving that looking are looking for something
 14 for free.
 15 And the one that gets me the most is the
 16 reduction in the rec fee. They actually think
 17 they're losing money. No. You gained money.
 18 You're not being charged a rec fee. Take the money
 19 that you would have spent on the rec fee and go buy
 20 yourself all the beach passes you want.
 21 It's just doesn't make sense. You people
 22 need to get a life. You need to understand that
 23 these trustees are doing their jobs, finally, and
 24 they're protecting our district from a lot of bad
 25 things.

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<p style="text-align: right;">Page 42</p> <p>1 Thank you.</p> <p>2 MS. WELLS: Hi. Kristy Wells, Incline</p> <p>3 Village resident.</p> <p>4 First off, I'd like to address the comment</p> <p>5 just made by Mr. Wright. I find it highly offensive</p> <p>6 that you and several other members of this community</p> <p>7 continue to call people names and act in a very</p> <p>8 childish manner. Please learn how to have a public</p> <p>9 discussion, and do so professionally and</p> <p>10 respectfully. You can have a differing opinion, but</p> <p>11 you can do so without having to demean others.</p> <p>12 Also, for Mr. Schultz, I'd like to just</p> <p>13 talk to you a little bit about the statement you</p> <p>14 made earlier this evening about those tables being</p> <p>15 placed in prohibited zones. As Ms. Cars noted</p> <p>16 earlier, permission has been given at every single</p> <p>17 location those recall tables and petitions have been</p> <p>18 established: at Raley's, at the public space awarded</p> <p>19 to us inside of Incline Beach -- thank you,</p> <p>20 Mr. Wright -- and at other public areas inside of</p> <p>21 Incline Village.</p> <p>22 What Mr. Schultz said earlier is simply</p> <p>23 not correct, and you should stop spreading lies.</p> <p>24 Now, I'd like to turn my attention to</p> <p>25 agenda item H dot 4, that's on the agenda tonight.</p>	<p style="text-align: right;">Page 43</p> <p>1 I take issue with the Board of Trustees approving</p> <p>2 the frequently asked questions as currently</p> <p>3 presented and potentially posting this on the</p> <p>4 District's website. The topics on the meeting</p> <p>5 materials can easily be viewed as political in</p> <p>6 nature. Community members have raised serious</p> <p>7 concerns about specific actions, decisions, and</p> <p>8 political and ethical violations being made by</p> <p>9 individual trustees.</p> <p>10 The responses are not factual; in fact,</p> <p>11 they are merely opinions of specific board members.</p> <p>12 I'll provide one example. Question 2 traces back to</p> <p>13 Trustee Dent's possible ethics violation. While the</p> <p>14 words "at the time of this FAQ, no trustee has been</p> <p>15 determined to have committed and ethics violation,"</p> <p>16 may be true as it stands today.</p> <p>17 For the record, there is an open</p> <p>18 investigation around Trustee Dent's actions, and</p> <p>19 community members need to know this exists.</p> <p>20 These responses to no present both sides</p> <p>21 of a broader story, they can easily be countered</p> <p>22 with different opinions or facts. They are</p> <p>23 misleading, and they do not deal with official IVGID</p> <p>24 policies or practices.</p> <p>25 Mr. Watson earlier laid out several</p>
<p style="text-align: right;">Page 44</p> <p>1 examples of how the FAQs have been written for the</p> <p>2 benefit of those trustees. Mr. Homan noted that the</p> <p>3 inclusion of this material is a direction violation</p> <p>4 of Nevada ethics statutes.</p> <p>5 All this should deal with utilizing direct</p> <p>6 resources, impact current ballot issues, or</p> <p>7 candidates in upcoming elections.</p> <p>8 It's embarrassing to me that I must remind</p> <p>9 our elected officials that it's not appropriate for</p> <p>10 the Board to just District resources or</p> <p>11 communication vehicles for the benefit of individual</p> <p>12 trustees. Doing so results in financial and</p> <p>13 possible legal exposure for both the Board and the</p> <p>14 District.</p> <p>15 And while I cannot personally vote in the</p> <p>16 recall for both Trustees Dent and Schmitz, I would</p> <p>17 like to lend my verbal support to these activities</p> <p>18 going on. And if I could, I would absolutely lay my</p> <p>19 name down on that petition.</p> <p>20 I'm going to do the same for Trustee</p> <p>21 Tulloch, if and when the time comes to play. While</p> <p>22 I did vote for him, I've seen how he treats other</p> <p>23 community members, I see how he speaks to others in</p> <p>24 public, highly unprofessional, and he's not somebody</p> <p>25 I'd like representing me as community member here.</p>	<p style="text-align: right;">Page 45</p> <p>1 Thank you for your time.</p> <p>2 MS. KNAAK: Yolanda Knaak, Martis Peak,</p> <p>3 here in Incline Village.</p> <p>4 Just wanted to make some comments.</p> <p>5 There's a lot of misunderstanding about the beach</p> <p>6 deed. The problem was that for decades the beach</p> <p>7 deed was not followed, and so what our current Board</p> <p>8 is doing is we're following the beach deed. That's</p> <p>9 what Ordinance 7 decided to do, follow the beach</p> <p>10 deed, and it was an attorney that brought forward</p> <p>11 that we had to follow the beach deed, otherwise we</p> <p>12 could open up ourself to a lawsuit.</p> <p>13 So, anyway, thank you, Board, for</p> <p>14 protecting our beaches.</p> <p>15 CHAIR DENT: Any other Zoom comments?</p> <p>16 MR. GOVE: There are not, Chair.</p> <p>17 CHAIR DENT: All right. That will close</p> <p>18 out item D, public comments. Moving on to item E.</p> <p>19 E. APPROVAL OF AGENDA</p> <p>20 CHAIR DENT: Approval of the agenda. The</p> <p>21 only suggested change I have is moving item H 5 to</p> <p>22 item H 1, and that's just because we have Mr. Lyons</p> <p>23 calling in for the item.</p> <p>24 Any other changes? All right. Seeing</p> <p>25 none, the agenda is approved with moving item H 5 to</p>

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<p style="text-align: right;">Page 46</p> <p>1 item H 1, and then the rest will follow in order. 2 Moving on to item F. 3 F. REPORTS TO THE BOARD 4 CHAIR DENT: Reports to the board, item F 5 1. 6 F 1. 7 CHAIR DENT: Report on food and beverage 8 operations of the District. Requesting staff 9 members acting District General Manager Mike 10 Bandelin, Director of Golf and Community Services 11 Darren Howard, and Director of Food and Beverage 12 Bill Vandenburg. 13 MR. BANDELIN: The report staff is 14 providing you this evening is a follow-up to the 15 golf venue discussion that was held at your meeting 16 on May 8th, 2023. 17 During that meeting and within the staff 18 report, the food and beverage operations at the golf 19 venue were shown in a graph and a narrative that 20 that revenue collected did not exceed the operating 21 expenses associated with operation. 22 This report includes five years of 23 financial data of sources and uses by fiscal year 24 for all district food and beverage operations. Just 25 to clarify, the reports have been developed by</p>	<p style="text-align: right;">Page 47</p> <p>1 fiscal year, and not by season of operation, except 2 in the case of the ski operation, which operates 3 during one fiscal year. 4 Staff's intention was to assemble this 5 data together and agendize the report without 6 further any delay. And for reasons related to 7 bandwidth, the report does not include the narrative 8 or analysis of the golf venue operations that likely 9 were anticipated being in the report, including the 10 following: 11 An analysis of personnel costs, personnel 12 costs allocation, personnel wages, business and 13 staffing levels, service and supplies allocations, 14 recruitment and retention of seasonal staff, and the 15 narrative supporting how many staff -- how staff may 16 remedy the shortfalls within the golf venue food and 17 beverage operations. 18 Staff will be committed to follow up with 19 the analysis of the golf operations, including 20 presenting the information in this report with 21 additional detail to the Golf Advisory Committee for 22 their consideration and review. 23 Staff may also consider the use of food 24 and beverage consultants to review the operations. 25 And in the interim, I plan on delivering a</p>
<p style="text-align: right;">Page 48</p> <p>1 monthly, actual to budget sources and uses report 2 for the golf and facilities operations for your 3 review. 4 I'll have the Chair bring it back to the 5 Board of Trustees for comment, and happy to listen 6 and take notes from the comments of the board, 7 please. 8 CHAIR DENT: Any questions, comments? 9 TRUSTEE TULLOCH: I'm a little bit 10 confused, and, perhaps -- when I read the first 11 introductory paragraph, the food and beverage model 12 the District is operated under the past two decades, 13 which is that food and beverage, as a whole, has 14 returned the profit to the District. 15 We've heard a lot in public comments in 16 recent months about there's a change to the model, 17 somehow this Board has changed the model somewhere. 18 I've gone back through all the records, 19 the Board policies, and everything. I cannot find 20 any reference to some sort of model. Perhaps, you 21 can help me, what this model is this, because I'm 22 not aware of any stage where we've operated food and 23 beverage across all the venues as a single entity. 24 MR. BANDELIN: That's correct, we haven't. 25 And then even when we have budget workshops, we kind</p>	<p style="text-align: right;">Page 49</p> <p>1 of talk about food and beverage within the actual 2 venues themselves, not as a whole. And, I guess, I 3 would say that model -- the use of the word "model" 4 happens quite often within management or staff, 5 you're right, you won't find an actual policy that 6 refers to model. 7 TRUSTEE TULLOCH: All right. Thank you. 8 The other thing, to see this, and I look 9 at where we're lumping all the food and beverage 10 operations in together to show it as profitable. Is 11 that not leading to an element of double counting? 12 Because the success of food and beverage and ski in 13 already included in the ski results. 14 MR. BANDELIN: Fair statement. 15 TRUSTEE TULLOCH: And we've also heard in 16 recent months from the golf community that they 17 wanted the food and beverage profits and revenues to 18 be applied to reduce golf rates, to subsidize golf 19 rates as well. 20 If I look at this, is this -- I'm assuming 21 this is not suggesting that Diamond Peak food and 22 beverage as well as Diamond Peak revenues should 23 subsidize golf? 24 MR. BANDELIN: No intention whatsoever. 25 TRUSTEE TULLOCH: Excellent. I think we</p>

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1 need to be careful that we're not double counting on
2 some of these areas. I'm assuming that, for the
3 most part, the food and beverage is complimentary to
4 the venue, it's not a separate operation by itself,
5 or this that, perhaps, the proposal?
6 MR. BANDELIN: State that comment again,
7 please.
8 TRUSTEE TULLOCH: Food and beverage,
9 really, it's complimentary to each individual venue,
10 it's not an entity in itself, unlike facilities that
11 operates as a separate thing. Food and beverage is
12 included in the venue results.
13 MR. BANDELIN: That's correct.
14 TRUSTEE TULLOCH: Just wanted to clarify
15 that. Thank you.
16 TRUSTEE TONKING: Trustee Tulloch, I had a
17 clarifying question about what you're saying about
18 the 12.66 being double counting. I wasn't quite
19 following the logic, if you don't mind reexplaining
20 that to me.
21 TRUSTEE TULLOCH: The 12.66, because we
22 already included the profitability of food and
23 beverage and ski operations within the ski results.
24 TRUSTEE TONKING: But this is a separate
25 12.66. You just looked at it as a whole entity?

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1 TRUSTEE TONKING: I have two questions,
2 and I don't know if this has to be agendized for the
3 Board to think about, but if we want to think about
4 this as a separate entity, I don't think we should
5 be looking at the pieces, but I think we can look at
6 the pieces on how it works as a complimentary
7 service.
8 My question is: Do we want to consider
9 marketing The Grill as possible idea?
10 Then when we are talking about the idea of
11 model and how we view food and beverage, I want to
12 continue to keep it exactly how we've talked about
13 it just now as a complimentary service, so we think
14 about it in each of its silos, I believe, that's the
15 way to use it.
16 I do believe that golf had asked for it to
17 be included. It is included and it's part of that
18 strategy now, so I think we're on that -- I believe
19 my misunderstanding of Trustee Tulloch said is the
20 same as what I understand as well.
21 TRUSTEE TULLOCH: Just clarify that
22 marketing The Grill doesn't mean privatizing it?
23 CHAIR DENT: I got a question for you
24 guys: When we first found out about the day -- \$900
25 a day, or \$1,000 a day is what we were told last

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1 Which I don't think we should do. I'm not saying we
2 should look at it separately, but I'm understanding
3 that this 12.66 is looking at the fund as a whole
4 operation versus you're not double counting -- we're
5 not talking about the profitability -- it's not --
6 this number isn't included twice, I don't believe,
7 unless I'm misunderstanding what you you're saying.
8 TRUSTEE TULLOCH: Due respect, Trustee
9 Tonking, I think you are, because we actually don't
10 report food and beverage as a single entity. This
11 -- bear with me. While it may be convenient for
12 this, for food and beverage to hold, put it in here,
13 we can't say that we're making a million bucks
14 profit on food and beverage and ski, and then say
15 that we could also include that as a further
16 profitability somewhere.
17 TRUSTEE TONKING: I see what you're
18 saying, and I agree, we don't ever talk about food
19 beverage as a separate entity. It's always, what
20 you had I just said, a complimentary fund.
21 But in this analysis, I think, for
22 understanding, they put it together as a fund.
23 TRUSTEE TULLOCH: If we want to go down
24 the road as setting it up as a separate fund, that
25 would be appropriate.

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1 year, and then we were told we were on pace for
2 \$900-a-day loss at The Grill, now we're a
3 \$2007-loss-a-day at The Grill last year is what we
4 ended up being -- or double of what we were told in
5 April; correct?
6 MR. BANDELIN: That's what the data the
7 provides.
8 CHAIR DENT: Okay. I think -- besides
9 marketing, I think there's a lot bigger, deep dive
10 that needs to happen here. I mean, this is the
11 first time -- I don't want to talk about any models
12 changing or anything like that. I think the
13 awareness, having sat on this Board for almost
14 eight years, we've never talked about food and
15 beverage to this level and taking a deep dive to
16 have an understanding that we're losing, now \$2,000
17 a day, and have jumped up quite substantially over
18 the last three years.
19 So, I think it's important that we have a
20 deeper discussion about that and give you guys some
21 guidance on what we expect kind of moving forward,
22 especially based on the expectations we had a few
23 months ago, and where -- how we've already missed
24 that mark -- right? -- thinking we were on pace to
25 lose \$900, and now we lost \$2,000 dollars a day.

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1 It's a lot of money.
 2 TRUSTEE NOBLE: Is there any marketing
 3 that is currently being done to promote The Grill?
 4 MR. HOWARD: Right now, the only marketing
 5 that we do is on our weekly eblasts that go out to
 6 all the residents. So, other than that, not really,
 7 no. More so with the events and catering.
 8 TRUSTEE NOBLE: Do you think that doing
 9 some additional marketing would result in a positive
 10 return, all else being equal? Or is it that you
 11 haven't done it before, so you just don't know?
 12 MR. HOWARD: That's a little bit more
 13 correct, we haven't done it, and we don't know.
 14 And I think we hit the majority with our
 15 eblasts into doing more marketing. I'm not sure
 16 exactly who that's going go to and who that's going
 17 to draw. I'm not sure we can quantify what our
 18 return would be.
 19 TRUSTEE NOBLE: Then your observation of
 20 patrons at The Grill, it is mainly golfers, other
 21 members of community, a mix, what percentage do you
 22 have that at.
 23 MR. HOWARD: For The Grill at the Chateau
 24 itself, not including the snack bar or the beverage
 25 cart, it's probably 70, 75 percent residents and

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1 there's an additional column headed "Events," and
 2 does that include events at the Chateau?
 3 MR. HOWARD: That does. That includes
 4 pretty much everything that is done from all of our
 5 dinners, any outside events, any internal events.
 6 The club lunches, all those kind of
 7 things, those do under The Grill food and beverage
 8 revenue.
 9 TRUSTEE NOBLE: So, if there are lunches
 10 or other events involving golfers, those are put in
 11 the events column, not the Championship Course
 12 column; is that correct?
 13 MR. HOWARD: That is correct.
 14 TRUSTEE NOBLE: Okay. So, whether that's
 15 positive or negative, it's put in a separate
 16 category.
 17 I'm just trying to give get a better
 18 understanding of what the Championship Course and
 19 the golfers that are there, how they impact food and
 20 beverage, and -- but at least for a part of that,
 21 whether it's positive or negative, it's being siloed
 22 into the events category; is that correct?
 23 MR. HOWARD: That is correct. I think we
 24 do have the capability right now to totally break
 25 that down to let you know what's weddings, what are

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1 they're getting -- not golfers. Not golfers. It's
 2 more just the community uses that as a whole.
 3 TRUSTEE NOBLE: And do you feel that you
 4 are appropriately staffed to provide a quality
 5 product at The Grill right now, or has there been
 6 staffing shortages that have impacted either the
 7 amount of tables that can be served, the wait time,
 8 the quality of food that you've seen over the last
 9 year or two?
 10 MR. HOWARD: I would say in the last year
 11 or two, no we have not been staffed properly, and it
 12 has caused us to have lower maximums that we could
 13 take in there, so we're not able to take care of as
 14 many individuals or as many table settings, so, no.
 15 But as of right now, I think we are pretty
 16 close to being properly staffed.
 17 TRUSTEE NOBLE: Looking at this year,
 18 starting around now, might be a good time to see
 19 what revenues would look like fully staffed and able
 20 to provide the product you've envisioned; would that
 21 be a fair statement?
 22 MR. HOWARD: I think July and August would
 23 definitely be good months to figure that out.
 24 TRUSTEE NOBLE: Then looking at the
 25 financials, I think it's in -- starting on page 11,

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1 other community events, what are club events, club
 2 lunches, club dinners, that sort of thing. I think
 3 we can break that down to give a little better
 4 understanding.
 5 CHAIR DENT: To Trustee Noble's point
 6 about events, over the last three years --
 7 three years ago, we were losing \$200 a day. Two
 8 years ago we were losing \$1,100 a day. Then last
 9 year, we lost \$2,000 a day.
 10 At the same time, I mean, are there costs
 11 being switched from events to make events look
 12 better over to costs under Champ? Because you do
 13 see the dollars amounts of revenue per day under
 14 Champ going up every year as well.
 15 Are we not getting a clear picture is all
 16 I'm asking.
 17 MR. HOWARD: That's a great question. And
 18 I think that's one thing that we're committed to
 19 doing right now, a total breakdown. And one thing
 20 that we're working with our interim Director of
 21 Finance, Mr. Magee, on trying to break down exactly
 22 where all of those charges are going, especially as
 23 it apples to wages and salaries.
 24 For one instance, this year, we had
 25 nothing budgeted for the beaches because we had to

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1 take that over at the very last second, so there was
 2 nothing in the budget. It's showing up a little
 3 different.
 4 CHAIR DENT: Understood. The big picture
 5 is a concern over The Grill, just the new awareness
 6 to that that we weren't aware of a few months ago.
 7 MR. HOWARD: It's something we're trying
 8 dive deep into.
 9 One other additional comment is, in the
 10 last two years, wages were considerably -- and I
 11 think Bandelin speak about this -- increased at ski
 12 for food and beverage. Likewise, to get the same
 13 people to be able to stick around year to year or
 14 year round and to get those service levels up at The
 15 Grill, those drastically increased. That and food
 16 costs have gone crazy. So maybe it's some pricing
 17 issues as well.
 18 CHAIR DENT: One more question: As it
 19 relates to, you say we've had trouble staffing the
 20 last couple years, but if you look at the wages, our
 21 wages have exceeded our budget every single year, so
 22 what is driving that? You would think if we
 23 couldn't staff and meet our budget load, we would
 24 have a savings there and not over-spending our
 25 budget.

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1 '22/'23 year, and then the Champion was only
 2 overbudgeted in -- or more than budget in '21/'22,
 3 and '22/'23. So just making sure that's stated
 4 correctly for the record.
 5 The other correction I wanted to make is
 6 that in the year '21/'22, events actually made a
 7 profit. We weren't losing money that year. So I
 8 want to make sure we correct the record on that.
 9 The other thing I want to make sure is on
 10 the record that I agree that we need to look into
 11 these venues and figure out what's going on, but I
 12 do want to make sure that it is stated that the food
 13 and beverage, overall, has always been profitable if
 14 you put it all together.
 15 Again, it's subsidizing, I understand, and
 16 we should look into it. But I do just want that
 17 stated.
 18 My other question is I do want to dig in
 19 to, like, what's causing this occurring at The
 20 Grill. I don't know enough about food and beverage
 21 to be somebody who can really understand some of
 22 these issues. It is the types of food and services
 23 we're offering up there? Is it better to change
 24 that whole scheme? Or, like, is the community going
 25 to have to be aware that we're going to have to have

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1 MR. HOWARD: That's something else we're
 2 diving deep into as well, just to get to the bottom
 3 of that.
 4 TRUSTEE SCHMITZ: I just want to just go
 5 back to the discussion of the model. I don't
 6 believe that Board has ever discussed food and
 7 beverage being handled in a way where losses at one
 8 food and beverage compensate for another's. They
 9 should -- food and beverage should stand alone.
 10 They are standalone entities.
 11 And as it relates to The Grill, and
 12 knowing that the majority of the customers there are
 13 residents, you know, it might be a goal to break
 14 even, because we're here to serve the community, but
 15 we should never, in my opinion, be accepting
 16 significant losses at this level from a food and
 17 beverage venue.
 18 And I don't believe that the Board ever
 19 budgeted in a way to lose money at food and beverage
 20 venues.
 21 TRUSTEE TONKING: I wanted to correct the
 22 record on two things, and then I have request and a
 23 statement to make.
 24 One think I wanted to correct the record
 25 on is total wages was only more than budgeted in

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1 a loss there in order to still get the types of food
 2 that you guys have all mentioned, that it's mainly
 3 community people that are there?
 4 I need to just kind understand what are
 5 some of these causes and what are some of the
 6 changes that we need to happen to start to see a
 7 profit in that area.
 8 MR. BANDELIN: As we stated, we're going
 9 to -- staff will be diligently working on that, and
 10 we'll come back. We'll seek some assistance in
 11 that. Our bandwidth it a low right now, so we'll
 12 come back to you with that.
 13 TRUSTEE TULLOCH: Director Howard, Trustee
 14 Noble talked about marketing The Grill, but we've
 15 also heard in recent weeks from residents that
 16 they've gone into The Grill, trying to bring
 17 business to The Grill, and been told they will have
 18 to wait 30 minutes, an hour, because due to shortage
 19 of staff. I'm not sure how we -- there's no point
 20 in marketing unless we actually have the capability
 21 to increased demand. It's also something we
 22 discussed earlier in the season about whether there
 23 is some option to keep The Grill open until 8:00
 24 P.M, which might make it more accessible for people
 25 to actually use it for dinner, because typically, at

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1 the moment, if you want to use it for dinner, you've
 2 really got to be there by 5:30 or something so
 3 you're not going at 6:15 and being rushed out at
 4 seven o'clock.
 5 That's -- I mean -- it's -- do we have
 6 capability to actually market it? There's no point
 7 in marketing it and bringing people in for a
 8 disappointment.
 9 MR. HOWARD: No. And to speak -- other
 10 reason, I'm not sure how much more we to market.
 11 There are times and days, it's not every day and
 12 it's not all the time, we are short-staffed, and
 13 I'm -- I don't know where we're going to get the
 14 staff to keep it open until eight o'clock. So I'm
 15 not sure, right now, that that's an option. Maybe
 16 going forward.
 17 And the other thing is, if you go back and
 18 look at '22/'23, that is when the most significant
 19 increases happened in wages, and we're still not
 20 quite where we need to be to hire. It's a struggle
 21 right now.
 22 TRUSTEE TULLOCH: My next question is,
 23 obviously, if we now have reassessed last year's
 24 losses at The Grill a 2,000 bucks day, where are we
 25 this season? Because we're basically half-way

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1 problem.
 2 I think -- back to a comment I think that
 3 Trustee Tonking made, when it comes to events, I
 4 think it's very important to make sure that we're
 5 not including the facility fee in the event's
 6 number, because I know that that has a substantial
 7 portion, and we have a new director of finance, and
 8 if this revenue total includes a facility fee, that
 9 should be removed so we understand the real numbers.
 10 And if you look at events, I don't want to
 11 divert the attention from the issues at Champ, but
 12 there's also issues with events. You can see where
 13 \$500,000 under, from a revenue perspective, what we
 14 budgeted, however, our personnel costs is over
 15 budget. So, you know -- I'm sorry. It's under
 16 budget by a small amount. My mistake.
 17 But when we're under by \$500,000, we need
 18 to look at what's the issue. Did we just do a poor
 19 job of budgeting? Are we actually losing business?
 20 Or not receiving the revenue from the business that
 21 we were anticipating?
 22 So I think that in addition to Champ that
 23 the facilities and the events needs to be looked at
 24 the same time.
 25 CHAIR DENT: When do you guys plan to come

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1 through the season for The Grill now. The Grill is
 2 a four-month season, June, July, August, September.
 3 We're now-half way through it. If we're losing that
 4 scale of -- making that scale of losses this year at
 5 the moment, I think we need to be mindful because
 6 you have -- in this year's budget, you projected a
 7 much-higher revenues coming from food and beverage.
 8 I'm a little bit concerned if we're now half-way
 9 through and we're now going to start looking at it
 10 and then suddenly we're at September and we find
 11 we've lost 3,000 bucks a day, maybe there's
 12 something -- I'm just -- before somebody quotes me
 13 on that, I'm just throwing that as an instance.
 14 But I think I expressed that concern a few
 15 weeks ago when we talked about this. I think it's a
 16 good idea to bring a quick-and-dirty assistance to
 17 try and help find where some of these things are.
 18 TRUSTEE SCHMITZ: Just to follow up on
 19 that comment, as only one voting board member, I
 20 would be supportive of you hiring some outside
 21 assistance, if you feel that that's the right thing
 22 that you need to do to really dig in and understand
 23 what is causing these issues. I'll let you make
 24 that decision, but I'm supportive of whatever it is
 25 that you feel you need to resolve and rectify the

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1 back to us with a little bill deeper dive, and what
 2 do you guys need from us in the meantime?
 3 MR. HOWARD: When would you like us?
 4 CHAIR DENT: When could you have something
 5 for us?
 6 MR. BANDELIN: A reasonable amount of
 7 time. I really think this would be important to
 8 have reviewed by the Golf Committee, as it's part of
 9 the whole experience at golf.
 10 And then, rather than just coming -- I
 11 think, really, I've heard the agreement of possibly
 12 some consulting going on with this particular task.
 13 I don't want to promise anything at a real-soon
 14 date. I think give us some time to be able to
 15 gather some tangible evidence of how we can improve.
 16 CHAIR DENT: Would beginning of September
 17 be a fair amount of time for you guys?
 18 MR. BANDELIN: Let's say yes. In the
 19 interim, I'll be providing the revenue and expense
 20 reports in General Manager's report.
 21 CHAIR DENT: Okay. Sounds good.
 22 TRUSTEE TULLOCH: Obviously, we're not
 23 making the numbers. We're making losses. The
 24 most-recent flash survey results for the beaches,
 25 and I see lot's of comments saying, yes, we want a

<p style="text-align: right;">Page 66</p> <p>1 lot more choice of food. And then in the same 2 response, but the food is too expensive. 3 I think it is the new reality. Are we 4 actually pricing the food enough? I mean, there's 5 no point -- we can't underprice things to make a 6 loss in each meal, and then we don't make it up in 7 volume. We actually just increase the loss. 8 I would encourage you to look at the 9 pricing because if the revenue is not making in 10 numbers and expenses are way up, it tells me there's 11 mismatch there. 12 MR. HOWARD: (Inaudible due to no mic.) 13 CHAIR DENT: Thank you. 14 TRUSTEE TULLOCH: And I think we need to 15 communicate to the community. Because, yes, we will 16 get blowback, and if you look at the FlashVote 17 survey, all the food is far too expensive. Well, it 18 is what it is. We can't change the pricing that 19 much. It is fixed. It is the costs we have. 20 CHAIR DENT: Closing out item F 1. Moving 21 on to item F 2. 22 F 2. 23 CHAIR DENT: Verbal report from Director 24 of Human Resources Erin Feore on staff development 25 efforts to date.</p>	<p style="text-align: right;">Page 67</p> <p>1 MS. FEORE: I've been asked to talk a 2 little bit about the management team that we are 3 working to develop. We have a management team, 4 we're working to develop them to work in tandem with 5 the senior leadership team. Obviously, there are 6 issues that we keep at the senior leadership level, 7 but these are the folks who are our eyes and ears. 8 So that I can address this completely 9 without forgetting, I wrote just a little synopsis 10 of what it is that we're doing. 11 Over the years I think -- these are my own 12 notes -- the General Manager and the IVGID 13 leadership team has acknowledged the importance of 14 building a really strong management team. And we 15 recognize the incredible talent that we have 16 throughout the District. These are folks who are 17 top of their field, doing incredible work with the 18 folks that they support. These are the folks who 19 will continue to provide the best services and 20 support to ensure district initiatives and 21 expectations are not just met, but exceeded, which 22 is always our goal. 23 The District's strategic plan, 24 specifically, long-range principle number 4, 25 specifically states that we will collaborate with</p>
<p style="text-align: right;">Page 68</p> <p>1 department managers to identify individuals for 2 talent management opportunities to ensure continued 3 retention and growth for management succession 4 within the District. 5 Obviously, we understand that employee 6 engagement, it speaks dramatically to the retention 7 ratings; the more we have engaged employees, the 8 more they feel like they're a part of the 9 organization, the more they're going to want to 10 stay. 11 We understand that engaging this 12 incredibly talented pool -- and I can't speak enough 13 about them -- of employees and training programs 14 and, then also, on collaboration with some of our 15 own senior leadership initiatives, serves a dual 16 purpose to the District. It improves retention and 17 also helps to get the eyes and ears of the District 18 in front of us to talk about some of the things that 19 we may be overlooking as we look at higher-level 20 issues. 21 So far, we've received incredible 22 feedback. This is an ongoing process. It's -- 23 we've been working on it for a while, but we've kind 24 of moved into the initial phases, and the folks who 25 have been involved in this have just really given us</p>	<p style="text-align: right;">Page 69</p> <p>1 some fantastic feedback. You can clearly that we're 2 really engaged with this, so it's super-positive 3 moment. 4 CHAIR DENT: Do you need anything from us 5 at this time? 6 MS. FEORE: No. I just wanted to get you 7 updated on some of the initiatives that we're 8 working on. It's something that is really positive 9 and exciting, so I was excited to share. 10 CHAIR DENT: We appreciate it. 11 Any questions, comments? 12 TRUSTEE TONKING: Thank you for this 13 initiative. I know a lot of our managers are the 14 one that face issues on the ground from what's going 15 on. And they are very valued within this community. 16 TRUSTEE TULLOCH: Appreciate this. We've 17 had several conversations over the last few months 18 about staff development and making sure we do have 19 proper succession plans in place. 20 I really appreciate your bringing this 21 information to the Board. I think it's also -- 22 while it's -- there's claims that the sky is falling 23 with senior staff leaving, it's very pleasing to see 24 during discussions that you find internal staff that 25 we've been able to give additional responsibilities</p>

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1 to and give people the opportunity to demonstrate
 2 their skill sets. I would encourage you to make
 3 sure they're properly supported in that.
 4 Thank you for your efforts.
 5 CHAIR DENT: All right. That will close
 6 out item F 2. Moving on to item F 3.
 7 F 3.
 8 CHAIR DENT: Report from the director of
 9 finance -- excuse me -- Director of Human Resources
 10 Erin Feore on the general guidelines/standard
 11 operating procedures, harassment, discrimination,
 12 hostile work environment claims. This can found on
 13 page 15 of your packet.
 14 MS. FEORE: On this one, I didn't have
 15 anything prepared. Rather, I was going to answer
 16 any questions I could about the information
 17 provided.
 18 CHAIR DENT: Any questions regarding the
 19 standard operating procedure that's laid out in the
 20 packet?
 21 TRUSTEE TULLOCH: I'm looking at general
 22 guidelines. I would suggest in item 4, part 2,
 23 where it talks about base and severity of claims. I
 24 think it says: The Direct of Human Resources may
 25 include the District's general counsel in such

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1 accusing a member of the Board of Trustees or
 2 voluntary members of an advisory committee.
 3 MS. FEORE: My apologies. Yes.
 4 So, if can describe that process because
 5 it's a little bit different. Our standard operating
 6 process when it comes to employee, non-employee
 7 crimes, so to speak, my SOP is really speaking a lot
 8 to that.
 9 When it comes to complaints from the
 10 Board, there wasn't really a standard operating
 11 procedure, so the one I developed was I would get
 12 the information, pass it along, nine out of ten
 13 times to the General Manager unless the complaint
 14 was so egregious and needed immediate attention and
 15 the General Manager wasn't available, then I would
 16 immediately go to Josh and his team, and then just
 17 kind of wait for further instruction.
 18 That's how I have been operating. The
 19 employees who have -- in that situation who have
 20 brought anything to my attention are notified that
 21 this is the process that I'm following, so they are
 22 aware of what that is.
 23 In those instances, yes, to clarify, yes.
 24 If there is a complaint that involves a committee
 25 member or Board of Trustees, Josh -- legal counsel

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1 communication.
 2 I suggest that general counsel must be
 3 included in any of these situations, not just
 4 should, because if you're -- given the situations
 5 addressing, I think general counsel should always be
 6 involved.
 7 MS. FEORE: I would disagree, and here's
 8 the reason why: There are, on occasion, some pretty
 9 cut and dry examples of non-harassment that may have
 10 been perceived as harassment.
 11 And I will tell you that I partner a lot
 12 with Josh, especially when it's matters of legal.
 13 When it's something that is in my professional
 14 experience, which is vast, and also with our senior
 15 HR analyst, between the two of us, we have 40 years.
 16 So, a lot of these things, I will tell you
 17 that a lot of these things often don't vet
 18 themselves out, so it's not always a necessity.
 19 Now, I could absolutely reach out to Josh
 20 and his team or our legal counsel and their teams,
 21 but if that was a requirement for every report that
 22 came in, I would be concerned about spending
 23 unnecessary money.
 24 TRUSTEE TULLOCH: Just to clarify, I'm
 25 talking about part IV, part 2, whether it's claims

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1 and their team are always immediately involved.
 2 TRUSTEE TULLOCH: That, change the
 3 language there, because you can't have a general
 4 manager adjudicating claims against elected
 5 officials in terms of that, when he's their
 6 employee.
 7 TRUSTEE TONKING: Two questions, possibly
 8 three. Can you talk to me about what's the
 9 difference between hostile and toxic?
 10 MS. FEORE: So, if I'm understanding what
 11 you're asking, the difference between a hostile work
 12 environment and a toxic work environment?
 13 TRUSTEE TONKING: Yes.
 14 MS. FEORE: A hostile work environment is
 15 often interchangeably used with a work environment
 16 that is hostile.
 17 And a hostile work environment as Josh has
 18 talked with me about, something I've always known,
 19 is typically dependent upon discriminatory behavior.
 20 For example, someone is purposely mistreating me,
 21 and I have been robbed of employment action or
 22 advancement, things like that. I've actually
 23 suffered adverse employment action. That would be a
 24 hostile work environment. I am specifically being
 25 treated poorly, for lack of a better word, because

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1 of a protected class, which would be my gender, my
 2 age, a disability, any of those things.
 3 A toxic work environment -- and it's
 4 interesting that you mention this because there
 5 was -- obviously, I read a lot of articles related
 6 to human resources, and there was an article that
 7 was published not too long ago that spoke to, kind
 8 of, the insidious nature of toxic work environments
 9 and what they involved. And obviously I write down
 10 verbatim what that mean, so bear with me.
 11 A toxic work environment is incredibly
 12 subjective. What I might find toxic is something
 13 that somebody else might not have a problem with.
 14 But oftentimes a toxic work environment involves
 15 certain characteristics, such as a feeling of
 16 disrespect, demeaned, belittled, bullied. Just --
 17 it's hard to define, but it's exactly as it sounds.
 18 TRUSTEE TONKING: Okay. My next question
 19 is as an employee, you're not required to know the
 20 legal terminology for the incidents you're
 21 experiencing. Let's say I feel like I'm
 22 experiencing a hostile environment, but, really, I'm
 23 experiencing a toxic environment.
 24 Your job is to understand the difference
 25 in that, but this not -- they don't have to know the

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1 TRUSTEE NOBLE: So, if you get a complaint
 2 and it's title -- the person filing that -- the
 3 employee filing that complaint believes it's a
 4 hostile work environment. You look at it, determine
 5 that it doesn't meet that legal threshold for the,
 6 quote, unquote, hostile work environment, but it may
 7 envelope policies, that sort of thing, that would
 8 trigger the whistleblower procedure. Do you direct
 9 them to that or do you just say, it's -- it doesn't
 10 reach that threshold and you gotta figure this out
 11 on your own?
 12 MS. FEORE: Oh, no. Yeah. No. If
 13 somebody came in -- and here's a great example:
 14 Someone may come in and say, I've been discriminated
 15 against. And I've been discriminated against
 16 because I wanted shift A and Fred got shift B -- or
 17 Fred got shift A. And you take a look and can see
 18 on its face that it isn't necessarily
 19 discrimination. Maybe Fred had seniority or
 20 previously -- whatever.
 21 Regardless, when there are key words that
 22 will trigger me to partner with legal, simply
 23 because that's a really important way to make sure
 24 that I'm keeping the District safe.
 25 There are times when that issues, even on

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1 legal terms or definitions; correct?
 2 MS. FEORE: Yeah. A perfect example of
 3 this, also very common in human resources, if
 4 somebody came to me and said, due to my chronic
 5 condition, I'm going to need an extended period of
 6 time off, they don't have to come to me and say, I
 7 need the Family Medical Leave Act. I need to go out
 8 on FMLA.
 9 They just have to say enough that any
 10 reasonable person would understand what it is that
 11 they're asking for, and then it's my duty to guide
 12 them in that direction.
 13 TRUSTEE TONKING: I have a question on
 14 this that I don't know if I can ask because it's not
 15 exactly in this report. If it's not, I would like
 16 it agendized.
 17 Can you give me any themes as to what
 18 rationale as to why you've seen employees leaving
 19 the District?
 20 MS. BRANHAM: I would caution that it's a
 21 bit outside of the scope of tonight's agenda item.
 22 That's a discussion we can certainly bring back as a
 23 report from the HR director, if you would like.
 24 TRUSTEE TONKING: I would like that on the
 25 next agenda, please, as a report. Thank you.

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1 its face, may not seem to be a certain way, I will
 2 partner with legal.
 3 That said, if somebody came in and said,
 4 I'm experiencing a hostile work environment, and
 5 this is everything that's happening. And it clearly
 6 does not rise to the legal level, I would still work
 7 with our legal team to just say, hey, just give me a
 8 sanity check. This is the information that I've
 9 been provided. I just want to make sure that I'm
 10 communicating to the employee directly.
 11 If an employee comes in and says, I've
 12 experienced a hostile work environment involving a
 13 member of the Board of Trustees and/or a committee
 14 member, again, I would take down that information
 15 and pass it along, typically, to the General Manager
 16 and/or Josh -- legal counsel.
 17 CHAIR DENT: That closes out F 3. We're
 18 going to move on to item F 4.
 19 F 4.
 20 CHAIR DENT: Report brought forth by the
 21 General Manager's Advisory Committee on the dog
 22 park. Requesting staff member Director of Parks and
 23 Recreation Sheila Leijon, found on pages 17 through
 24 25 of your board packet.
 25 MS. LEIJON: Tonight, I know you have in

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<p style="text-align: right;">Page 78</p> <p>1 your packet a well-thought out conceptual plan for 2 the dog park at the Village Green. I will be 3 pulling up a PowerPoint, four slides. I believe you 4 have a copy on your desk. And also we have an 5 expanded view of a design that Myles put together, 6 Dr. Riner, and it shows some of conceptual ideas. 7 Nothing is etched in stone. These are 8 just ideas and concepts that were brought forth by 9 the entire committee. The committee involves Judith 10 Miller, Myles Riner, Michelle Lindsner, Janet Paul, 11 and Laura Roney. Those individuals all contributed 12 to this presentation and to the concept. Myles 13 wrote the majority of it. Judith came with the idea 14 of expansion into the forested area. 15 I'm going turn this over. Myles will 16 start with the conceptual ideas. Then Judith will 17 up it with next steps that we're hoping the Board 18 will approve or let us go forward with. 19 DR. RINER: My presentation will take 20 about six or seven minutes and, Judith Miller's 21 presentation on next steps will take another 22 three minutes, I think. Then we will entertain 23 questions from you. 24 The Dog Park Committee originally reviewed 25 several areas in Incline Village to locate a</p>	<p style="text-align: right;">Page 79</p> <p>1 dedicated dog park. The Village Green was actually 2 not initially considered the ideal site, as some 3 members, including Mr. Winquest and myself, 4 preferred using the U.S. Forest Service or other 5 sites for the dog park. 6 However, the Board chose the Village Green 7 as the location, and the committee proceeded to 8 develop a conceptual plan based on this decision. 9 I'd like you to refer to the more-accurate 10 grayscale map, rather than the one in Exhibit A, 11 which is kind of more symbolic. 12 To avoid unnecessary costs, the committee 13 chose to wait for the Board's tentative approval 14 before investing in a detailed, full-scale 15 engineering and construction plan. The committee 16 all agreed that if we are going to use this prime 17 real estate in the Village Green for dog park, it 18 should be of a high quality, commensurate with other 19 recreational facilities at Incline and not just an 20 industrial-looking, basic, fenced-in area with a 21 gate. 22 Due to ongoing helicopter rescue 23 operations that use the southern half of the Village 24 Green, the dog park had to be located on the 25 northern half. The committee received assurances</p>
<p style="text-align: right;">Page 80</p> <p>1 from the fire district that this wouldn't impact 2 operations as long as the walls separating the dog 3 park from the lower field was not composed of 4 fabric, which could be shredded by the air of the -- 5 the wind of the helicopter. 6 Expanding the dog park into the wooded 7 area west of the upper field was entertained in 8 order to create a larger park closer in size to the 9 entire Village Green, as this is what our dog owners 10 have become accustomed to. This expansion can be 11 done without infringing on the critical 12 environmental stream zone area adjacent to Third 13 Creek, and would provide shaded areas, enhancing the 14 park experience. 15 By pushing the northern boundary of the 16 dog park westward, the parking area would be 17 expanded to accommodate additional parking spaces. 18 A gender-neutral, single stall restroom would be 19 added to the parking area plateau above to upper 20 field, and the elevation of this plateau relative to 21 the road above and the field below would depend on 22 the depth of the sewer line under Incline Way. This 23 will ensure the proper one to 40 from restroom and 24 water feature to the sewer line. Leveling the slope 25 plateau may require a more robust retaining wall</p>	<p style="text-align: right;">Page 81</p> <p>1 than currently exists at the northern end of the 2 upper field. 3 The upper field would have a separate 4 fenced small dog run accessible from the large dog 5 run. The main dog run would include various 6 amenities like a dog wash station, water fountains, 7 several comfortable bench seats on permeable tile 8 paths with small mushroom tables, bear box-type 9 trash receptacles, and dog waste bag dispensers. 10 The wooded area to the west of the grassy, 11 main dog run would provide a shaded, maintained loop 12 trail, and possibly a small agility course. 13 A wheelchair-accessible switchback ramp 14 would lead from the parking plateau to a special dog 15 park gate at the north end of the main dog run. 16 This gate would also lead to the small dog run. A 17 little bit different than what you see here on this 18 map. 19 The gate would also -- another dog park 20 gate at the southwest corner of the field would 21 access a path, the path along the western edge of 22 the lower field leading to the bridge over Third 23 Creek and the trials through the fitness course 24 area. 25 A water feature with a 16- to 20-foot</p>

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1 diameter, coated cement splash pad surrounded by a
 2 rectangular area of dog-friendly artificial turf
 3 would include one or two fresh-water mist spray
 4 elements fed by a timer-limited, touch-activated
 5 ballard system. That's what they call it.
 6 The committee believes this water feature,
 7 fenced in and assessed from the larger dog run, is
 8 needed to cool off the dogs on hot summer and fall
 9 days, and will help dissuade dog owners from feeling
 10 the need to allow their dogs to enter the two
 11 adjacent creeks.
 12 The park's perimeter would be defined by a
 13 6- to 7-foot high coated, chain link fence, and
 14 utility roads, or footpaths, on the western and
 15 eastern edges of the park leading from Incline Way
 16 down to the southern end of the lower field. Split
 17 rail fences would line the outer edges of these two
 18 utility roads to deter entry into the protected
 19 stream zones.
 20 The southern edge of the dog park would
 21 have to a 10-foot high, wooden wall to limit noise
 22 from the dog park, interfering with activities on
 23 the lower field, and provide a backdrop for
 24 bleachers or a performance stage or even a movie
 25 screen for viewers sitting on the lower field to

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1 orange area, that approximates 50 feet from what is
 2 allegedly the creek, and it came out to 79,000
 3 square feet of space, which is almost two acres, but
 4 I've been told that's probably not quite going to
 5 measure up. If so, that replace the whole lower
 6 field area that we now understand has to be left
 7 unfenced.
 8 So I'm really hopeful that we'll get an
 9 additional, at least, acre, maybe acre and a half,
 10 to use in that orange shaded portion.
 11 The 2019 community services master plan
 12 informed us the community dog parks range from two
 13 to ten acres. The upper Village Green field's a
 14 little more than an acre, after the parking and
 15 restroom installation. So, unless we can add a
 16 pretty good-sized area to the west, we're going to
 17 have something that's smaller than the two-acre
 18 minimum described in the master plan.
 19 But before anyone can determine the costs
 20 of the major elements, like professional design,
 21 engineering for the parking area and the restroom
 22 pad, the fencing, the ground cover, the paving, we
 23 really need to know just how much of that land we
 24 can use.
 25 Once we have it staked out, with staff's

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1 watch movies at night.
 2 In summary, the committee responded to
 3 Board's selection of the Village Green for dedicated
 4 dog park, despite some initial reservations. We
 5 developed a conceptual plan, using the upper Village
 6 Green field and a portion of the wooded area to the
 7 west. The expansion into the wooded area would
 8 create a larger, partially shaded park, amenities
 9 like a dog wash station, seating, and a water
 10 feature should really enhance the quality of the
 11 facility.
 12 The park's perimeter would be marked by a
 13 coated chain link fence, external utility roads, and
 14 a wooden sound partition wall on the southern edge
 15 which will enhance the use of the lower southern
 16 field for our community.
 17 That's my presentation. I'm going to turn
 18 this over to Judith.
 19 MS. MILLER: Many of the next steps are
 20 going to hinge on just how much we can use of the
 21 area to the west of that upper field and partially
 22 into the lower field, if this drawing that I
 23 downloaded from the county's regional mapping system
 24 is anywhere near as accurate as far as the creek
 25 placement. I did trace a line, you can see that

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1 assistance, and a very generous offer of help from a
 2 very respected local landscape designer, Christine
 3 Karnofski, we can come back to the board with a
 4 beautiful design, a better-defined project, and
 5 preliminary cost estimates for you to consider.
 6 We do believe this project will attract
 7 considerable support in the form of donations.
 8 Assuming there's a consensus by the Board
 9 to move forward, once we confirm the boundaries with
 10 TRPA, we hope to soon have a professional
 11 preliminary design and cost estimates. At that
 12 point, we'd really like to seek some community
 13 input; perhaps a workshop format on the Village
 14 Green. Once we have the feedback, we could proceed
 15 with civil engineering, final plans, and a more
 16 complete and accurate cost estimate for Board
 17 approval.
 18 Incline Tahoe Foundation has already
 19 expressed an interest in helping to secure
 20 donations, so hopefully cost won't be the biggest
 21 factor.
 22 Our target would be to have plans
 23 submitted -- ready to submit to TRPA in the fall,
 24 and, perhaps, even start construction next year.
 25 After the many, many years of delays, I hope that

<p style="text-align: right;">Page 86</p> <p>1 will happen. I hope you will help us make that 2 happen.</p> <p>3 Thank you.</p> <p>4 TRUSTEE SCHMITZ: I'm just curious, were 5 you ever provided specific requirements that are 6 needed for helicopter and for landing? I mean, what 7 specifically are their requirements, from a space 8 perspective, from a fencing perspective?</p> <p>9 DR. RINER: What we did was we took this 10 preliminary plan and the maps that we had and 11 specifically asked the fire district, including, by 12 the way, the 10-foot wall that separated the upper 13 from the lower field, and asked if this would in any 14 way impede the operation of the helicopter rescue 15 program that they have used for many years. And we 16 were told absolutely it would not be an impediment 17 to their operations in any way.</p> <p>18 TRUSTEE SCHMITZ: I guess my question is 19 the other way. It seems as though that has caused 20 you move to the north and to abandon the south. My 21 question really is: What was their requirement?</p> <p>22 DR. RINER: Well, they specifically told 23 us, don't put the dog park in the southern field 24 because it will impede the operations of the 25 helicopter rescue program if you do that.</p>	<p style="text-align: right;">Page 87</p> <p>1 TRUSTEE SCHMITZ: My question is: Did 2 they give you specific requirements?</p> <p>3 DR. RINER: No. Not to me.</p> <p>4 MS. LEIJON: They did not give specific 5 requirements, but they -- Chief Summers did explain, 6 he came to the meeting, one of our meetings, and 7 discussed it in detail with us.</p> <p>8 Initially, he thought we were talking 9 about the lower field, and he very upset about that 10 because that is the field that they have to use 11 because of the approach. If you're familiar with 12 any kind of flying or helicopters, there are 13 prevailing winds that come off our lake, and they 14 take a certain approach and land coming into wind 15 into the southern -- the lower portion of the 16 Village Green. So that was primary concern.</p> <p>17 Once he learned that we were willing to 18 move it to the upper field, he just asked that we 19 would have permanent fencing that would be able to 20 withstand the prop wash.</p> <p>21 And other than that, parking for the fire 22 department is adjacent to the southern end of the 23 lower Village Green, and that is for patient access 24 and transport.</p> <p>25 TRUSTEE SCHMITZ: I have another question.</p>
<p style="text-align: right;">Page 88</p> <p>1 Has this been shared with the people who frequent 2 the dog park?</p> <p>3 MS. LEIJON: It has not, but that is one 4 of our next steps. One of the things we would like 5 to do is, at the dog park, actually host an event 6 where we can show them conceptual drawings, 7 conceptual designs, have them weigh-in, much like we 8 did with the master plan, on whether or not they 9 like the amenities that we've put forth, and have an 10 opportunity for them to cast a vote, like we did 11 with the master plan.</p> <p>12 TRUSTEE TONKING: During one of the 13 meetings, you discussed a little bit about the 14 shoveling aspect and how we're going to make sure 15 those gates are accessible during the winter. Can 16 you take a little bit more about that?</p> <p>17 MS. LEIJON: Yes. Even though Myles is 18 not a fan of my drawing in the packet, you'll see 19 it's pretty stick figure, but you'll see that I have 20 shared gates.</p> <p>21 One of the gates is a utility gate on the 22 east side of the small dog park and the large dog 23 park that allows access for maintenance vehicles to 24 get into both parks. Sharing that gate will lower 25 the expenses and give our park staff the opportunity</p>	<p style="text-align: right;">Page 89</p> <p>1 to do better maintenance.</p> <p>2 And then on the north end where the double 3 gate -- double entry gate is, there would be an 4 opportunity to enter into the either the small dog 5 park or the large dog park from that gate entrance, 6 and then also be able to get to the water feature 7 and some of the other features and amenities, the 8 shaded area, the forested area, for small dogs as 9 well.</p> <p>10 DR. RINER: To add to that in response you 11 your question, the special dog gates are designed to 12 keep dogs from running the other way when somebody 13 comes into the park, to keep dogs from exiting the 14 park by having sort of a double gate configuration.</p> <p>15 But whether it's summer or wintertime, the 16 access to and through the gates would, presumably, 17 be able to be cleared from snow, in particular 18 because the gates themselves would probably be put 19 on a foundation of permeable pavers so that 20 shoveling snow off them would not be that difficult, 21 as opposed to shoveling snow off grass.</p> <p>22 And so the gate's entry and exit into and 23 out of the park, both at the southern end and the 24 northern end and where the ramp is, would all be 25 fairly easily cleared of snow by whoever was doing</p>

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<p style="text-align: right;">Page 90</p> <p>1 maintenance on the field during the wintertime. 2 MS. LEIJON: In my discussion with 3 Superintendent Phillips with our parks department, 4 Steven did discuss the fact that we could be 5 creative in the way that we set the ground covering, 6 so it would be multi surfaces; it could be permeable 7 pavers, it could have DG along the fence line so 8 when you're mowing grass, you don't have to get that 9 close to that edge. We would make it as simple as 10 possible to reduce the maintenance costs, 11 understanding that they already have maintenance 12 costs for that area of the field, we like to try and 13 keep it as low as possible, but also have it be year 14 round, like Myles was saying. 15 And I think, just based on the research 16 that we've done, there is a possibility of doing 17 that, unless we have a winter like we had this year. 18 And then you're going to be dealing what you're 19 dealing with. 20 TRUSTEE TULLOCH: I'm glad to hear there 21 is plans to do a survey first before we move down 22 this. 23 As probably the member of the Board that 24 spends the most time at the dog park here, somebody 25 that uses it six to seven days a week, I've done an</p>	<p style="text-align: right;">Page 91</p> <p>1 unofficial survey, and I've yet to find any of the 2 frequent users of the dog park that actually support 3 this plan, and that concerns me. 4 One of things discussed with 5 previous-general manager Winquest was instead of 6 spending money on a dog park, which comes to 7 approximate costs here, he was going to look at 8 alternatives for soccer field, since that seems the 9 primary complaint, all the kids can't play soccer 10 there. I wouldn't play soccer there. I would play 11 soccer at a reasonably high level. I wouldn't play 12 soccer on that field because of the state of the 13 field. Nothing to do with the dog mess and things. 14 I have concerns about that. 15 I also look at the civil engineering 16 involved to actually do the excavation for a parking 17 lot that's going to take 12 vehicles at the top and 18 build a new retaining wall. I have no reason to 19 doubt Mr. Gately's numbers, he's more up to date on 20 the actual civil engineering numbers than I am. My 21 back-of-envelope number came out a similar number, 22 over a million bucks just for the civil works there. 23 I'm concerned that this is not something 24 that the dog community is supposedly wanting. And 25 now we're hearing about a 10-foot video screens and</p>
<p style="text-align: right;">Page 92</p> <p>1 everything as well. 2 I do use the dog park probably 300-plus 3 days a year. Apart from the dog owners, I see very 4 other -- few other people wishing to use the park, 5 so I have concerns about that. 6 I also have concerns that there's no cost, 7 there's no cost estimates here. Again, I've done 8 some back-of-the-envelope ones, we put in a 6-foot 9 fence, three feet of snow -- this year, I think it 10 was about five feet of snow covering the park, so we 11 would have a 1-foot fence, apart from that -- I 12 mean, even in a normal year, we would typically have 13 two to three feet of snow there, so I'm not quite 14 sure what we're actually achieving with this for 15 part of the winter. 16 MS. LEIJON: That was one of the very 17 first things that the dog community wanted to bring 18 forward, was a community survey, to find out exactly 19 what or if the community did still want this, 20 because I think it's been eight years since we did 21 the first plan. 22 And so we feel the same way. We really 23 want to have the community buy in and survey the 24 community and understand what their desires are. 25 So, agree with you on that, Trustee Tulloch.</p>	<p style="text-align: right;">Page 93</p> <p>1 I also utilize that area quite a bit 2 myself, not with a dog, unfortunately, but for my 3 own use. And I agree with you, the current 4 situation is adequate for what people need right 5 now. 6 However, we did get in our direction to 7 use the lower -- the upper portion of the Village 8 Green for the dog park. And so we're bringing 9 forward a conceptual drawing and plan, and, 10 unfortunately, there are no cost estimates with it 11 because, as Judith alluded to, we still need to work 12 with TRPA. We are meeting with them, Engineer 13 Nelson, and I have been talking about timelines for 14 that for the meetings with TRPA. 15 Once we get that information, we will have 16 a better handle on how much space we have and then 17 be able to bring costs estimates to you. 18 DR. RINER: As I mentioned in the 19 beginning, there were a lot of concerns amongst the 20 members of dog park committee about putting the dog 21 park at the Village Green. 22 There were also a lot of concerns about 23 leaving the temporary dog park at the Village Green 24 and the impacts that that was having on both 25 conflicts others, which you say might be able to</p>

<p style="text-align: right;">Page 94</p> <p>1 mitigated by moving some of these athletic events 2 off the field, but there are other conflicts because 3 you still have kids and people playing on that park 4 at the same time that dogs are defecating on it. 5 Also, there's been damage to the creek 6 sides on both sides, which could be mitigated by 7 fencing, but in any case, we all looked at the 8 option of using the Village Green as a dog park, and 9 had a lot of mixed feelings about it, frankly, and 10 we knew and were well aware that there were people 11 who currently use the dog park that would just 12 assume leave it like it is and didn't care so much 13 about what the damage was to the creeks and didn't 14 feel that that was an issue and so forth. 15 But there were also people who don't use 16 the dog park and maybe would use the dog park if it 17 was fenced in and had all these other amenities to 18 it. 19 One of reasons why we wanted to survey the 20 community was to get a better feel for what kind of 21 amenities where would like to see in a dog park and 22 where they would like to place it. Whether they 23 would prefer to place it at the Forest Service site 24 or adjacent to disc golf or whatever. I mean, we 25 have five different places we were looking at.</p>	<p style="text-align: right;">Page 95</p> <p>1 But you guys decided that you wanted to 2 put this at the Village Green, and you said to us, 3 put a dedicated dog park on the Village Green. 4 So that's why we got together and proposed 5 this plan. And one thing that was very clear 6 amongst all of us was if we're going to uses this 7 real estate for a dog park, we didn't want to have a 8 thrown-together, something that looked like a cow 9 pen, as opposed to a really nice dog park with a lot 10 of amenities that dog park users would appreciate. 11 And we knew we needed to put parking there, because 12 we didn't want dogs to be -- have to come across 13 Incline Way to get to the dog park, it's too 14 dangerous. 15 TRUSTEE TULLOCH: If I could just correct 16 the record there, when it came previously to the 17 Board, you wanted to do a survey regarding the 18 Forest Service site. The Board pointed out at the 19 time that that site, we've be chasing for years. 20 The other three or four sites, the 21 committee told at the time, were unsuitable, so the 22 only sites that was being there at the time you 23 wanted to do a survey regarding that. I agree now, 24 it's time to do a survey of the community. 25 I have heard all these tales about, yes,</p>
<p style="text-align: right;">Page 96</p> <p>1 there's destruction, damage to that. All I've heard 2 is tales. I haven't seen any evidentiary proof of 3 all that, I may have missed it, but I haven't seen 4 that. 5 Also, with regard to parking for 12 6 vehicles, any normal day at the dog park, there's a 7 lot more than 12 vehicle required. I park quite 8 regular on Incline Way. If we're limiting it to 12 9 vehicles, people are still going to be parking down 10 at the main entrance where all the facilities 11 already are. 12 I mean, this -- I think if we're spending 13 a million bucks to provide -- an additional million 14 bucks as a reference point, it may or may be 15 correct, but I think it's in the right region, I 16 think we need to understand what it's going to 17 provide. If it still leaves everyone back up 18 through the southern part of the field, it's not 19 doing that. 20 We also heard a gentlemen from the golf 21 community stressing that for the golf community, it 22 had to be really driven by golfers. 23 I would suggest for the dog park survey, 24 it needs to be driven by the dog community in very 25 much the same way. That's an equivalent way of</p>	<p style="text-align: right;">Page 97</p> <p>1 looking at it. I think we need to be consistent on 2 how we're actually doing this. 3 MS. LEIJON: Just to be clear, the survey 4 had two options. It was the Forest Service and the 5 Village Green. 6 And whole goal -- Judith actually worked 7 really hard with me on the survey, and we were 8 hoping to get exactly the feedback that you're 9 asking us to look for. 10 Maybe it's an option now, at this time, 11 where we bring it back to you and see if we can 12 put -- or our other plan of having an event, we like 13 that idea, and engaging the community in that. 14 DR. RINER: Couple of comments in 15 response. 16 One is I'm not sure exactly how many 17 parking spaces would be available to us. My 18 estimate was approximately 12, but it could be 15 or 19 even more. It depends upon the width of the spaces 20 and how they were aligned and how much room we had 21 to do that, and that would depend upon a 22 more-thorough evaluation of that area above the park 23 and what it would accommodate. 24 Secondly, this survey that we propose had 25 a lot of elements that weren't related to any</p>

<p style="text-align: right;">Page 98</p> <p>1 specific site, but were about the kind of amenities 2 that dog park users would like to see in a dog park 3 regardless of where it was sited, and we didn't 4 really have an opportunity to do that survey. 5 The other thing I would have liked to have 6 been able to do is create some plans for each of the 7 sites that we thought might be usable as a dog park 8 and give the community the opportunity to say, yeah, 9 we prefer this site or that site, but we never got 10 that opportunity. 11 And lastly, I think that this community 12 deserves to have a quality dog park, and not just no 13 dog park. 14 When we set up this proposal and try to 15 figure out what would work where and what amenities 16 we'd like to have, a part of the consideration was 17 how to make it a dog park that was consistent with 18 the other facilities and amenities that we have in 19 this community. And that means that we knew that 20 that was going to cost some money, and we also hoped 21 that as a result of getting donations to support the 22 dog park that we could limit the amount of costs 23 that were incurred directly to IVGID. 24 CHAIR DENT: Given that there's no action 25 tonight on this item, that's why -- I know, Trustee</p>	<p style="text-align: right;">Page 99</p> <p>1 Noble, you do have something to say -- I do want to 2 move this along, and it sounds like you guys have 3 laid out a plan to either, potentially, have some 4 sort of forum down at the dog park or come back to 5 us with a survey that you guys have developed, and 6 then send that out to the community? Is that what 7 I've heard? There is no action in here tonight, and 8 I do appreciate the schematic and seeing where you 9 guys are at, but it seems -- as far as a update to 10 us, this is good, a good starting point. 11 I do thing we have a long way to go before 12 it truly comes back to us for any real action. 13 MS. LEIJON: There was going to be an 14 action item, but we found out we have enough topo 15 information in the District to be able to skip the 16 site survey and be able to just do it in-house. 17 So once we know the size of the area that 18 we can use, we will get with our engineering 19 department and bring back something a little bit 20 more fully baked. 21 TRUSTEE NOBLE: What is the plan currently 22 for all the sporting activities that take place on 23 the upper field? If they are going to be evicted 24 from that area, where are they going to go? And I'm 25 thinking in particular, Trustee Tulloch doesn't</p>
<p style="text-align: right;">Page 100</p> <p>1 think it's a good place to play soccer, but it's the 2 only place that I've known for a decade-plus where 3 the U8, U10 boys and girls mid-August to late 4 October, Monday through Saturday, as well as the 5 other events that is take place on the upper field, 6 when it's snow free. 7 MS. LEIJON: Based on discussions with our 8 sports supervisor and our specialists, we do believe 9 that we can have -- we can accommodate the younger 10 children on the lower portion of the field. For 11 older children and for sporting events that need a 12 higher quality of field, we would engage with 13 Incline High School, Incline Middle School. We can, 14 potentially, use Ridgeline and/or also the high 15 school. 16 We do have those joint-use agreements 17 where we can use those fields, and that would be our 18 plan. Of course it is subject availability. 19 TRUSTEE NOBLE: That would be something I 20 would ask that you explore to make sure that's still 21 possible, because what I would hate to see is we 22 move forward, and all of the sudden, we don't have 23 the fields or the availability on the alternate 24 fields to actually field all the things that we've 25 done before with the upper field.</p>	<p style="text-align: right;">Page 101</p> <p>1 And then the other question I have, if 2 there's going to be a dedicated dog park on the 3 upper field, what happens to usage on the lower 4 field as well as beach in the wintertime? 5 MS. LEIJON: The beach in the wintertime 6 and the Village Green were both set up as temporary 7 dog parks. I would assume that we would stop the 8 usage at the beach, at the beach, and the lower 9 portion would be subject to leash law or voice 10 command, as would the fit trail. 11 I know Trustee Tulloch walks Timber quite 12 a bit on the fit trail, and he's great with voice 13 command and does the right thing. And he also picks 14 up dog poop for other people. 15 I do believe we're going to have to learn 16 how to coexist, and it will be a learning curve for 17 the community. But thanks to some of the innovation 18 like moving into the west portion of the forest, 19 we've increased the area because it -- anyone with a 20 large dog is concerned with the size, and so that's 21 something I think we're moving in the right 22 direction on. 23 I also like, as far as the beaches, if we 24 set this up properly and it is fun place for the 25 dogs to be, I would assume that we would not have</p>

<p style="text-align: right;">Page 102</p> <p>1 dogs on the beach.</p> <p>2 TRUSTEE NOBLE: That would be something I</p> <p>3 would hope that it's clear before we break ground or</p> <p>4 anything, that it's all set in place. What I</p> <p>5 wouldn't want to see is we spend all this money for</p> <p>6 this fantastic dog park and everybody uses the lower</p> <p>7 field and the beaches.</p> <p>8 MS. LEIJON: Again, they would have to be</p> <p>9 on leash or within voice command.</p> <p>10 TRUSTEE NOBLE: Right. What I'm saying is</p> <p>11 outside of being on leash, voice command, they're</p> <p>12 still using the lower field, and they're trying to</p> <p>13 get into the beach.</p> <p>14 TRUSTEE SCHMITZ: I concur with Trustee</p> <p>15 Noble. My concern is, due to the limited parking,</p> <p>16 people are still be parking in the same place. We</p> <p>17 can spend all this money building this dog area</p> <p>18 that, potentially, won't get used. That's my</p> <p>19 concern.</p> <p>20 I would like to request that you identify</p> <p>21 the constraints and the assumptions, because I was</p> <p>22 not assuming that think we were going to be then not</p> <p>23 allowing them on the beaches in the wintertime. I</p> <p>24 don't think that will go over well with out</p> <p>25 community members.</p>	<p style="text-align: right;">Page 103</p> <p>1 I think you should list what your</p> <p>2 assumptions are what and what your constraints are,</p> <p>3 and that goes back to the constraints about soccer</p> <p>4 fields, other needs. And so we need to make sure</p> <p>5 that we're looking at the full picture. What are</p> <p>6 the parking requirements? What are the requirements</p> <p>7 for the field? What are the requirements for the</p> <p>8 helicopter landings? And what do we need to do for</p> <p>9 improved stream mitigation?</p> <p>10 I think that there's some assumptions and</p> <p>11 constraints that need to be identified so that we</p> <p>12 all understand what decisions we're making and what</p> <p>13 the impact of those decisions are.</p> <p>14 DR. RINER: Keep in mind that during the</p> <p>15 summer and fall, the lower parking area, south of</p> <p>16 the lower field, we often have considerable</p> <p>17 constraints on the ability to use that parking area</p> <p>18 because it's primarily for boats and boat people,</p> <p>19 and oftentimes even the accessory parking lot and</p> <p>20 that parking lot are completely full and very few</p> <p>21 spaces are available for parking for dog users.</p> <p>22 TRUSTEE SCHMITZ: I'm not here to argue.</p> <p>23 I'm here to just say I think we need to understand</p> <p>24 clearly what the requirements are for parking,</p> <p>25 because if it was up at the upper area and it's to</p>
<p style="text-align: right;">Page 104</p> <p>1 be used in wintertime, the parking spaces will be</p> <p>2 reduced because of having to have snow use as well.</p> <p>3 I think it's just important that we</p> <p>4 understand what the requirements and the needs are.</p> <p>5 MS. LEIJON: I think we have enough</p> <p>6 information to move forward and bring back some more</p> <p>7 updates very soon.</p> <p>8 CHAIR DENT: That will close out item F 4.</p> <p>9 Moving on to item G.</p> <p>10 G. CONSENT CALENDAR</p> <p>11 CHAIR DENT: Consent calendar, item G 1,</p> <p>12 approve meeting minutes of June 28th, 2023, found on</p> <p>13 pages 26 through 161 of your packet. Item G 2,</p> <p>14 approve meeting minutes of July 6th, 2023, found on</p> <p>15 163 through 192 of your board packet.</p> <p>16 Is there a motion --</p> <p>17 TRUSTEE SCHMITZ: I make a motion that the</p> <p>18 Board accept the consent calendar items.</p> <p>19 CHAIR DENT: Motion's been made. Is there</p> <p>20 a second?</p> <p>21 TRUSTEE TONKING: Second.</p> <p>22 CHAIR DENT: Motion's been made and</p> <p>23 seconded. Any further discussion by the Board?</p> <p>24 All those in favor, state aye.</p> <p>25 TRUSTEE TONKING: Aye.</p>	<p style="text-align: right;">Page 105</p> <p>1 TRUSTEE TULLOCH: Aye.</p> <p>2 TRUSTEE NOBLE: Aye.</p> <p>3 TRUSTEE SCHMITZ: Aye.</p> <p>4 CHAIR DENT: Aye.</p> <p>5 Motion passes, 5/0. That closes out the</p> <p>6 consent calendar. Let's take a five-minute break.</p> <p>7 We will come back at 8:43.</p> <p>8 (Recess from 8:37 P.M. to 8:46 P.M.)</p> <p>9 CHAIR DENT: All right. Welcome back. We</p> <p>10 are moving on to general business. Formerly item H</p> <p>11 5, now H 1.</p> <p>12 H. GENERAL BUSINESS</p> <p>13 H 1.</p> <p>14 CHAIR DENT: Review, discuss, and possibly</p> <p>15 approve the training with Government Sciences Group,</p> <p>16 Inc., in a not-to-exceed amount of \$10,500.</p> <p>17 Requesting trustee, Chairman Matthew Dent. This can</p> <p>18 be found on pages 286 through 289 of your board</p> <p>19 packet.</p> <p>20 I'll just remind everyone, we did have a</p> <p>21 board training through Government Sciences earlier</p> <p>22 this year. We had a couple sessions. We talked</p> <p>23 about potentially building a component. I see this</p> <p>24 as an opportunity to create collaboration amongst</p> <p>25 the Board to talk about some of the things that we</p>

<p style="text-align: right;">Page 106</p> <p>1 dove into there, such as more detailed memos, so 2 it's more of a checklist for us to make decisions 3 and move things along a little bit quicker. 4 I did ask Mr. Lyons to be here to just 5 give us a little overview of what you provided. 6 MR. LYONS: I'm here mostly to answer 7 questions, but I can give you a one-minute overview 8 to keep things moving as well, demonstrate the high 9 points. 10 We did the training a couple months ago, 11 it was well received, nice feedback from people. It 12 was great. That's a start. That's kind of the 13 what-you-need-to-know before you get into the 14 how-to-do-things. 15 So the training part of the proposal is 16 focused on a workshop, role-playing, applying the 17 things, doing work together for real, answering 18 questions. And so really working on the actual 19 cooperation and the tricks and tips and the 20 checklists and stuff like that so you have a more 21 structured deliberation that actually keeps the 22 meetings moving faster. That is a benefit. 23 But, really, it's about having everyone 24 contributing and collaborating in a way to get the 25 best decision every time. And that's the first</p>	<p style="text-align: right;">Page 107</p> <p>1 part. 2 Then we'll actually to continue to work 3 with you through meeting reviews, like the hour I 4 just got to watch was a pretty good start for that. 5 And then into making sure that these things are 6 working on for you. Customizing them, tweaking as 7 necessary. 8 That's about it. Basically here to answer 9 questions. That's the proposal. Happy to work with 10 you guys again. 11 TRUSTEE SCHMITZ: I just want to clarify 12 for the public mainly that our original training, it 13 wasn't just with the Board; it was with senior staff 14 as well. 15 Is the intimidated audience of this also 16 senior staff in conjunction with the Board of 17 Trustees at the same time? 18 MR. LYONS: Absolutely. Yeah. It's to 19 get the Board to work better together, the staff to 20 work together, and, of course, everyone to work 21 together as well. 22 So, it would be open to anyone that wants 23 to attend on the staff side as well. 24 TRUSTEE SCHMITZ: Follow-up question: Do 25 you happen to know -- I know that the District</p>
<p style="text-align: right;">Page 108</p> <p>1 internally has, I believe, implemented Civic Clerk. 2 Does any of what you're doing here is it redundant? 3 Does it tie into the use of Civic Clerk? 4 Understand, I don't really know the workings of 5 Civic Clerk. 6 MR. LYONS: Civic Clerk, and any of the 7 other, sort of, Board management software is a tool 8 you could use. Some of the things we want to do, 9 you should be able to do in Civic Clerk. I'm not as 10 familiar with it like some of the other ones. But 11 the -- at the end of the day, there's some other 12 things you're going to be able to do. For example, 13 a memo template, that's something I assume we can 14 build into Civic Clerk. 15 TRUSTEE TULLOCH: At first I saw this, and 16 I've heard from some of the community, well, why are 17 you doing this again? We already did it. 18 I think I heard this is a great 19 opportunity. We've had some turnover in staff. As 20 I mentioned earlier, I think it's great to see that 21 some of our next-level staff down from the senior 22 staff are getting some opportunities now, whether 23 it's on a temporary basis, whatever, but they're 24 actually getting the opportunity to demonstrate what 25 they can do. I think it's -- I think then this</p>	<p style="text-align: right;">Page 109</p> <p>1 makes a lot of sense, give us the opportunity to 2 bring them into these sessions as well. 3 With regard to Trustee Schmitz's point, 4 the Board memos, way overdue, because, frankly, what 5 we get as Board memos is -- doesn't cut the mustard 6 for me, it doesn't give the information we need, and 7 that's one reason that sometimes you end up having 8 the same thing come three or four times. 9 Yeah, I would welcome that, the 10 opportunity to work together, to clean up the memos, 11 and make sure they're delivering what we need. And 12 give some more junior staff the chance now to 13 participate. 14 MR. LYONS: To your point, we would want 15 to -- as we go through the process, is the beauty of 16 live follow-up and coaching is we're actually 17 implement the feedback as well. You're all going to 18 have your own experience with these different pieces 19 of puzzle, and we want to make sure that it tailors 20 to those needs. 21 TRUSTEE TONKING: I will speak that I'm 22 not in favor of this item. I've asked for this, and 23 in particular, I did want Board training. 24 I think our Board needs Board training, 25 though, in a much more complex way, and probably --</p>

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<p style="text-align: right;">Page 110</p> <p>1 no offense to you, Mr. Lyons, I think you are very 2 valued in the community, but you are contentious, 3 and I think our Board has a lot of contention 4 already occurring.</p> <p>5 So, I would like us to either use a free 6 option offered through UNR, use the same people that 7 the county and the state use. I also think we need 8 to have a better look on how we operate and how we 9 with staff and how we operate overall, and do some 10 more pool pack training.</p> <p>11 This is a great option for something to 12 think about in the future, but this is not near what 13 I think our Board right now needs. I'm going to be 14 a no on this.</p> <p>15 TRUSTEE SCHMITZ: I have a question about 16 this optional. Could you explain how this works as 17 it relates to citizen academy?</p> <p>18 MR. LYONS: Good question. Part of the 19 training that we had in the first session, kind of 20 the very high level, if you remember the five myths 21 about government that almost everyone believes, 22 there's a version of that, about 60 minutes. Then 23 on top of that, it's about 30 minutes of kind of 24 almost like municipal law 101 or other things you 25 thought about government that you're confused about,</p>	<p style="text-align: right;">Page 111</p> <p>1 because our intuition is very bad in that sense. 2 That's designed to eliminate some of the 3 mismatch between what a community thinks and what a 4 board thinks, because they more experience and more 5 guidance, especially on the legal side.</p> <p>6 And that's often used as an onramp to 7 people who want to get more involved, join 8 committees, stuff like that, and kind of smooths 9 that connection at the top of the org chart to the 10 board as well.</p> <p>11 TRUSTEE SCHMITZ: Do we have funds 12 available for this in our budget?</p> <p>13 CHAIR DENT: Good question. Given it's 14 the beginning of year and it's Board training, I 15 would assume so. I just don't know which items it's 16 coming from.</p> <p>17 TRUSTEE SCHMITZ: Then my other question 18 is -- I feel that we need some training, and I think 19 that having something that gives us, perhaps, more 20 concise board memos and getting the information to 21 use more concisely so that it's less work for staff 22 and we have what we need to make a quick, informed 23 decision, I think is something we definitely need.</p> <p>24 But my question is is that I think that we 25 need to, as a board, be working together and be all</p>
<p style="text-align: right;">Page 112</p> <p>1 striving for the same thing. 2 So I don't want to be sitting here saying, 3 well, Trustee Tonking doesn't want to do this. I 4 mean, if we want to do this and we want to move 5 forward for betterment, we need to all go in it 6 together.</p> <p>7 TRUSTEE TONKING: I think for me, I feel 8 like, yes, board memos are fine, but I feel like we 9 have such bigger problems right now within this 10 Board and this District than just our Board memos. 11 And I would like a very comprehension board training 12 for us, senior leadership, and even maybe the 13 management team.</p> <p>14 I don't feel like this meets the needs, 15 and I'm not sure this is the right organization to 16 be utilizing for it, given the amount of contention 17 that exists right now. That's how I'm feeling.</p> <p>18 I will go along with the process, that is 19 fine, but I don't feel like this is the right choice 20 for all the needs our district is currently facing.</p> <p>21 MR. LYONS: I'll speak briefly to that. 22 Yes, so this is from the very top down, as you may 23 recall from the training. I think you were able to 24 attend one of them at least.</p> <p>25 This is zoom out, get everyone on the same</p>	<p style="text-align: right;">Page 113</p> <p>1 page, and zoom back down in to the point where you 2 are actually getting into the nuts and bolts of 3 agenda memos and things like that.</p> <p>4 As for the quality of training, I spent 5 this afternoon, we're developing training for the 6 city managers in California that will then 7 eventually be rolled out to the International City 8 and County Management Association, so I want you to 9 be comfortable with the quality you're getting here.</p> <p>10 According to reviews around the country 11 and even with the sessions, our belief, backed up by 12 the testimonials, is this is the best training you 13 can get in terms of its connection to what you 14 already know, the intuition we can tap into, and 15 then what you can really use to act friendlier, 16 nicer. There's a real human element that we focus 17 on. You got to act with just as collegial people, 18 don't have to be best friends, but there's ways you 19 can collaborate effectively.</p> <p>20 TRUSTEE TULLOCH: I'll respectfully 21 disagree with my colleague here. I think it's 22 always healthy. I mean, people say, yes, the Board 23 should be voting 5/0 all the time; in that case, 24 you'd get four people too many on the Board. I 25 think it's important to have proper discussion and</p>

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<p style="text-align: right;">Page 114</p> <p>1 varying viewpoints.</p> <p>2 You'll note as a consultant when clients</p> <p>3 say, well, why don't you get three people here?</p> <p>4 Well, if we all just told you the same thing then --</p> <p>5 but we try to give diverse viewpoints.</p> <p>6 I think that advantage here -- whether</p> <p>7 you're controversial or not, not going to comment on</p> <p>8 that. I think that's there. I think advantage is</p> <p>9 you know the local situation. We don't waste a lot</p> <p>10 of time just doing something that's so high level</p> <p>11 and so generic to local government in general that</p> <p>12 it's worthless. But I think it's important -- I'm</p> <p>13 assuming this will be very much focused on the IVGID</p> <p>14 situation. We keep getting told were a</p> <p>15 quasi-government organization as opposed to a</p> <p>16 government organization, so I think we need to focus</p> <p>17 it on that.</p> <p>18 MR. LYONS: By the way, to Michaela's</p> <p>19 other point, if you do want to continue to do some</p> <p>20 other additional training or whatever, we're happy</p> <p>21 to revisit that in the future.</p> <p>22 Ultimately, at the end of goal, it's</p> <p>23 success. What does success look like? And that's</p> <p>24 really one of the first things we start with.</p> <p>25 CHAIR DENT: As far as training this Board</p>	<p style="text-align: right;">Page 115</p> <p>1 has had more training, I think, in this -- adding</p> <p>2 this into it, would be more training than I had in</p> <p>3 my first six months on the board and probably my</p> <p>4 first seven years on the board. There's very little</p> <p>5 training that we typically have at the board level.</p> <p>6 I think I had my first pool pack training six months</p> <p>7 on the job.</p> <p>8 So, in trying to solve some of these</p> <p>9 problems, maybe new or old, the idea is we're trying</p> <p>10 to collaborate, we're trying to move forward.</p> <p>11 The questions that have been brought up</p> <p>12 about FAQs and how relevant that is, I see this</p> <p>13 FlashVote training as being the next step for us,</p> <p>14 given that we are an agency that doesn't have a</p> <p>15 marketing team or a PIO or, you name it, someone</p> <p>16 that actually goes out and answers questions that</p> <p>17 are out there in the community.</p> <p>18 I feel like using an organization like</p> <p>19 FlashVote and their, aka, ombudsman service just</p> <p>20 kind of help us of build upon that in trying to</p> <p>21 figure out what those next steps are.</p> <p>22 Having spent a little bit of time working</p> <p>23 with legal counsel and then also seeking out</p> <p>24 additional training from Government Sciences Group,</p> <p>25 I will be supporting this.</p>
<p style="text-align: right;">Page 116</p> <p>1 TRUSTEE NOBLE: I got a lot of good</p> <p>2 information out of the last training we had, so --</p> <p>3 and for that and that reason alone, I will support</p> <p>4 moving forward with this.</p> <p>5 However, I do think after we have had this</p> <p>6 training -- or concurrently exploring other</p> <p>7 trainings that are out there that are going to help</p> <p>8 us with -- either through UNR or the state and</p> <p>9 county, what they utilize.</p> <p>10 I think it's a multi-prong approach, is</p> <p>11 how I'd look at it.</p> <p>12 CHAIR DENT: I agree with that. I don't</p> <p>13 think this is an end-all. I think this just another</p> <p>14 step. And if there are other proposals or ideas, we</p> <p>15 should bring them forward.</p> <p>16 MR. LYONS: We can point you to some</p> <p>17 additional -- ICMA actually has some really good</p> <p>18 training, the Professional City Manager</p> <p>19 Organization.</p> <p>20 TRUSTEE TONKING: I can be on board if</p> <p>21 we're going to do concurrent trainings in that</p> <p>22 sense. And I would like that to be an agenda item</p> <p>23 again at the next meeting.</p> <p>24 CHAIR DENT: Go ahead and bring it</p> <p>25 forward.</p>	<p style="text-align: right;">Page 117</p> <p>1 Any other discussion on this item? Any</p> <p>2 other questions for Mr. Lyons? I'll entertain a</p> <p>3 motion.</p> <p>4 TRUSTEE TONKING: I move to approve the</p> <p>5 training of Government Sciences Group, Inc., to the</p> <p>6 not-to-exceed amount of 10,500, with other</p> <p>7 concurrent trainings. Can I say that?</p> <p>8 TRUSTEE SCHMITZ: I make a motion that the</p> <p>9 Board of Trustees approve the training with</p> <p>10 Government Sciences Group, Inc., in the amount not</p> <p>11 to exceed \$10,500.</p> <p>12 CHAIR DENT: Motion's been made. It there</p> <p>13 a second?</p> <p>14 TRUSTEE TULLOCH: I'll second.</p> <p>15 CHAIR DENT: Motion's been made and</p> <p>16 seconded. Any further discussion by the Board?</p> <p>17 Seeing none, I'll call for question. All</p> <p>18 those in favor, state aye.</p> <p>19 TRUSTEE TULLOCH: Aye.</p> <p>20 TRUSTEE NOBLE: Aye.</p> <p>21 TRUSTEE SCHMITZ: Aye.</p> <p>22 CHAIR DENT: Aye.</p> <p>23 Opposed?</p> <p>24 TRUSTEE TONKING: No.</p> <p>25 CHAIR DENT: Motion passes, four to one.</p>

<p style="text-align: right;">Page 118</p> <p>1 Anne, I do have a question for you before 2 we go on to the next item, and seeing it's already 3 nine o'clock, can we -- I don't know the term, 4 postpone or table an item, just to move on to some 5 items that we can actually get accomplished for 6 tonight, then, potentially, come back to others if 7 we still have time? I know we didn't move to have a 8 flexible agenda at the beginning. I don't know if 9 that's something we can revisit, having a flexible 10 agenda or someone make a motion right now to do that 11 so we can move forward with that. I'm not sure all 12 the protocol with that. 13 MS. BRANHAM: Yes. Let me take a look 14 here. I just want to make sure we won't be 15 continuing -- well, I know we won't be continuing to 16 a future date, but let me see here. 17 So, there wasn't a motion to follow the 18 agenda as posted, that we move to one of the items; 19 is that correct? 20 CHAIR DENT: That's correct. We moved to 21 item H 5, and made it item H 1. 22 MS. BRANHAM: I would say that we had 23 given notice that there was a flexible agenda in 24 that we moved an item already. So, I would take a 25 motion at this point to move a couple of the items</p>	<p style="text-align: right;">Page 119</p> <p>1 around. 2 CHAIR DENT: All right. I appreciate 3 that. 4 TRUSTEE NOBLE: I would move that we have 5 a flexible agenda for the remaining items. 6 TRUSTEE TULLOCH: I'll second that. 7 CHAIR DENT: Motion's been made and 8 seconded for a flexible agenda. Any further 9 discussion? 10 I'll call for the question, all those in 11 favor -- 12 TRUSTEE SCHMITZ: I have a question. 13 Legal counsel, do we have the ability with 14 a flexible agenda to decide to delay or defer an 15 agenda item to a future meeting? 16 MS. BRANHAM: Yes. We can always move an 17 item to a future meeting. 18 CHAIR DENT: Any further discussion? 19 All those favor, state aye. 20 TRUSTEE TONKING: Aye. 21 TRUSTEE TULLOCH: Aye. 22 TRUSTEE NOBLE: Aye. 23 TRUSTEE SCHMITZ: Aye. 24 CHAIR DENT: Aye. 25 I motion passes, 5/0. We now have a</p>
<p style="text-align: right;">Page 120</p> <p>1 flexible agenda. Okay. Looking at our agenda, how 2 quickly can we get through item H 1, now H 2? 3 Should we do item H 3 first? Excuse me, H 4 first? 4 Let's go to H 4. 5 H 4. 6 CHAIR DENT: Approval of the District 7 forms NVTC-LGF-10, indebtedness report as of 8 June 30th, 2023, for filing with the State of 9 Nevada, Department of Taxation, Washoe County Clerk, 10 Washoe County Debt Management Commission. 11 Requesting staff member interim Director of Finance 12 Bobby Magee. It can be found on pages 233 through 13 279 of your board packet. 14 MR. MAGEE: The item before you tonight, 15 as you know, is a continuation of the item from the 16 June 28th meeting, in which the former finance 17 director Paul Navazio had presented an item, and the 18 Board requesting a number of revisions. 19 One of things that the Board directed at 20 that meeting was you would like to have this item 21 appear before the Audit Committee. And so before I 22 get into the staff recommendation, I think now would 23 be an appropriate time for you to hear from the 24 chair of the Audit Committee about recommendations 25 that they may have.</p>	<p style="text-align: right;">Page 121</p> <p>1 With that, I'd like turn it over to the 2 chair of the Audit Committee. 3 MR. NOLET: We were asked to look at the 4 five-year capital plan and the indebtedness report. 5 There was an email circulated the morning of that 6 meeting on June 28th, suggested that there could be 7 some errors in that -- in those document. And, in 8 fact, there are -- there were. 9 Bobby's, in his honeymoon period, 10 three weeks here, and we throw this to him -- and 11 I'd like to give a shout-out to Cliff Dobler, he did 12 a lot of heavy lifting on this, and it took a lot of 13 time over the 12 or so days that we studied this. 14 This is a new item for the District. 15 We've never had this kind of spend and this kind of 16 indebtedness. Maybe it's not a surprise that it 17 wasn't quite the way you'd want it, but in the end, 18 after a lot of research, review, and everything 19 else, Bobby successfully penetrated the Nevada 20 Department of Taxation, who concurred that the right 21 way to do it, their preferred way, was one 22 interpretation in the instructions which required an 23 adjustment to the five-year plan, a rather 24 substantial adjustment of \$43 million, moving 25 capital expenditures out of current fiscal year and</p>

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1 spreading them out in accordance with how we expect
2 to incur the pipelines costs.
3 In the end, we had lots of conference
4 calls and Zooms, and that's our recommendation. I
5 think we're in violent agreement that it's the right
6 way to do it, and that's what you're going to hear
7 from our Director of Finance.
8 It was a lot for him to take on in his
9 first couple of weeks, so hats off. And I'll stay
10 up here and answer questions.
11 MR. MAGEE: I wanted to point a couple of
12 things out as we get started, and I will walk the
13 Board through the revisions that were made to the
14 indebtedness report at the request of the Board at
15 the last meeting.
16 So, obviously, this is a pretty complex,
17 heavy lift for the organization, and it required the
18 work of a lot of people.
19 The former finance director put this
20 together. Before he left, he made all of these
21 revisions that were requested by the Board. Then I
22 personally went in and reviewed every one of those
23 and confirmed that they had been made, and yet
24 somehow that didn't reflect itself in the board
25 package. So I apologize for that. I believe it

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1 time. And so on page 240 of 336, on the table of
2 contents, it should reflect that the outstanding
3 general obligation debt was of June 30th, 2023, so
4 in your packet, that one of the omissions that we
5 had. I do have copies of this. I would like to
6 share with the Board at this point, my understanding
7 is that we can swap this page out at this time. And
8 I also have extra copies for members of public so
9 that if anyone wants to see that that revision has
10 been made, I do have copies here.
11 And then moving on, on page 242, the
12 request was to change the language that begins with
13 the five-year capital project summary, in the
14 paragraph a little more than half way down the page,
15 the request was to change the sentence from "the
16 capital plan contemplates debt financing to support
17 construction of the effluent export pipeline
18 project," the word "additional" should have been
19 added in there; that has been added to the revised
20 indebtedness report. You all have a copy of that
21 now.
22 And then I pass out page 244 next. On
23 this page, around the middle of page, there is an
24 heading of "State of Nevada Revolving Funds," and
25 the clean water amount issue date should have been

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1 ended up being a version control issue. But I did
2 want to point that out that I'll walk you through
3 all of the changes that have been made and show you
4 documentation tonight that they have been made.
5 One of the very first items that the Audit
6 Committee pointed out was that the executive summary
7 seems to have been omitted from the Board packet. I
8 have copies of the executive summary here. All of
9 the changes that you're going to see tonight have
10 been posted to the website. And the executive
11 summary that was in the packet, on June 28th as part
12 that packet, this is the exact document that was
13 distributed on that date. No changes have been made
14 to it. If anybody wants a copy, I do have copies
15 here. With that, I'll move into revisions to the
16 indebtedness report.
17 On page 258 of 336, the first question was
18 the five-year CIP, the amount should have been
19 \$555,000, and not \$55,000. And so if you look at
20 page 258, you will notice on the general fund,
21 capital improvement, fiscal year '25/'26, in that
22 column, that number has been revised to reflect the
23 correct amount of \$555,000.
24 As I go down the list, I made my notes in
25 accordance with the order that Board took them last

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1 shown as April 14th, 2023, and so that revision has
2 been made on the copy that you've just received.
3 And then the next request was -- it begins
4 on page 251, where the heading was originally shown
5 as "Original Value," and the request was to change
6 the heading to something that made a little more
7 sense. That was changed to "Principal Value," and
8 the principal value is now shown in page 251 of that
9 table, and on all subsequent tables of that nature
10 moving forward relating to the revolving loan fund.
11 That did make into the packet. There is no revised
12 page on that one.
13 Just to bring to your attention a couple
14 additional ones that were discovered, some by staff,
15 some by Mr. Dobler, who gave me a call and pointed
16 these things out to me. On page 238 in your packet,
17 which was updated on the report page that you
18 received here, the bullet point incorrectly
19 identified the incorrect form. And so that was
20 corrected both on page 238 and on page 240, which
21 now ties to your page 273, which correctly
22 identifies the attachment as the reconciliation of
23 debt service requirements. And so you have that in
24 one of the pages that you received, and then it was
25 also already updated on page 240 that had been done

<p style="text-align: right;">Page 126</p> <p>1 previously.</p> <p>2 And then the last thing on the original</p> <p>3 item that you had received on June 28th, on</p> <p>4 page 235, it incorrectly identified June 31st as the</p> <p>5 end of the fiscal year. We all know there's not</p> <p>6 31 days in June, so that has been corrected on</p> <p>7 page 235. That is the very top of the page, you'll</p> <p>8 notice that was changed to as of fiscal year ending</p> <p>9 June 30th, 2023.</p> <p>10 And then the last change me made, which</p> <p>11 the chair of the Audit Committee eluded to, and this</p> <p>12 one the one where there was a little bit of spirited</p> <p>13 discussion on this will, and I will let the Board</p> <p>14 know that we had a gentlemanly disagreement on the</p> <p>15 interpretation of the language that was provided for</p> <p>16 guidance by the State of Nevada on what this said.</p> <p>17 I personally reached out to the Department</p> <p>18 of Taxation seven times before I get a response.</p> <p>19 And I got to the point where I needed to give the</p> <p>20 Audit Committee something on why I believed the</p> <p>21 guidance said one thing, as opposed to what some</p> <p>22 members of Audit Committee thought that it might</p> <p>23 say. I started reaching out to other finance</p> <p>24 directors throughout the state, and I found that</p> <p>25 they had the same interpretation that I did and that</p>	<p style="text-align: right;">Page 127</p> <p>1 Mr. Navazio did, which is the amount that is on that</p> <p>2 five-year capital improvement plan should be the</p> <p>3 full amount of the appropriations, irrespective of</p> <p>4 whether you intend to spend it or not.</p> <p>5 When I finally was able to get a budget</p> <p>6 analysis from the Department of Taxation, they</p> <p>7 indicated that they understood that this confusion</p> <p>8 is out there, state-wide. I did make a suggestions</p> <p>9 that if you know there's confusion, you might want</p> <p>10 to update your guidance on how people are putting</p> <p>11 these forms together. She let me know that they</p> <p>12 would take that under advisement. They also</p> <p>13 suggested that the number that we enter on to this</p> <p>14 was the one that Mr. Nolet had been advocating for,</p> <p>15 which was the amount on the cash flow statements,</p> <p>16 the amount we expect to spend in the next fiscal</p> <p>17 year, which is \$20,745,000. That figure has been</p> <p>18 revised, and on page 258 that just sent over to you,</p> <p>19 I want to specifically point that item out that</p> <p>20 that -- in your first packet, that was shown as</p> <p>21 \$63,745,000, that has now been revised, based on the</p> <p>22 conversation I had with the Department of Taxation</p> <p>23 and the recommendation of the Audit Committee that</p> <p>24 you just heard, staff is recommending that we use</p> <p>25 that number, \$20,745, in agreement with the Audit</p>
<p style="text-align: right;">Page 128</p> <p>1 Committee. I'm sorry. Exactly. \$20,745,000.</p> <p>2 Thank you. Sorry.</p> <p>3 With that, that walks you through the</p> <p>4 entire packet and the changes that we made. This is</p> <p>5 the staff recommendation, and my understanding is</p> <p>6 this is also the recommendation of Audit Committee</p> <p>7 to accept the package as it currently sits and to</p> <p>8 direct staff to submit these reports to the State</p> <p>9 tomorrow.</p> <p>10 And this has a hard deadline, if the Board</p> <p>11 requests any further changes, of August 1st. Just</p> <p>12 FYI, if there are any additional changes, then we</p> <p>13 would need to make those rapidly in order to be in</p> <p>14 full compliance with the law.</p> <p>15 With that, I am happy to answer any</p> <p>16 questions.</p> <p>17 TRUSTEE SCHMITZ: With these corrections,</p> <p>18 do we need to go back and amend the budget that was</p> <p>19 submitted to the State? Is that our next task?</p> <p>20 MR. MAGEE: So, the action before you</p> <p>21 tonight is specific to the forms that are put in</p> <p>22 now.</p> <p>23 I know that the Audit Committee has taken</p> <p>24 a look at some concerns with the budget, and if</p> <p>25 directed by the Board, we will certainly go back and</p>	<p style="text-align: right;">Page 129</p> <p>1 take a look at those revisions and come back with a</p> <p>2 recommendation for an update to the budget.</p> <p>3 TRUSTEE TONKING: My question on that is</p> <p>4 when you talked to the Department of Taxation, did</p> <p>5 they, then, talk about how that affects our budget</p> <p>6 sheet? Did that conversation occur?</p> <p>7 MR. MAGEE: Understand, this merely</p> <p>8 financial reporting, and this does not affect the</p> <p>9 budget at all.</p> <p>10 MR. NOLET: Remarkably, for this</p> <p>11 particular item, the number in the budget was</p> <p>12 already correct.</p> <p>13 So, yeah, the capital spend in the current</p> <p>14 year in the cash flow statement in the budget</p> <p>15 submitted around June 1st is actually correct:</p> <p>16 \$20,745,000.</p> <p>17 The \$63 million was not correct, and</p> <p>18 probably should have jumped out at a lot of people,</p> <p>19 but it didn't.</p> <p>20 Anyway, the budget is correct in that</p> <p>21 regard. There are two items in the budget that I've</p> <p>22 vetted with some Audit Committee members, with</p> <p>23 Trustee Tonking and others that I'm fairly confident</p> <p>24 they need to be revised. Since the budget's already</p> <p>25 in, it's not like we have to break our necks and</p>

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1 have to get that done tomorrow. Let's just take in
 2 the due course of the next month or so. Put it on
 3 the agenda, whatever, and get to it that way.

4 MR. MAGEE: And for specificity, one of
 5 reasons we were looking at this, and I don't want to
 6 get into the nuances of how a budget goes together,
 7 but in the original budget staff report, that number
 8 of \$63,745,000 was identified as the appropriations
 9 amount that was shown on the sources and uses
 10 spreadsheet, but it was also identified on the cash
 11 flow sheet that that amount was the full expected
 12 amount of the project, which was supposed to spread
 13 out over four years, the cash flow amount, as
 14 Mr. Nolet alluded to, was the amount that we expect
 15 to spend this year. So it is correct.

16 MR. NOLET: Honestly, all these other
 17 nicks and ticks are important. We would have never
 18 suggested that anybody hold up filing this for all
 19 that stuff, just typos and things.

20 But when we get to \$43 million, that was
 21 worth holding up. I think you should all feel good
 22 about filing a much more accurate report.

23 TRUSTEE TULLOCH: I think everyone here
 24 probably underestimates the amount of work this took
 25 behind the scenes.

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1 approve the District form, NVICLGF 11, five-year
 2 capital improvement plan, as of July 1st, 2023, the
 3 related IVGID preparedness five-capital plan summary
 4 for the fiscal year starting July 1st, 2023, for the
 5 filing at the Nevada Department of Taxation and the
 6 Washoe County Clerk in the State of Nevada
 7 Legislative (inaudible) by August 1st, 2023, with
 8 all the edits that were discussed in this agenda
 9 item.

10 CHAIR DENT: Motion's been made. Is there
 11 a second?

12 TRUSTEE TULLOCH: Second.

13 CHAIR DENT: Motion's been made and
 14 seconded. Any further discussion by the Board?

15 I will just say, typically, this form is
 16 brought to us right before it needs to be approved,
 17 like this meeting, we'd be approving it. I'm glad
 18 we took -- there was a divided vote, but I'm glad we
 19 took the extra time we had.

20 And I think it's important, you being the
 21 newest team member to us, but as you're working
 22 through the SOPs and putting schedules behind things
 23 to try and bring to us as soon as possible, that way
 24 if we do have errors or mistakes, we have time to
 25 correct it.

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1 There was one other thing I'd add, it's an
 2 important point that we discussed at the Audit
 3 Committee, and just for a wider audience because
 4 I've had questions from the community, well, why are
 5 all these things in the eight-year, all these
 6 capital spend, it's never come to the Board.

7 I point out that none of these things in
 8 the eight-year are committed to. It's not a case
 9 of, well, it's on that eight-year capital statement,
 10 so we must have approved it. Not it's not. I mean,
 11 these are all just wish lists, to some extent. Very
 12 few of these things are actually been previously
 13 approved by the Board. The pipeline expenditure has
 14 been approved in the eight years, but a lot of these
 15 new projects that suddenly appear are just there,
 16 they're potentials.

17 CHAIR DENT: I'll entertain a motion.

18 TRUSTEE TONKING: I move that the Board of
 19 Trustees approve the District's form, NVICLGF 10,
 20 indebtedness report, as of June 30th, 2023, and
 21 direct staff to file the documents with the State of
 22 Nevada, Department of Taxation, Washoe County Clerk,
 23 and Washoe County Debt Management Commission by
 24 August 1st, 2023.

25 I also move that the Board of Trustees

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1 Just feedback for the future, I think it's
 2 important and a good lesson for us to learn in this
 3 process.

4 With that, I'll call for the question.

5 All those favor, state aye.

6 TRUSTEE TONKING: Aye.

7 TRUSTEE TULLOCH: Aye.

8 TRUSTEE NOBLE: Aye.

9 TRUSTEE SCHMITZ: Aye.

10 CHAIR DENT: Aye.

11 Opposed? Motion passes 5/0. That will
 12 close out item H 4.

13 Before we move on, I know Incline Beach
 14 House is a huge priority. The only other item I see
 15 on here that is a huge priority for tonight, trying
 16 to gauge how much time we need, is review -- it's
 17 item H 3, formally H 2, for the changes of the
 18 general manager's job description. Really, if we
 19 can get that off our plate, we can spend the rest of
 20 time, if we need to, on the Incline Beach House.

21 Anyone opposed to going with item H 3
 22 before move on to item H 1?

23 TRUSTEE SCHMITZ: I am not opposed, but I
 24 would like to bring to your attention item H 6.
 25 Formerly H 6.

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<p style="text-align: right;">Page 134</p> <p>1 CHAIR DENT: Item H 6, that one too. I 2 don't see that taking very long either. Let's go to 3 item H 6 first. How's that? 4 H 6. 5 CHAIR DENT: Review, discuss, and possibly 6 appoint Mike Bandelin as interim General Manager, 7 authorize a temporary salary adjustment, and define 8 length of intended service in the new role. 9 Requesting trustee Chairman Matthew Dent. Found on 10 pages 290 of your board packet. 11 I asked HR what the process was for 12 something like this when appointing interim. 13 Basically, the interim general manager becomes the 14 highest-paid employee at the District, pretty 15 standard, it's where this dollar amount comes from, 16 and so put that in here as proposal. 17 As far as a discussion of time, 18 Mr. Bandelin and I talked about his desire to stay 19 at Diamond Peak and his desire to try and be back at 20 Diamond Peak when the ski season kicks off. And 21 we've had lots of discussions about grooming the 22 next in line, and what Mr. Bandelin has been doing 23 there over the last many years to make sure, as he 24 steps away from time to time, we don't skip a beat. 25 With that, if there's any questions, happy</p>	<p style="text-align: right;">Page 135</p> <p>1 to answer them. Or I'll entertain a motion. 2 TRUSTEE TULLOCH: Can I make a slight 3 correction? It says "authorize a temporary annual 4 salary adjustment of \$220,000." It should be to 5 \$220,000. 6 CHAIR DENT: Correct. 7 TRUSTEE TONKING: I'm guessing what if 8 some reason we take longer than when ski opens and 9 General Manager Bandelin has somebody that he has 10 below him who will be dealing with all the ski 11 resort-related issues if for some reason we go into 12 ski season; is that correct? 13 MR. BANDELIN: I would tell the Board of 14 Trustees that the District will be just fine with 15 myself in the interim role and being able to provide 16 as much guidance as possible to the interim and the 17 ski resort. 18 CHAIR DENT: I'll entertain a motion. 19 TRUSTEE TONKING: I move that the Board of 20 Trustees appoint Mike Bandelin as interim General 21 Manager and authorize a temporary salary adjustment 22 to \$220,000 for Mr. Bandelin, effective July 5th, 23 2023. 24 CHAIR DENT: Motion's been made. Is there 25 a second?</p>
<p style="text-align: right;">Page 136</p> <p>1 TRUSTEE NOBLE: Second. 2 CHAIR DENT: Motion's been made and 3 seconded. Any further discussion by the Board? 4 All right. Seeing none, I'll call for 5 question. All those in favor, state aye. 6 TRUSTEE TONKING: Aye. 7 TRUSTEE TULLOCH: Aye. 8 TRUSTEE NOBLE: Aye. 9 TRUSTEE SCHMITZ: Aye. 10 CHAIR DENT: Aye. 11 Motion passes, 5/0. All right. That will 12 close out item H 6. We're going to jump back to 13 item H 3. 14 H 3. 15 CHAIR DENT: Review, discuss, and possibly 16 approve the recommended changes to the General 17 Manager's job description and authorize staff to 18 start the recruiting process. Requesting staff 19 member Director of Human Resources Erin Feore. This 20 can be found on page 209 through 232 of your board 21 packet. 22 MS. BRANHAM: Chair, just for 23 clarification. I think that that item has now 24 become H 4 again, if I'm counting correctly. Just 25 so the record reflects that correctly. I think we</p>	<p style="text-align: right;">Page 137</p> <p>1 took -- let's see. We had something moved to H 1. 2 CHAIR DENT: Okay. Yeah. That's fine. 3 We'll call this H 4, and that last item was H 3, not 4 H 6. 5 MS. FEORE: Okay. So based on some of the 6 feedback that I had received with the last meeting, 7 I updated the job description to include some of the 8 feedback that I received. 9 Since the agenda packet came out, I've 10 received additional feedback, so I have more changes 11 to make. 12 In the interest of time, and I know we 13 want to move this forward, I will remind the Board 14 that this is a working document. It's living, 15 breathing, we can make changes as we go. Just 16 quickly, I want to get some feedback with the 17 information that is on here, notwithstanding some of 18 the additional information that I've received since. 19 CHAIR DENT: Understood. Any feedback? 20 TRUSTEE SCHMITZ: I just have a question, 21 procedurally. I spoke this afternoon with the HR 22 director about some, just, refinements to make sure 23 the intention was really clear. Do I need to go 24 through that or is that up for your -- 25 MS. FEORE: No. I have all of the notes.</p>

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1 And for the rest of the trustees, the information
2 wasn't material, it doesn't change the scope, it
3 better defines some of the recommendations --
4 requirements of the position. For example, the
5 general manager is responsible for the performance
6 of his team. And so having something in there that
7 speaks to taking the general manager of the day to
8 day, but ensuring his or her responsibility is
9 related to, for example, my work performance.
10 So I'm playing with a little of language
11 there, but these are the things that I can share
12 with the Board as they come in. Again, it's a
13 working document.
14 TRUSTEE TULLOCH: Just a couple of small
15 ones. I would suggest, on item 1, where it says:
16 Provides excellent customer service.
17 I would change that to: Ensures the
18 District provides excellent customer service.
19 MS. FEORE: That's actually draft 1. I'm
20 on draft 2.
21 TRUSTEE TULLOCH: Yep.
22 In the summary, it talks about efficient
23 execution. I would say, "efficient implementation
24 and execution."
25 MS. FEORE: I had received similar

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1 stop, so there's conflict there.
2 And leadership and supervisory
3 responsibilities. I didn't see compliance there,
4 but that's minor.
5 And education and experience, it's still
6 just asking for government experience. We had
7 talked last time a bit, looking for -- broadening it
8 so it was restricted to government.
9 MS. FEORE: Yeah. I have received mixed
10 feedback on that one, so that one's a little bit
11 tricky for me.
12 TRUSTEE TULLOCH: I don't believe we
13 should be limiting. If we look at what Washoe
14 County's just done, brought somebody in from
15 externally as well. I think we need to cast a wider
16 net.
17 MS. FEORE: Okay.
18 TRUSTEE TULLOCH: It also says just a
19 publicly-elected board, rather than a corporate
20 board and things as well.
21 MS. FEORE: I can word it in such a way as
22 to include both. But my recommendation would be
23 with government preferred. You don't -- I will say
24 as somebody -- and maybe this is different in my
25 role because my role does have such a legal aspect

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1 feedback. We have -- sounds like we're all on the
2 same page.
3 TRUSTEE TULLOCH: On item 3, last line,
4 principals should L-E-S, not A-L-S.
5 I think item 11, as well, I would stop the
6 sentence at to provide excellent customer service.
7 MS. FEORE: Again -- and I think we talked
8 about this once before, but I will just reiterate
9 again, it's up to you guys, we can take this out,
10 but one of the reasons why customer service is seen
11 throughout is because or entire organization is
12 service-based, so this person leads our team in
13 exhibiting the excellent customer service. So, it's
14 one of the reasons why you've seen it throughout.
15 TRUSTEE TULLOCH: I agree. It's just the
16 last seven words there, because that could
17 potentially be in opposition to -- it depends. If
18 were focusing on customer service (inaudible)
19 focused on retention, so it could be contradicting
20 that. So just full stop at customer service.
21 MS. FEORE: Okay. Tell me again, so
22 provides direction to identified staff to lead and
23 support the District-wide efforts --
24 TRUSTEE TULLOCH: District-wide efforts in
25 training, provide excellent customer service. Full

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1 to it, but one of the first -- coming from the
2 corporate world, some of laws and ways I do things,
3 very different than you would find in a government.
4 TRUSTEE TULLOCH: Absolutely understood.
5 but I think -- I'd also bear in mind, this year
6 we're a \$150-million-a-year business. We're not
7 just a parks and rec organization, we're actually a
8 big business. I think, judging by a lot of the
9 public comments, there's a failure at times to
10 understand that. We are a much bigger business. It
11 is a business, and we're recruiting business
12 (inaudible). That's how I'd prefer to see it. I'll
13 defer -- obviously, it's a Board decision.
14 And under comprehension and communication
15 skills, I'd like to see financial skills referenced
16 there as well. Just even in the header.
17 MS. FEORE: Something that's a little
18 broader?
19 TRUSTEE TULLOCH: Yeah. I think
20 comprehension, I'm not sure it's there. I'd look
21 for financial and skills there. Do we have to be
22 able to ski and snow board or golf?
23 MS. FEORE: Make a great advocate.
24 TRUSTEE TULLOCH: Yeah. And at the top of
25 page 223, where it talks about ability to apply

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1 advanced mathematical concepts and mathematical
2 operations, I think that's a little bit overkill. I
3 think that's a carryover from the old one.
4 MS. FEORE: I'd do some more cleanup
5 there.
6 TRUSTEE SCHMITZ: We're not moving forward
7 with this process that's defined here?
8 MS. FEORE: I'll speak about that
9 afterward, yes.
10 TRUSTEE TONKING: I still kind of liked
11 the idea of having some governmental. Could we
12 just, the word "preferred," switch "strongly" to
13 "preferred," and put "corporate" in there as well.
14 I like that idea still. It doesn't really matter if
15 we want to get rid of it altogether, but ...
16 CHAIR DENT: I'm just trying to understand
17 what you want to keep in there or add?
18 TRUSTEE TONKING: I want to get rid of the
19 word "strongly" and still have "preferred." And I
20 think you can get rid of the whole experience
21 reporting to a publicly-elected board and
22 experiencing in providing -- well, that next line.
23 CHAIR DENT: Are we doing this on the
24 master's degree or somewhere else, strongly
25 preferred?

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1 an RFQ that outlines all of this.
2 Then, again, I'm going to work with Bobby
3 so that when I come back and present, I can come in
4 and say, here's a game plan. Here's an overall game
5 plan. It's subject to change, but this is
6 ultimately what I'm recommending.
7 TRUSTEE SCHMITZ: Just a question. I'm
8 making notes for the long-range calendar. Are you
9 saying you need to bring back an RFQ for us to
10 approve on August the 9th?
11 MS. FEORE: We're going -- I'm able to do
12 the -- this is where I got mistaken. I was under
13 the impression that for professional services I had
14 to bring the RFQ for approval and then go out. In
15 fact, I can go out with the RFQ. And the District
16 has a pretty standard template RFQs.
17 That said, most of the looking at RFQs
18 that we have and with some of the information that
19 I've received from some of these vendors, they kind
20 of match already, so it's pretty standard.
21 My expectation is that I should be able to
22 come back with the next Board meeting with
23 information from the three vendors that we have
24 gotten recommendations for. I have four vendors, so
25 it should be a pretty good opportunity for us to

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1 TRUSTEE TONKING: It's under education and
2 experience. Unless I misunderstood, it's experience
3 within a municipal governmental-based organization
4 for recreational service. Trustee Tulloch asked to
5 to get rid of it; I just said can we get rid of the
6 word "strongly preferred," and get rid of the next
7 sentence after that.
8 MS. FEORE: Something like helpful?
9 CHAIR DENT: I think that's fine. Yeah.
10 Something helpful, but I don't know if it's
11 preferred.
12 TRUSTEE TONKING: But "helpful" is a fine
13 word as well.
14 MS. FEORE: I was under -- and I partnered
15 with Bobby Magee, and we prepared the vendor
16 proposal document. And then I went back and
17 listened to the Board meeting, and, in fact, it
18 wasn't a motion to do that, it was a motion to bring
19 back the full RFQ with the selected vendors.
20 I am just a bit behind the 8 ball on this
21 one because I have talked with a couple of vendors,
22 again, reached out to me. I got some great
23 resources from Washoe County, so I feel very
24 comfortable by the next Board meeting I should be
25 able to come back with some recommended vendors and

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1 talk about their services and hone in on do we want
2 one for all and all for one or do we want --
3 TRUSTEE SCHMITZ: Okay. Then I'll get
4 that on our long-range calendar for the 9th, then.
5 CHAIR DENT: That will close out item H 4,
6 formerly H 2. Moving on to item H 5, formally H 1.
7 H 5.
8 CHAIR DENT: Review, discuss, and provide
9 direction for scope of work for the Incline Beach
10 House project. Requesting staff member Director of
11 Public Works Brad Underwood. It can be found on
12 page 193 through 208 of your board packet.
13 We have Ms. Nelson and Ms. Waters.
14 (Inaudible cross talk.)
15 CHAIR DENT: Let me ask general counsel.
16 Anne, the question is do we need to
17 approve the changes that we just provided -- or the
18 direction that we just provided to human resources
19 as it relates to the general manager's job
20 description? The agenda item says there's a
21 recommendation to approve to changes, we feel we
22 gave clear direction, is there anything else we need
23 to do on that item?
24 MS. BRANHAM: I will just confirm, for the
25 benefit of the record, that there was a consensus on

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1 the changes that were requested.
 2 Did anyone want to raise any objections to
 3 Trustee Tulloch or Tonking's changes?
 4 (No response.)
 5 MS. BRANHAM: Okay. Then I think the
 6 consensus is fine, as long as Erin feels she has
 7 what she needs.
 8 And then I think we addressed the starting
 9 the recruiting process, that she's already on the
 10 ball with that, so I don't think there's anything
 11 further required.
 12 CHAIR DENT: Thank you for weighing-in.
 13 MR. NELSON: We are here to bring back the
 14 Incline Beach kitchen. We have been requested to go
 15 out for RFQs for architectural services. However,
 16 in order to do that, we need some decisions made by
 17 the Board so we can provide a clear request to the
 18 architectural firms on what we're actually going to
 19 want them to do.
 20 With that being said, you have gone
 21 through the packet, if you have any questions, we're
 22 here.
 23 CHAIR DENT: Questions, comments?
 24 TRUSTEE NOBLE: I still think alternative
 25 1 would be the appropriate long-term approach as far

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1 Noble, Trustee Tonking was there, and Trustee Dent
 2 in different meetings with the architects to lay out
 3 the process that we needed to get to, as a
 4 Board-priority project asking us to bring this
 5 forward.
 6 These are the answers that we need --
 7 these are the questions we need answered to put an
 8 RPP out. We can't ask an architect to design a \$3
 9 million, \$4 million project on the beach without a
 10 menu. That's the first thing they said, we need a
 11 menu. We need to know what your level of service
 12 is. We need to know what guys want.
 13 So that's what we're asking direction from
 14 the Board for.
 15 TRUSTEE TONKING: If I'm looking at the
 16 programming level of the service, I'm okay with the
 17 alternate 1 footprint. I don't think we need a
 18 bigger example, like, outdoor -- if we keep trying
 19 to keep the footprint the same, I'm not sure --
 20 alternate 1 proposes 20 seats, that's 10 more seats.
 21 That's fine. There's always a line at the bar,
 22 especially at music on the beach.
 23 I'm not saying we need to go much bigger.
 24 I think I remember a conversation where we talked
 25 about we still, because we're under government

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1 size of facilities to meet the needs currently and
 2 in future for the next 40 years for this community.
 3 TRUSTEE SCHMITZ: I'm recalling that this
 4 plan, you were still stating that we would need to
 5 have portable restrooms, that these were not
 6 sufficient in number.
 7 So from my perspective, I think we need
 8 clear understanding of what is the recommendation
 9 for the number of restrooms so that we do not have
 10 porta potties or have a need, except for 4th of
 11 July, that sort of thing. But I'm seeming to recall
 12 there were some challenges there.
 13 And I think we need to understand and
 14 deliver what the community wants, and what I saw
 15 that they want is easier access to their services.
 16 They talked about easier, it's not necessarily
 17 bigger, but easier.
 18 I think we have to understand what that
 19 means so we actually achieve what the community is
 20 looking for.
 21 TRUSTEE TONKING: Do you need us to walk
 22 through these decision points that you put in here
 23 so you can have the correct menu for the architects;
 24 is that what I'm understanding?
 25 MS. WATSON: We sat down with Trustee

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1 regulations, we would still have to have a kitchen
 2 if we offered food. That is of a certain mention.
 3 So I think we just keep all that like it
 4 is in alternate 1. That's where I am sitting on
 5 those programs levels of services.
 6 I think -- I love the Lone Eagle Grill.
 7 It's really beautiful, but I think it's going to be
 8 really expensive for us to do something like that.
 9 It's an expensive project for them. I think that is
 10 something we need to think about, and they are a
 11 private organization.
 12 TRUSTEE TULLOCH: I'm a little confused on
 13 some things. Really, are we trying to do the bar as
 14 somewhere where everyone can sit? The more people
 15 you get sitting around the bar, the harder it
 16 becomes to get served.
 17 I thought the idea -- most rational food
 18 and beverage services like to be able to serve
 19 quickly. If you've got 20 people sitting around the
 20 bar, it becomes twice as difficult as it is at the
 21 moment. Unless you're increasing the number of
 22 servers, it doesn't help reduce the queues.
 23 I'm not sure if our desire is to turn it
 24 into bar, another paddle wheel or something of what
 25 it is so people can sit around or whether it's to

<p style="text-align: right;">Page 150</p> <p>1 have the availability of beverages for there.</p> <p>2 I'm struggling a little bit with why</p> <p>3 something like an outdoor kitchen, similar to the</p> <p>4 Hyatt setup would be more expensive than a custom</p> <p>5 built and interior design one of things as well.</p> <p>6 Some of things that we've seen in the food</p> <p>7 and beverage report there, and just having had a</p> <p>8 quick look through the latest FlashVote survey, most</p> <p>9 of it seemed to be keep the costs of food down, but</p> <p>10 provide a greater menu. And a lot more of it was</p> <p>11 referencing, well, just have something grab and go.</p> <p>12 I think it would lovely to think we could</p> <p>13 have a huge, sit down restaurant and table service,</p> <p>14 but let's be realistic, that would get used and</p> <p>15 maybe a couple or three days out of year. I don't</p> <p>16 think it's something people are going to flock to on</p> <p>17 a regular basis. We don't seem to be able to get</p> <p>18 enough business at The Grill to cover that, so I'm</p> <p>19 not sure where that would suddenly change at the</p> <p>20 beach.</p> <p>21 The advantage of an outdoor set up,</p> <p>22 similar to the Hyatt, is something that we could get</p> <p>23 done quicker. One of my concerns is that the more</p> <p>24 elaborate we make this design, the more seasons it's</p> <p>25 out of use.</p>	<p style="text-align: right;">Page 151</p> <p>1 Also, to me, it's critical that it's also</p> <p>2 integrated with the ingress access, ingress/egress,</p> <p>3 otherwise we could be building something in the</p> <p>4 totally wrong place. That's probably my biggest</p> <p>5 concern to make sure we get the right location.</p> <p>6 MR. NELSON: I would like to address the</p> <p>7 costs of the outdoor kitchen. We did talk with</p> <p>8 consultants that did the mechanical and plumbing and</p> <p>9 electrical, and that was actually the highest cost</p> <p>10 because they had to accommodate for winterizing it.</p> <p>11 Everything had to be able to drain so it wouldn't</p> <p>12 freeze over the winter. That's where the majority</p> <p>13 of the costs increase you would see. It's not</p> <p>14 inside a building that's insulated.</p> <p>15 CHAIR DENT: One of other things we talked</p> <p>16 about was the building products to be used to be</p> <p>17 able to withstand the winter. Potentially using</p> <p>18 steel in your trellis structure, that way you don't</p> <p>19 have to replace your trellis in five years or ten</p> <p>20 years or whatever. There was some added cost in</p> <p>21 that, what they build down there.</p> <p>22 Maybe we go ask them if when they --</p> <p>23 before they tear down what's there that we purchase</p> <p>24 what's there or take it down and reinstall it.</p> <p>25 There could be a potential savings with that. You</p>
<p style="text-align: right;">Page 152</p> <p>1 still do have all the HVAC systems and all that, but</p> <p>2 if they're truly getting rid of it, there may be a</p> <p>3 proposal where we look into that.</p> <p>4 TRUSTEE NOBLE: If I recall, one of the</p> <p>5 other things with the outdoor facilities at the</p> <p>6 Hyatt is most of their food prep is done off site.</p> <p>7 And so while that works for the Hyatt if doing</p> <p>8 they're doing it at the current Lone Eagle site or</p> <p>9 up at the main building, that becomes problematic</p> <p>10 for -- it's not an apples to apples comparison for</p> <p>11 what we would need at Incline Beach; is that</p> <p>12 correct?</p> <p>13 MS. WATSON: Yeah. We met down at the</p> <p>14 Loan Eagle Grill and discussed exactly that. And</p> <p>15 that he guessed that 80, 90 percent of the food was</p> <p>16 prepared at the Hyatt and rolled over. And he said</p> <p>17 it's just not the same process down there.</p> <p>18 So that's why we're asking -- the next</p> <p>19 point is the food and beverage scope. Is the</p> <p>20 District preparing the food? Are we hiring outside</p> <p>21 service to prepare the food? Is there no food? Is</p> <p>22 there just a bar?</p> <p>23 These are the things we need the Board to</p> <p>24 define for us so we can explain this in the RFP and</p> <p>25 look for a team to come back to us with options.</p>	<p style="text-align: right;">Page 153</p> <p>1 TRUSTEE TULLOCH: I would have thought for</p> <p>2 the RFP, if we're defining food preparation, I think</p> <p>3 it almost becomes -- unless there's some particular</p> <p>4 peculiarities, whether we do it in-house or as a</p> <p>5 contractor, I mean, I would have thought the RFQ</p> <p>6 provide a food preparation -- sufficient food</p> <p>7 preparation area. I think it's almost independent,</p> <p>8 who's doing it.</p> <p>9 In the past, we've always contracted out.</p> <p>10 This year, we struggled because it was just not</p> <p>11 economical for contractors to actually provide the</p> <p>12 service because there's only two or three days a</p> <p>13 week that actually makes any sense to staff it.</p> <p>14 That's why I'm asking the -- and this is</p> <p>15 really for my Board colleagues. It's lovely</p> <p>16 thinking we'll have this huge restaurant with all</p> <p>17 five-star service and sit down tables</p> <p>18 and everything, but there's no point in having that</p> <p>19 if it's never going to get used. Let's look at what</p> <p>20 what's there. There's a lot of complaints in the</p> <p>21 FlashVote survey, the food's too expensive there</p> <p>22 already.</p> <p>23 I mean, the bigger edifice we make, the</p> <p>24 more expensive it becomes. I'm open-minded on it.</p> <p>25 I want to see this project move ahead. I want to</p>

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1 see the existed building basically razed, but we
 2 also need to be mindful of how we're going to lay
 3 out the whole area; whether we actually raze the
 4 existing building and put a new one in the same
 5 location. Whether we build a new one alongside so
 6 we don't lose a season.
 7 Let's not build something that's a white
 8 elephant.
 9 MS. WATERS: That is exactly what all
 10 three architects that we spoke with, that was their
 11 very first question: What's the menu you're
 12 providing? We'll give you a building, we'll give
 13 you an outdoor kitchen, we'll give you options A, B,
 14 and C, but what is the menu? Are you providing
 15 hamburgers and chicken tenders? Is it something
 16 more like the Lone Eagle Grill menu? What exactly
 17 does the menu look like? Are you increasing this
 18 level of service? Are decreasing the level of
 19 service? Are we keeping it the same?
 20 That's what we're asking.
 21 CHAIR DENT: I would weigh-in on that, I
 22 say we want to keep the level of service the same,
 23 but by keeping the level of service the same and
 24 building a new structure, we'd be improving the
 25 level of service that's down there.

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1 all summer long.
 2 So, outside of that 4th of July and that
 3 crazy time, are they sufficient?
 4 MS. NELSON: We will make sure that
 5 they're sufficient for the 90 percent of the time.
 6 It may just be that they need to revamp how it's
 7 shown on the drawing. There's some savings that we
 8 can do by having a shared sink system and that kind
 9 of thing.
 10 That will absolutely be my number one goal
 11 because I hate porta potties.
 12 TRUSTEE NOBLE: I do like the expanded bar
 13 area. Right now, I think the existing bar is way
 14 too small. You see people stacked up, multiple
 15 people deep, and people don't bother going, they'll
 16 bring their own stuff just because they don't want
 17 to wait.
 18 By having more seats there, it's more of a
 19 community atmosphere. It also gives more ways for
 20 people to come in and order drinks.
 21 It become a staffing issue. If you add a
 22 10 seat or one bartender at a 20 seat, you are still
 23 going to have the same level of service, but if you
 24 have more room and more personnel, especially if
 25 that something that the community really wants --

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1 TRUSTEE TONKING: I think you said what I
 2 was going to say. I think whether or not it's
 3 contracted or we're offering it, we're still going
 4 to need the kitchen, so I think that needs to be
 5 there.
 6 I also agree, from just my quick skim of
 7 this, like, people like the food. There's, like,
 8 suggestions to maybe do, like, different types of
 9 events or, like, have, like, more food available at
 10 -- or stay open a little bit later at music on that
 11 beach, that kind of stuff. And we can address that
 12 as a staffing issue.
 13 But I think just keeping the food the same
 14 and not trying to become too different, that's
 15 perfect. And I think it doesn't really matter at
 16 this point, unless I'm incorrect, like Trustee
 17 Tulloch said, if it's contracted or offered
 18 in-house, it's probably the same kitchen needed.
 19 TRUSTEE NOBLE: I think alternative 1
 20 addressed it with regards to the bathroom
 21 capacities. Outside of 4th of July, do we have
 22 enough bathroom capacity so that we don't need to
 23 have porta potties there?
 24 I would hate to see us build a facility
 25 and immediately we have to have porta potties, 24/7,

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1 and that's what I see all the time at the beach,
 2 whether it's music on the beach or weekends or any
 3 other time, the bar is always a very popular place.
 4 I think that is a great thing.
 5 With that said, I don't think it needs to
 6 be Cabo Wabo by any means. That's not what were
 7 going for. Just a fun place to hang out for those
 8 that want a break from everything else that's going
 9 on around.
 10 MS. WATERS: I think we're going in the
 11 right direction. I think if we're directed by the
 12 Board to say, we want to keep the kitchen, we want
 13 to increase the size of the bar, whatever that is,
 14 and maximize the number of bathrooms there, we're
 15 getting information that we can put in an RFQ.
 16 And we can put out -- this was alternative
 17 1 that was developed and brought to the Board in
 18 2019. We're looking for something like this, but we
 19 want flow to the bar. We can explain all of these
 20 things, and we pick the team to depending on who
 21 comes back with the best ideas.
 22 CHAIR DENT: Building upon, and maybe
 23 disagreeing on the alternative a portion of it a
 24 little bit, I do like the outdoor building structure
 25 feel of the outdoor trellis like you have at the

<p style="text-align: right;">Page 158</p> <p>1 Hyatt.</p> <p>2 Do we want to put the building in the same</p> <p>3 footprint or not? Move it around?</p> <p>4 We do have a lot of space to the west</p> <p>5 toward Burnt Cedar Beach. Would it make sense to</p> <p>6 potentially focus on a restroom structure that moves</p> <p>7 west, allow for storage, allow for -- right now,</p> <p>8 just make it more that empty, kind of, envelope a</p> <p>9 little bit, knowing that we still need to rework,</p> <p>10 potentially, the entrance and figure out what the</p> <p>11 traffic looks like there.</p> <p>12 But, maybe, the -- if we don't go with</p> <p>13 alternative 1, and say we do have two structures</p> <p>14 where you have the outdoor trellis and then you have</p> <p>15 the bathroom structure with some storage, maybe the</p> <p>16 bar slash serving area does end up being in a</p> <p>17 similar spot to where it currently is, but we're not</p> <p>18 stuck with it going in that same spot.</p> <p>19 MS. NELSON: I think we can certainly</p> <p>20 suggest that, because that does provide -- also so</p> <p>21 not everybody's going to one spot, and we can add</p> <p>22 that in the RFP, keeping our minds open that we do</p> <p>23 have this property and there is some dead areas not</p> <p>24 used.</p> <p>25 CHAIR DENT: I'd hate us to design</p>	<p style="text-align: right;">Page 159</p> <p>1 something and plop it right back in the same spot</p> <p>2 without seeing what those alternative are and trying</p> <p>3 and just solve the problem with the one we already</p> <p>4 have.</p> <p>5 TRUSTEE TONKING: Can we do something</p> <p>6 similar to what we did with the rec center expansion</p> <p>7 where the architects came and showed a bunch of</p> <p>8 different layout ideas? It was pretty cool to see,</p> <p>9 like, things that we hadn't even thought of and just</p> <p>10 do it in a bunch of different ways, what they</p> <p>11 thought was best given that space. Is that too much</p> <p>12 to ask to do?</p> <p>13 MS. WATERS: What we did for the Rec</p> <p>14 Center expansion isn't typically what architects are</p> <p>15 asked to do. That was more of a contest, and most</p> <p>16 of the time -- I mean, we've discussed this, why</p> <p>17 don't we have the pretty pictures here? Because</p> <p>18 pretty pictures cost \$50,000 to develop or \$20,000.</p> <p>19 It ranges on what you're asking from the architect.</p> <p>20 And they've all told us, you can't just give you --</p> <p>21 yeah, I can give you a \$5,000 picture, it doesn't</p> <p>22 mean anything.</p> <p>23 So if you really want to talk about it and</p> <p>24 do that, we can explore how to go down that road and</p> <p>25 figure out how to do that selection process.</p>
<p style="text-align: right;">Page 160</p> <p>1 But the Rec Center expansion was a unique</p> <p>2 project in that sense. Not saying that we can't</p> <p>3 have a selection committee, ask those architects to</p> <p>4 bring forth their ideas, and then we all -- I think</p> <p>5 that would be a part of it, but not so much as a</p> <p>6 contest, as more of -- when you put out an RFQ, it's</p> <p>7 a request for qualifications, so you're choosing the</p> <p>8 architecture, the A and E team, based on their</p> <p>9 qualifications, not so much the pretty pictures and</p> <p>10 designs they're bringing forward.</p> <p>11 All three architects that came for the Rec</p> <p>12 Center expansion all said that same thing, that this</p> <p>13 is a unique case.</p> <p>14 CHAIR DENT: We can do that. Let's do the</p> <p>15 RFQ and let's get an architect in place. Then we</p> <p>16 can have them give us some different layouts of what</p> <p>17 that looks like on the beach, and then also change</p> <p>18 the building around and show us what that looks</p> <p>19 like.</p> <p>20 MS. WATERS: I think that's the fairest</p> <p>21 route to go. You're asking somebody that doesn't</p> <p>22 even have a job to spend a whole bunch of time</p> <p>23 developing something like that, when you can choose</p> <p>24 a group, based on their past history of designs --</p> <p>25 they can bring all of their designs. You can see</p>	<p style="text-align: right;">Page 161</p> <p>1 the work they do. And they might sketch up a</p> <p>2 schematic for us or not, depending on how they want</p> <p>3 to propose it.</p> <p>4 But you can make a selection on a very</p> <p>5 qualified group that way, and then they can bring</p> <p>6 schematic options to us.</p> <p>7 TRUSTEE TULLOCH: Can I suggest something</p> <p>8 with regard to extended bar area? I don't mind</p> <p>9 having a larger bar area, but if all we do is put in</p> <p>10 20 seats in a larger bar area instead of 10 seats,</p> <p>11 it doesn't help the process of getting served at</p> <p>12 busy times, which is the issue.</p> <p>13 If we're going to expand the bar area like</p> <p>14 that, we should certainly consider, particularly at</p> <p>15 peak times, not having seating there because all</p> <p>16 you're doing is just restricting -- I mean, if we</p> <p>17 get 5-, 600 people there in an evening, 20 seats at</p> <p>18 the bar doesn't help. It's doesn't help serving.</p> <p>19 TRUSTEE SCHMITZ: An idea as it relates to</p> <p>20 what I'm seeing in the surveys about what people</p> <p>21 want from the bar service, I don't think making a</p> <p>22 bar with more bars stools actually addresses the</p> <p>23 issue.</p> <p>24 It might be better service if we actually</p> <p>25 had tables where people could sit and congregate at</p>

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1 small groups of tables, that way they can have
 2 servers that serve the tables, and they can have a
 3 bar that you walk up to and order your cocktail and
 4 go back to your table or go back to your beach
 5 chair.
 6 I just don't think that this really
 7 addresses the issue, which is people getting access.
 8 And having a conglomeration of round picnic tables,
 9 you know, for people to sit and relax and enjoy,
 10 probably are going to seat a lot more than 20
 11 people. Just an idea.
 12 MS. WATERS: I think all of these things
 13 can be put forth in the RFQ. Like, these are our
 14 concerns, these are our problem areas.
 15 And in the selection process, the group
 16 coming with the best ideas are going to get the job.
 17 They're going to come to us and say, we are experts
 18 in flow and congestion, and we've designed stadiums
 19 or we've designed this, we've done that.
 20 They're going to come to us with the best
 21 options.
 22 TRUSTEE SCHMITZ: This is, maybe, kind of
 23 the old school, and maybe there's a newer approach
 24 that would be more -- provide more service for
 25 residents.

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1 think we all know the pros and cons to all of it.
 2 We've discussed it before.
 3 But going for a low bid, you don't always
 4 get what you want. You saw that at the high school.
 5 They had an independent cost estimator come in, came
 6 in higher, and then the bid came in even higher.
 7 So you -- you're guaranteed low bid, but
 8 you're getting change orders as it comes through.
 9 CHAIR DENT: We're talking about the
 10 build, the actual construction?
 11 MS. WATERS: Yeah. We need to be able to
 12 tell the architecture team what -- how we're going
 13 forward with this.
 14 TRUSTEE NOBLE: Back to you, actually.
 15 Given your experience in what you've seen recently,
 16 what do you recommend for this project?
 17 MS. WATERS: The cost of construction is
 18 leveling out. It's not -- in 2021, there was 20
 19 percent inflation across the board. Now we're back
 20 down to around 5.5 percent.
 21 The problem with this situation is you
 22 guys want to see options. So here's your \$5 million
 23 option with enough bathrooms, a big enough kitchen,
 24 and a bar. But here's your \$3 million option, and
 25 what's taken away from that.

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1 The other thing I want to point out is
 2 when we talk about the kitchen design, the folks at
 3 Incline Spirits had said that the kitchen design
 4 down at Burnt Cedar is not done efficiently, that it
 5 actually requires them to have additional staff
 6 because of the layout.
 7 So it's very important that the way the
 8 kitchen is designed is optimal for staff and for
 9 use. I don't want to end up with a design that
 10 causes issues like the Burnt Cedar area has.
 11 MS. WATERS: The other thing we need
 12 answered is when we go out for an RFQ, need to know
 13 what delivery method the board wants; whether or not
 14 you want it to be a low bid, you want a CMAR, or a
 15 design build.
 16 Because this is a cost-driven project, the
 17 cost is very important. They can't come back to us
 18 with a design that's \$6 million because it's not in
 19 the budget for that.
 20 If you're not -- if you're going to go
 21 with a low bid, the A and E team's going to put into
 22 their proposal an independent cost estimator.
 23 If you don't do that, if you go as a CMAR
 24 or as a design build, they're going to go -- we're
 25 going to decide how -- what that looks like, and I

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1 Now, you guys all know what an engineer's
 2 estimate is. It's what it is, an engineer's
 3 estimate. We're not contractors. We do the best
 4 that we can with what we have.
 5 A contractor's estimate, someone that has
 6 skin in the game, it's going to be a lot closer than
 7 it is if you're going to go out and ask an architect
 8 or an independent cost estimator to do it.
 9 I understand it's a commercial kitchen on
 10 the lake. It's not simple. The Uniform Building
 11 Code has changed, the plumbing's different. There's
 12 a lot of things that have to go into this project,
 13 and if it's cost-driven, I would suggest you get the
 14 contractor involved from the beginning. This isn't
 15 a pipeline. It's vertical construction.
 16 TRUSTEE TULLOCH: I've seen no value from
 17 what we've done with using CMAR. What's happened in
 18 the pipeline, and the risk seems to accrue back to
 19 us as a client. It's basically a standard
 20 construction of it. There maybe some complexities.
 21 Anyone that's building that type of thing normally
 22 does it.
 23 I've seen -- I'm used to running low-bid
 24 projects as well. In terms of that, it's up to
 25 manage the contractor properly. If you don't manage

<p style="text-align: right;">Page 166</p> <p>1 the contractor, if your project manager doesn't 2 manage the contractor, you'll get all sorts of 3 extras. 4 I see no reason for a CMAR here, taking 5 another 14 percent or something like we've seen on 6 the pipeline. I see no value to the community from 7 that. 8 CHAIR DENT: When it comes to -- I know 9 the strength of our engineering team isn't in 10 vertical. 11 And so I think when it comes to awarding 12 or managing this project, if it makes sense, or if 13 you guys recommend bringing back an item to have a 14 consultant, project manager oversee and help advise 15 in that process, I'd rather go that route and go the 16 low-bid process, especially given where things are 17 going. As it relates to vertical structures right 18 now, things are becoming more competitive. 19 And so -- still seeing things go up, but I 20 think we've been a little snakebitten by having to 21 work through that process with the CMAR and seeing 22 how it's kind of backfired on us when our intent was 23 right. And now we're dealing with what we are with 24 the pipeline project. 25 I would be inclined to go the low-bid</p>	<p style="text-align: right;">Page 167</p> <p>1 process. 2 TRUSTEE TONKING: Can you talk to me about 3 why CMAR project, using the CMAR with using the 4 effluent pipeline is different than using a CMAR 5 with a vertical structure, and why you would 6 recommend differently? 7 And then to Trustee Dent's point, but if 8 you hire a project consultant, are you not already 9 getting about that 14 percent cost coming in too in 10 some ways? 11 MS. NELSON: The State of Nevada, in NRS 12 for CMAR projects for underground construction, the 13 contract has to self-perform, I think it's 80 14 percent of the project. 15 So, on vertical construction, they don't 16 have to self-perform. For instance, at the Burnt 17 Cedar pool we had the CMAR with Core Construction. 18 They sub-consulted 99 percent of that work out, and 19 they were just managing the project at that point. 20 I think their fee with was about 4 percent. On that 21 project, it was very successful project. We were 22 able to return to the District about \$385,000 from 23 their contract. 24 It didn't require a lot of staff time for 25 oversight. We had to be down there to answer</p>
<p style="text-align: right;">Page 168</p> <p>1 questions when we ran into pipes we didn't know what 2 they were. We had to be down there weekly to make 3 sure what was going on with the construction, the 4 scheduling, all of that. But as far as the 5 administrative time on staff, it was negligible. 6 As far as looking like the pipeline, the 7 administrative costs on staff time, Hudson, was 8 spending a lot of his time managing that job. That 9 being said, personally, I would never recommend an 10 underground job be a CMAR. It just doesn't lend 11 itself to that. 12 The successes I saw in Burnt Cedar is why 13 I recommend it for a vertical construction. 14 Now, if the Board wants to go for the low 15 bid, that's fine. We would absolutely be coming 16 back to you saying, we need a construction manager. 17 Because there are four of us in our 18 department, we cannot spend that much time on two 19 jobs. 20 MS. WATERS: And the project right now 21 that we have at the Diamond Peak kitchen, which we 22 will be bringing back next week, is going very well. 23 TRUSTEE TULLOCH: That's all good points. 24 I still fail to see where the CMAR and that type of 25 project is any better than having an effective</p>	<p style="text-align: right;">Page 169</p> <p>1 project manager as suggested. 2 And with regard to the cost of that, I'd 3 assumed when I saw the 14 percent CMAR fee in the 4 effluent pipeline that that included -- that 14 5 percent included all the supervisory staff on site 6 that Granite was providing. I only found out 7 afterward that we pay for this staff as well, then 8 the 14 percent on top. 9 That's one of reasons I'm concerned about 10 any CMAR proposals. When we talk about guaranteed 11 maximum price, it always seems to be that we're 12 guaranteed to pay the maximum price. I've been on 13 record saying this before. 14 I think that idea of low bid when business 15 is getting competitive and bringing in an effective 16 project manager actually can deliver better results, 17 but that's personal view. 18 MS. WATERS: Low bid, if that's the way 19 we're directed to go, that's the way we can go. I 20 think the benefit to the CMAR process comes at the 21 beginning. The benefits is going to come before we 22 go to construction. You're going to get real costs, 23 real estimates, real numbers, as opposed to us 24 saying, oh, yeah, here's an engineer's estimate for 25 a \$3.5 million building, you go bid to bid, and it</p>

<p style="text-align: right;">Page 170</p> <p>1 comes in at 6.</p> <p>2 CHAIR DENT: I'll go back my comments</p> <p>3 earlier, I'll say for myself, there's quite a bit</p> <p>4 more pause now when it comes to the CMAR process,</p> <p>5 especially when we're at 95 percent drawings and</p> <p>6 then we see a 40 percent increase in the last five</p> <p>7 percent, and that just happened to us a few months</p> <p>8 ago with the pipeline project.</p> <p>9 The reason -- I remember one of the</p> <p>10 concerns with Burnt Cedar or one of the reasons why</p> <p>11 should go in that direction is it was underground,</p> <p>12 there were unknowns we didn't know what we were</p> <p>13 going to get into, and the potential savings of</p> <p>14 that.</p> <p>15 With this structure and with what we're</p> <p>16 doing moving forward, there's very little unknowns.</p> <p>17 Once you excavate for your foundation, put your</p> <p>18 concrete in, you're doing everything else</p> <p>19 aboveground, so the amount of change orders and</p> <p>20 concerns that come with that, assuming your designer</p> <p>21 puts together an adequate set of plans, should be</p> <p>22 minimal. Or we decide to spend more money.</p> <p>23 I think there's a lot less risk with the</p> <p>24 vertical piece of it, and that's why I'm saying we</p> <p>25 should go the low-bid process.</p>	<p style="text-align: right;">Page 171</p> <p>1 MS. NELSON: I need a consensus on the</p> <p>2 delivery method.</p> <p>3 MS. WATERS: I can give you another option</p> <p>4 if we can go out for an RFQ, and we can say</p> <p>5 something like we did for the Rec Center, if want to</p> <p>6 do that. We can go out for an RFQ for a schematic</p> <p>7 design. And at that point, come back to the Board</p> <p>8 with the schematic design options, then you guys</p> <p>9 decide which way you want to go.</p> <p>10 That's another option is design build.</p> <p>11 TRUSTEE TULLOCH: Then the bidder is</p> <p>12 putting themselves at risk. They are taking that</p> <p>13 risk, that's the proper way to do it.</p> <p>14 MS. WATERS: When you do the low bid, the</p> <p>15 contractor's building their risk into it. When</p> <p>16 you're doing the design build, they're taking the</p> <p>17 risk from us.</p> <p>18 TRUSTEE NOBLE: I think I'm more</p> <p>19 comfortable with the design build. Low bid sounds</p> <p>20 great, but I always -- then you're getting the</p> <p>21 cheapest product, the cheapest build, there's</p> <p>22 potential for cutting corners. This is not one</p> <p>23 where I want to cut corners.</p> <p>24 I want to make sure it's done right, and I</p> <p>25 like the -- if not going to go CMAR, I think design</p>
<p style="text-align: right;">Page 172</p> <p>1 build would be by preference.</p> <p>2 TRUSTEE TONKING: I agree. Design build</p> <p>3 is the perfect option.</p> <p>4 TRUSTEE SCHMITZ: I concur. I was not</p> <p>5 clear of the distinction between the two because I</p> <p>6 was thinking design build as well. I think that's</p> <p>7 the route that we should head down.</p> <p>8 MS. WATERS: In the design build, the</p> <p>9 design build model -- so in a CMAR model, you have</p> <p>10 the owner, then you have the A and E team, then you</p> <p>11 have the contractor, and the owner holds the</p> <p>12 contracts for both of those, separately.</p> <p>13 In the design build model, the contractor</p> <p>14 holds the contract with the A and E team, and then</p> <p>15 we hold one contract with that team.</p> <p>16 CHAIR DENT: From an oversight standpoint,</p> <p>17 how does that change?</p> <p>18 MS. WATERS: This direction, the low bid</p> <p>19 direction, it's a lot of staff time on our end to</p> <p>20 bring in a project manager. If you don't bring him</p> <p>21 in at the beginning, those fees up there with lawyer</p> <p>22 fees for project managers.</p> <p>23 So, you bring them in at the beginning of</p> <p>24 the project so that they understand it all the way</p> <p>25 through. Otherwise, it's kind of useless.</p>	<p style="text-align: right;">Page 173</p> <p>1 I think the design build is going to be</p> <p>2 less taxing on engineering staff.</p> <p>3 TRUSTEE SCHMITZ: I would like to have</p> <p>4 some sort of a community workshop so we can talk</p> <p>5 about what has been produced and get feedback from</p> <p>6 community members when we have some of these options</p> <p>7 to take a look at.</p> <p>8 MS. NELSON: Just in summary, so we can</p> <p>9 wrap this up, the programming level of service is</p> <p>10 going to remain the same.</p> <p>11 The food and beverage scope, we would like</p> <p>12 an expanded bar area. It may look different,</p> <p>13 whether it's tables, bar, what have you, but we will</p> <p>14 investigate all those options as to what we can do</p> <p>15 on our end.</p> <p>16 Staffing is a completely separate issue,</p> <p>17 and we don't have control over that, nor do we want.</p> <p>18 And for the delivery method, we're going</p> <p>19 to go down design build.</p> <p>20 CHAIR DENT: We're all on the same page.</p> <p>21 MS. WATERS: We'll put a selection</p> <p>22 committee together. We'll put the RFQ together and</p> <p>23 put a selection committee together that will be two</p> <p>24 board members, staff.</p> <p>25 TRUSTEE TULLOCH: Design build should help</p>

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<p style="text-align: right;">Page 174</p> <p>1 speed the process up as well.</p> <p>2 TRUSTEE SCHMITZ: I heard a lot of</p> <p>3 discussion about the entrance being part of this</p> <p>4 design, so I want to make sure that that was clear.</p> <p>5 You didn't mention that in you summary.</p> <p>6 MS. WATERS: Those currently are two</p> <p>7 separate projects that we would do together.</p> <p>8 CHAIR DENT: Correct.</p> <p>9 We're getting close to the end of this</p> <p>10 meeting. I definitely think we could table the</p> <p>11 remaining three items, and we'll just put those at</p> <p>12 the top of list for the next meeting.</p> <p>13 Any concerns with that? Anne?</p> <p>14 MS. BRANHAM: Yes. I just was going to</p> <p>15 mention, we will have to have the final public</p> <p>16 comment period before we adjourn for tonight.</p> <p>17 CHAIR DENT: Absolutely.</p> <p>18 MS. BRANHAM: Wonderful. Then, oh, just</p> <p>19 that for staff's benefit, the items that are being</p> <p>20 tabled will have to be re-noticed in the same way</p> <p>21 for the next agenda as we do for a normal agenda.</p> <p>22 CHAIR DENT: Understood. Thank you for</p> <p>23 that.</p> <p>24 That will close out our general business.</p> <p>25 Moving on to item A, we don't -- or item I.</p>	<p style="text-align: right;">Page 175</p> <p>1 I. REDACTIONS FOR PENDING PUBLIC RECORDS REQUESTS</p> <p>2 CHAIR DENT: We don't have anything for</p> <p>3 redactions in the packet. Moving on to item J, long</p> <p>4 range calendar.</p> <p>5 J. LONG RANGE CALENDAR</p> <p>6 CHAIR DENT: Long range calendar, pages</p> <p>7 332 through 336 of the board packet.</p> <p>8 MR. BANDELIN: If I might get a little</p> <p>9 assistance with the calendar this evening. I</p> <p>10 brought the agenda here, so I'll just kind of ask</p> <p>11 for some assistance on which ones that we didn't</p> <p>12 touch on tonight. I'll add them to -- would that be</p> <p>13 the preference of the Board to move it directly to</p> <p>14 the August 9th meeting?</p> <p>15 CHAIR DENT: That would be correct.</p> <p>16 Item H 4, item H 7, and item H 8, those will all be</p> <p>17 at the August 9th meeting.</p> <p>18 TRUSTEE SCHMITZ: The other thing that we</p> <p>19 talked about for August 9th was the director of HR</p> <p>20 bringing back the vendor information as it relates</p> <p>21 to the GM position.</p> <p>22 CHAIR DENT: Approval of the vendor?</p> <p>23 TRUSTEE SCHMITZ: Yes. So, she wanted to</p> <p>24 bring that back at the August 9th.</p> <p>25 And I believe there was a request about</p>
<p style="text-align: right;">Page 176</p> <p>1 having -- this was Trustee Tonking's -- a report</p> <p>2 from HR as it relates to some of the attrition that</p> <p>3 we've had. I think that was requested.</p> <p>4 And then Trustee Tonking, I don't think</p> <p>5 she specifically said it was for August the 9th, but</p> <p>6 you wanted to have on an upcoming agenda to discuss</p> <p>7 some additional training.</p> <p>8 TRUSTEE TONKING: I'll do it for the</p> <p>9 August 9th meeting, so we can get them concurrent</p> <p>10 with each other.</p> <p>11 TRUSTEE SCHMITZ: August 9th is going to</p> <p>12 be a really packed agenda.</p> <p>13 TRUSTEE TONKING: I just feel like we</p> <p>14 should get the trainings concurrent with each other,</p> <p>15 if we're going to start doing them.</p> <p>16 TRUSTEE SCHMITZ: Then I believe that</p> <p>17 tonight -- the interim Director of Finance talked</p> <p>18 about bringing back the revised State form budget,</p> <p>19 perhaps, on August the 30th. He didn't feel that</p> <p>20 was urgent.</p> <p>21 CHAIR DENT: Yeah. And if it isn't</p> <p>22 urgent, it could be the 13th or the 27th of</p> <p>23 September. We're fine with that too.</p> <p>24 TRUSTEE SCHMITZ: Right.</p> <p>25 And the other thing that -- I believe</p>	<p style="text-align: right;">Page 177</p> <p>1 interim General Manager Bandelin brought up was</p> <p>2 coming back, maybe, on September 13th with some food</p> <p>3 and beverage related to Champ. And events coming</p> <p>4 back with some additional information for us. I</p> <p>5 think you sort of leaned like it might be September</p> <p>6 13th.</p> <p>7 That is sort of what I filled with from</p> <p>8 tonight's meeting.</p> <p>9 CHAIR DENT: As far as all the items on</p> <p>10 the August 9th meeting, you and I can work through</p> <p>11 this offline to figure out what does need to come</p> <p>12 forward and what can push, and the stuff that's</p> <p>13 necessary on here or consent, and we'll work through</p> <p>14 that.</p> <p>15 MR. BANDELIN: Agreed. I was going to</p> <p>16 mention some of those CIP projects, not including</p> <p>17 the Base Lodge walk-in cooler project, we're working</p> <p>18 with legal and some of the procurement providers,</p> <p>19 and we may not be ready by the 9th. Some of those</p> <p>20 may be coming off, on the contracts and the</p> <p>21 agreements.</p> <p>22 Then I did speak with legal counsel, BBK,</p> <p>23 and not exactly sure if it can happen on the 9th,</p> <p>24 but staff would like bring back a proposed policy</p> <p>25 related to the content and the advertisement within</p>

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<p style="text-align: right;">Page 178</p> <p>1 the IVGID magazine.</p> <p>2 Currently, there's a kind of an agreement</p> <p>3 where the general manager makes that decision, and</p> <p>4 talking with our counsel, we think we should being a</p> <p>5 policy to the Board for approval of the content.</p> <p>6 MS. BRANHAM: I can give you an update on</p> <p>7 that. Josh and I discussed, I will be writing that</p> <p>8 policy, so we thought it might make sense for it to</p> <p>9 come the next meeting I will be at, which is the</p> <p>10 second meeting in August.</p> <p>11 As long as that works for everyone, we can</p> <p>12 have it ready to go and discuss at that meeting.</p> <p>13 CHAIR DENT: Great. Thanks, Anne.</p> <p>14 TRUSTEE SCHMITZ: The other thing that we</p> <p>15 were talking about, this ties in with the Investment</p> <p>16 Committee and also a new and updated strategic plan,</p> <p>17 is that we, as a board, have really never talked</p> <p>18 about what is the five-year plan, what are the</p> <p>19 things that we want to have out on our agenda to try</p> <p>20 to get accomplished?</p> <p>21 I know we've got numbers and spreadsheets,</p> <p>22 but we have really not sat down to talk some sort of</p> <p>23 detail. I would like to have that on some upcoming</p> <p>24 agenda not too far in the future.</p> <p>25 MR. BANDELIN: Agree. I would like staff</p>	<p style="text-align: right;">Page 179</p> <p>1 to bring forward a little different look to the</p> <p>2 five-year plan, maybe a little bit more itemized,</p> <p>3 that we can go through.</p> <p>4 Then we would probably be able to</p> <p>5 highlight some of those sales where projects are a</p> <p>6 certain dollar amount that would be in front of the</p> <p>7 Capital Investment Committee, but may also require</p> <p>8 the discussion of bonding.</p> <p>9 CHAIR DENT: Good point. None of us even</p> <p>10 touched on bonding for the Incline Beach House,</p> <p>11 which I think should part of that discussion as</p> <p>12 well, whether it's a portion or all.</p> <p>13 The one item I have a question on, the</p> <p>14 Moss Adams report, is that scheduled to come back to</p> <p>15 us on August 9th?</p> <p>16 TRUSTEE TULLOCH: August 30th.</p> <p>17 TRUSTEE TONKING: The final report is</p> <p>18 August 30th, yes.</p> <p>19 CHAIR DENT: August 30th. So Moss Adams</p> <p>20 reports get bumped to August 30th.</p> <p>21 TRUSTEE TONKING: I was wondering if we</p> <p>22 can in a couple, future, maybe like end of August or</p> <p>23 September, do the item here that Chair Dent and</p> <p>24 Trustee Schmitz had recommended, the scheduling of</p> <p>25 community town halls or the 30-minute social happy</p>
<p style="text-align: right;">Page 180</p> <p>1 hour, start moving through with that?</p> <p>2 CHAIR DENT: What was that?</p> <p>3 TRUSTEE TONKING: Social half hour.</p> <p>4 Sorry. Social half hour.</p> <p>5 CHAIR DENT: Before the meeting? We all</p> <p>6 have gone out to dinner together.</p> <p>7 TRUSTEE TONKING: A social half hour</p> <p>8 before each Board meeting that you proposed. We've</p> <p>9 never discussed, like, what we want to do with</p> <p>10 those.</p> <p>11 CHAIR DENT: Yeah. I would say let's</p> <p>12 discuss that sooner rather than later.</p> <p>13 TRUSTEE TULLOCH: Seems it dropped off,</p> <p>14 but we had talked about doing a review of the</p> <p>15 pricing policy. I think that would be appropriate</p> <p>16 before we get into the next round of venue pricing,</p> <p>17 we need to look at -- make sure we're comfortable</p> <p>18 with the pricing policy.</p> <p>19 We've been getting all sorts of slings and</p> <p>20 arrows about it for following the pricing policy</p> <p>21 proposed by the previous board.</p> <p>22 TRUSTEE SCHMITZ: The pricing pyramid that</p> <p>23 is on our parking lot, but I think sometimes when we</p> <p>24 get things in our parking lot, they get lost a</p> <p>25 little bit. I think it would be good -- some of</p>	<p style="text-align: right;">Page 181</p> <p>1 these that we really want to cover, I think, to</p> <p>2 put -- at least tag them to an agenda.</p> <p>3 CHAIR DENT: I think that's a good idea.</p> <p>4 Start to fill out the calendar a little bit, like</p> <p>5 September 27th and September 13th, we don't really</p> <p>6 have anything going on. But I'm sure we'll have 15</p> <p>7 items that meeting.</p> <p>8 General Manager Bandelin, do you need any</p> <p>9 further direction from us?</p> <p>10 MR. BANDELIN: Not at this time.</p> <p>11 CHAIR DENT: That will close out item J.</p> <p>12 Moving on to item K, Board of Trustees updates.</p> <p>13 K. BOARD OF TRUSTEES UPDATE</p> <p>14 CHAIR DENT: Any updates from the</p> <p>15 trustees?</p> <p>16 TRUSTEE TULLOCH: On Moss Adams, we met</p> <p>17 with them last week, an update meeting with them,</p> <p>18 and we've updated the schedule to make sure that</p> <p>19 we're pushing things to get back. And a couple of</p> <p>20 other things that we touched on. It's moving</p> <p>21 forward. They're starting their draft report at the</p> <p>22 moment, and that will come back to us on Friday.</p> <p>23 CHAIR DENT: That closes out item K.</p> <p>24 Moving on to item L, final public comment.</p> <p>25 L. FINAL PUBLIC COMMENTS</p>

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1 MR. DALTON: I've lived here since --
 2 eight years, moved here, full time. And I've gone
 3 to a lot of meetings, opposed to some of the people
 4 in this town who don't go to any meetings or listen,
 5 because there's not very many.
 6 I wanted to thank the Board for -- not the
 7 Board, but recognizing the finance director
 8 temporary or interim, Chris Nolet, for his terms of
 9 the head of the Audit Committee, which has had, in
 10 the past by members of this -- not this board but
 11 another trustee board, had a lot of pushback that we
 12 don't need an audit. It's clear that we needed an
 13 audit.
 14 And I wanted to thank, in addition, where
 15 Cliff Dobler has made comments. I don't care if you
 16 like comments or not, but you have to listen. You
 17 don't say "next." Next. Next.
 18 And that's what we had for years, and I
 19 want to thank this Board for recognizing the
 20 contributions -- not this Board, but that Chris
 21 Nolet had mentioned, and I listened to the Audit
 22 Committee a few days ago. He did an excellent job.
 23 And then, of course, Bobby Magee.
 24 I wanted to thank Cliff for the years that
 25 he spent, which is a lot of time, and I wanted to

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1 The fallout from this bad work environment
 2 and micromanaging doesn't end with the resignations
 3 to date. These vacancies put stress on everyone who
 4 now has to pick up the slack.
 5 And now the BOT is establishing advisory
 6 committees, which I'm going to apply for one, but
 7 that's going to stress the existing IVGID staff
 8 further until these jobs get filled. Not to mention
 9 employee certainty, leading to low morale, job
 10 uncertainty, and possibly more departures.
 11 The reputation of IVGID is becoming so
 12 negative that finding quality new employees could
 13 become the biggest challenge. And this could be
 14 more impactful than their finding work (inaudible).
 15 Here's what should be happening: Pause
 16 and reflect. And I'm looking at each one of you.
 17 Pause and reflect.
 18 Typically, when a District is in this
 19 position, they reflect and pause on their actions.
 20 Nothing new to you can calm things down. You gotta
 21 calm it down. Prioritize routine district business
 22 and how to keep the critical staff that remains.
 23 Focus on searches for new directors who you caused
 24 to force to resign by your behaviors. Pause setting
 25 up board committee except for a citizen committee to

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1 say stuff to Chris and I want to thank the Board for
 2 their expediting these changes.
 3 I hope to continue -- going forward, that
 4 this will continue. Thank you.
 5 MS. CARS: I want to quickly respond to
 6 that. We're not -- a lot of people aren't old like
 7 us, so they can't say up. They've got kids and
 8 families. And what I do is if I can't attend a
 9 meeting, I listen to it the next day. So don't
 10 respond that people aren't -- people are paying
 11 attention. That's why we have a recall going on.
 12 I'm going to address the management team.
 13 Effective 8/1, there is no IVGID management team to
 14 make fiscally sound decisions.
 15 On the leadership team, you're down from
 16 eight to five. Because of the apparent meddling,
 17 toxic work environment created by Schmitz, Dent, and
 18 Tulloch we are without critical, dedicated, hard
 19 working staff. They're gone.
 20 GM Winqest, 20 years. Public works, two
 21 years. Director of Finance Navazio, three years.
 22 Director of Food and Beverage Vandenburg, 16-plus
 23 years. Controller Marty Williams left January,
 24 2023, he was here two years. And this doesn't
 25 include other employees who have left since January.

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1 help with the talent search.
 2 You also have two people under recall.
 3 Focus on the priorities. What is your endgame since
 4 you're not doing what you should be doing?
 5 The union contract is expired, employees
 6 and public works, IT, and accounting working without
 7 union contracts translates into more instability.
 8 Using the word "you" is never popular, but
 9 I don't know how to better put it. You are trustees
 10 and you need to meditate on the unintended
 11 consequences of your micromanagement and what is
 12 happening.
 13 Please re-read and memorize the board
 14 handbook and what you should be doing.
 15 Trustee Schmitz, Dent, and Tulloch, focus
 16 on your BOT role and work on building, not tearing
 17 down, our community. Listen to Dr. Laura. Do the
 18 right thing.
 19 Thank you.
 20 MS. SHACKFORD: Kay Shackford, Donna
 21 Drive.
 22 As I mentioned at the July 12th board
 23 meeting, I was initially relieved to read the answer
 24 to the original question number 4 on the Board of
 25 Trustees' frequently asked questions, to say you did

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<p style="text-align: right;">Page 186</p> <p>1 not intend to privatize our recreational venues. 2 When I read the updated FAQs, issued on 3 July 16th, I noticed assurances that you've never 4 discussed outsourcing any venue. This does not fill 5 me with a warm, fuzzy feeling, and here's why: 6 At the July 12th Board meeting, Trustee 7 Tulloch assured Mike Bandelin that his job as acting 8 interim General Manager would not be that difficult 9 since Brad Underwood would be there to take care of 10 all the public works items. 11 Then in the same meeting, how Trustee 12 Tulloch dealt with the presentation, developed by 13 Waste Management personnel in close collaboration 14 with our public works people, likely contributed to 15 to Mr. Underwood's decision to submit his 16 resignation. 17 Mr. Bandelin is now left with the 18 responsibility of handling his full-time role as 19 General Manager of Diamond Peak Ski Resort, now 20 interim acting General Manager, without any help 21 from our now-departed Director of Public Works. 22 This seems to demonstrate that trustee assurances, 23 even when well intended, in and of themselves don't 24 mean much. 25 Given that a huge issue in this community</p>	<p style="text-align: right;">Page 187</p> <p>1 is fear that this Board might take steps to divest 2 or further weaken our venues, I again ask -- no, I 3 implore one of the silent majority on Board -- 4 minority, silent minority on the Board to officially 5 request that drafting and signing a memorandum of 6 understanding be agendaized for an upcoming board 7 meeting so the five trustees can approve the 8 wording, each trustee can sign his or her name on it 9 as being one hundred percent in agreement, and so it 10 can then be posted permanently on IVGID's website. 11 Such a document would confirm that you 12 recognize our recreational venues are legitimately 13 the responsibility of IVGID, that they are first and 14 foremost for the enjoyment of the community members, 15 and a major reason for property values remaining 16 high. 17 And that in your tenure on the board, you 18 commit never to ask for a study of or approve the 19 privatizing or outsourcing of any of our 20 recreational venues or otherwise invite an outside 21 agency to take managerial and/or financial control 22 of any of these venues. 23 Should such an MOU not be discussed, 24 agreed upon, and individually and collectively 25 signed, the current statement number 4 on the</p>
<p style="text-align: right;">Page 188</p> <p>1 revised FAQ page is, as I mentioned, completely 2 meaningless. Please do the right thing. 3 Thank you. 4 CHAIR DENT: No other public comment in 5 the room. Let's go to Zoom. 6 MR. DOBLER: This is Cliff Dobler. 7 I wanted to finish my comments on the 8 beach building, but I ran out of time. I just want 9 you to think about this, I know you're all tired, 10 but just think about it for a second. 11 The beaches have almost 2000,000 visitors 12 each year, and, historically, the food and beverage 13 service generated only 300,000 per year or \$150 per 14 visit. The Mountain Course, which is only 18,000 15 visits, generates \$5.55 per visit. 16 It is quite obvious that the beaches, 17 which has 11 times more visitors, provides little 18 interest in food and beverage service. Grab and go 19 is the proper solution. We don't need another 20 unique and complex food service operation. 21 Now I go to the survey that was conducted, 22 in question 2 was: How important is it for you to 23 have food available to buy at Incline Beach? 24 Believe it or not, 21 percent says: Not 25 at all; 16.6 percent says: Slightly. I bought food</p>	<p style="text-align: right;">Page 189</p> <p>1 there in a pinch; and 38 percent said: Somewhat. I 2 buy food from time to time. 3 So, 75.8 percent of the population of 625 4 voters decided that, you know, it's really not all 5 that important. 6 Building a kitchen is not the way to go. 7 You need to do just a grab and go. Where you're 8 going to make the money is in the booze. And the 9 booze is one by having four servers on the big 10 nights for the bands on Wednesday night and Friday 11 night, and then the big weekends. 12 We had a restaurant in Santa Barbara that 13 did almost \$7 million a year, and half of our 14 revenues was booze, and that's where the profit is. 15 So, a bar is really not all that 16 important. What's more important is getting the 17 drinks to the people that want to drink booze. 18 But I think this kitchen, just don't 19 overexpand it, and I would not even suggest a 20 kitchen; more of a grab-and-go service, where just 21 heating items rather than using oils and things like 22 that. I feel your cost will go quite down. 23 And I don't think that's going to be a 24 change, as Mr. Noble says, he wants it to last for 25 40 years, because town's only so big and we can have</p>

<p style="text-align: right;">Page 190</p> <p>1 so many residents that I don't think the population 2 base is going to change much more. 3 Thank you very. Oh, my wife is correcting 4 me. I said that we collect \$300,000 a year on the 5 beaches, which is \$1.50 per visit, as opposed to 6 \$5.55 at the Mountain Course, so consider that -- 7 (Three minutes expired.) 8 MR. WRIGHT: Frank Wright. 9 After hearing the public comments tonight 10 and reemphasizing my earlier statements, it's really 11 sad that the people in this town have bought into 12 lies, misstated information, and they continue to 13 say things do things that is factually incorrect. 14 The whole petition is factually incorrect. There's 15 no \$25 million, never was. But they keep saying it. 16 And they keep calling the people who have 17 the information knowledge the angry eight. And if 18 you listen to the same people talk, people that came 19 up with the angry eight, they're all programmed. 20 They're programmed from false statements and lies. 21 And they attack a trustee, constantly, for something 22 she didn't do. She did not do anything wrong. 23 Period. So why keep bringing it up? 24 And why jump on the bandwagon for a recall 25 when we have probably the best board we've ever had.</p>	<p style="text-align: right;">Page 191</p> <p>1 If you listen to the Board meeting tonight, it's 2 professional, well-stated comments. This Board is 3 exceptional, and we're going to recall it so these 4 people that have gathered up and got false 5 information, they're most takers who are ripping our 6 community apart. They're the cause of the problem. 7 And to come up a statement that they are 8 the silent majority, who took the poll? Who went 9 out and polled all the people in this town to find 10 out who the silent majority is? 11 It's people that have vested interests in 12 collecting money from IVGID in their own little 13 ways, and they don't want to lose their gravy train. 14 And so now, they've risen up and started this whole 15 barrage of garbage that doesn't make any sense, and 16 they keep repeating it over and over and over and 17 over. None of it is true. None of it. None of it. 18 And to have a recall, that's absolutely 19 insane. Please pay attention to the facts. Please 20 get your information from a source that's reliable. 21 Thank you. 22 MS. WELLS: Kristy Wells, Incline Village 23 resident. 24 I would like to respond to Mr. Wright's 25 comments. I find it a little hypocritical that he</p>
<p style="text-align: right;">Page 192</p> <p>1 talks about certain community members, repeating the 2 same messaging over and over and for again, and yet 3 he does the same thing, night after night, week 4 after week. It's the same misleading statements, 5 once again. 6 I do think it's interesting, as you guys 7 are talking about the beach and the expansion 8 opportunities we have there, and I think there's a 9 lot of work that still needs to be done. It's 10 clear, watching a little bit of the frustration of 11 the two ladies trying to look for guidance from the 12 Board for an understanding of what it is you're 13 actually asking them to do, so that they can then 14 work on that project. 15 When you look at a suggestion that just 16 made about if we feed them with bunch of booze, 17 great, great suggestion, Dr. Dobler. I think there 18 might be a little bit liability that comes to 19 IVGID's place if you feed people with a bunch of 20 liquor and you don't provide them any substantial 21 food. 22 My preference is that we actually still 23 have some substantial items, that we extend the 24 hours of the beach, that we make it a great, 25 wonderful place. It's one of the nicest beaches on</p>	<p style="text-align: right;">Page 193</p> <p>1 the Lake, second only to Sand Harbor, and we should 2 invest in it heavily. 3 I just think, again, I'm just going to 4 reiterate that the decorum here, both from the 5 Board, from the community members, all, we can all 6 do better. We must do better. There's a lot of 7 discussions, a lot of big, meaty topics; we can 8 agree to disagree. 9 Let's show a little respect for one 10 another. Let's not have to demean and diminish one 11 another's abilities, their aptitudes, their 12 backgrounds. Please listen to the experts. Please 13 take it all under consideration. And that's all I 14 have to say tonight. 15 Thank you. 16 MR. GOVE: No further comments on Zoom. 17 MS. MARTINI: Margaret Martini, Incline 18 Village. 19 First of all, I'd would like to commend 20 this Board for the professionalism that they are 21 shows, and for the professionalism in investigating 22 the issues that come up, time after time after time. 23 And you may think it's meddling or Board 24 oversight and you're supposed to go through the 25 General Manager. Well, obviously, that hasn't</p>

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1 worked in the past, and we have messes that we are
 2 trying to clean up right now.
 3 I just want to say that I think that Board
 4 involvement in the management and the day-to-day
 5 things of IVGID has been very helpful. And I think
 6 that if you really look at it with all of the
 7 management people leaving, there's reasons for that.
 8 And it's because we finally have some oversight for
 9 what they're doing, and we have uncovered issues in
 10 financing, we've uncovered issues in management,
 11 we've uncovered issues in long-term projects.
 12 And so when they're looking at, this was
 13 my job and I didn't do it, so I'm going to buzz out
 14 of here.
 15 And I think that this is an opportunity to
 16 have an brand-new management team and a board that
 17 works well together and that actually reads the
 18 board packets. Hello. Thank you guys for doing
 19 that.
 20 And I think that -- I've been coming to
 21 these meetings forever, and I doubt that ten percent
 22 of the board members have read, from cover to cover,
 23 the board packets. And what I'm seeing now is that
 24 you all are reading it. You're not only reading it,
 25 you're understanding it, and you're making

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1 STATE OF NEVADA)
) ss.
 2 COUNTY OF WASHOE)
 3
 4 I, BRANDI ANN VIANNEY SMITH, do hereby
 5 certify:
 6 That I was present on July 26, 2023, at
 7 the Public Meeting via Zoom, and took stenotype
 8 notes of the proceedings entitled herein, and
 9 thereafter transcribed the same into typewriting as
 10 herein appears.
 11 That the foregoing transcript is a full,
 12 true, and correct transcription of my stenotype
 13 notes of said proceedings consisting of 196 pages.
 14 DATED: At Reno, Nevada, this day of 7th
 15 August, 2023.
 16
 17 
 18
 19 BRANDI ANN VIANNEY SMITH
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1 suggestions. And that's what we need from a board.
 2 We need a board that understands the
 3 ins and outs of everything from IVGID, and the
 4 commitment to make it better, more efficient, and
 5 more cost effective.
 6 I commend all of you and I thank you.
 7 CHAIR DENT: That will be the final public
 8 comment in the room. That will close out item L,
 9 final public comment. We're moving on to item M.
 10 M. ADJOURNMENT
 11 CHAIR DENT: It is 10:49. I want to thank
 12 all the trustees, our few viewers still in the room
 13 and, Mr. Bandelin, thank you and your staff.
 14 We are adjourned.
 15 (Meeting adjourned at 10:49.)
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INVOICE

1 of 1



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Susan A. Herron, CMC
Incline Village General Improvement District
893 Southwood Boulevard
Incline Village , NV 89451

Invoice No.	Invoice Date	Job No.
1636153	8/7/2023	999221
Job Date	Case No.	
7/26/2023		
Case Name		
Incline Village General Improvement District Board of Trustees Meeting		
Payment Terms		
Net 30		

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Public Meeting

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\$2,816.00

Location of Job : parties to appear via zoom

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Susan A. Herron, CMC
Incline Village General Improvement District
893 Southwood Boulevard
Incline Village , NV 89451

Job No. : 999221 BU ID : RN-CR
Case No. :
Case Name : Incline Village General Improvement District Board of Trustees Meeting
Invoice No. : 1636153 Invoice Date : 8/7/2023
Total Due : \$2,816.00

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**OPUBLIC COMMENT #2. IVGID BOARD OF TRUSTEES MEETING, JULY 26TH, 2023
KAYE SHACKFORD. DONNA DRIVE.**

As I mentioned at the July 12th Board meeting, I was initially relieved to read the answer to the original Question #4 in the Board of Trustees' *Frequently Asked Questions* to see you did not intend to privatize our recreational venues. When I read the updated FAQs issued on July 16th, I noticed assurances that you have never discussed outsourcing any venue.

This does not fill me with a warm fuzzy feeling.

Here's why: At the July 12th Board meeting, Trustee Tulloch assured Mike Bandolin that his job as Acting Interim General Manager would not be that difficult, since Brad Underwood would be there to take care of all the public works items. Then, in the same meeting, how Trustee Tulloch dealt with a presentation developed by Waste Management personnel in close collaboration with our Public Works people likely contributed to Mr. Underwood's decision to submit his resignation.

Mr. Bandolin is now left with the responsibility of handling his full-time role as GM of the Diamond Peak Ski Resort and now interim acting General Manager without any help from our now departed Director of Public Works.

This seems to demonstrate that Trustee assurances in and of themselves don't mean much.

Given that a huge issue in this community is that this Board might take steps to divest or further weaken our venues, I again ask - no, I implore - one of the silent minority on the Board to officially request that drafting and signing a Memorandum of Understanding be agendaized for an upcoming Board meeting so that the five Trustees can approve the wording, each Trustee can sign his or her name on it as being 100% in agreement, and so it can then be posted permanently on IVGID's web site.

Such a document would confirm that you recognize our recreational venues are legitimately the responsibility of IVGID, that they are first and foremost for the enjoyment of community members, and a major reason for property values remaining high, and that, in your tenure on the Board, you commit never to ask for a study of, or approve the privatizing or outsourcing of any of our recreational venues, or otherwise invite an outside agency to take managerial and/or financial control of any of these venues.

Should such an MOU not be discussed, agreed upon, and individually and collectively signed, the current statement #4 on the revised FAQ page is, as I mentioned, completely meaningless.

Please do the right thing.

Thank you.

*Inda Kaher
625 Lariat Circle*

MANAGEMENT TEAM:

Effective 8/1 and today, there is no strong IVGID management team to make fiscally sound decisions.

ON THE IVGID LEADERSHIP team, we are down from 8 to 5. BECAUSE OF THE MEDDLING/TOXIC WORK ENVIRONMENT created by TRUSTEES SCHMITZ, DENT, AND TULLOCH, we are without critical, DEDICATED, HARDWORKING staff:

GM INDRA WINQUEST 20+ YEARS

DIRECTOR OF PUBLIC WORKS, BRAD UNDERWOORD, 2+ years

DIRECTOR OF FINANCE, PAUL NAVAZZIO 3+ YEARS

DIRECTOR OF FOOD & BEVERAGE, BILL VANDENBERG, 16 + YEARS

CONTROLLER, MARTY WILLIAMS LEFT JANUARY 2023 2+ YEARS

THIS DOES NOT INCLUDE THE OTHER EMPLOYEES THAT HAVE LEFT SINCE JANUARY.

The fallout from the toxic work environment and micro management doesn't end with the resignations to date.

These VACANCIES put stress on everyone who now has to pick up the slack. And now the BOT IS establishing ADVISORY BOARD committees that will stress remaining IVGID staff further?

Not to mention EMPLOYEE UNCERTAINTY LEADING TO LOW MORALE, JOB UNCERTAINTY AND POSSIBLY MORE DEPARTURES,

THE REPUTATION OF IVGID IS BECOMING SO NEGATIVE THAT FINDING QUALITY NEW EMPLOYEES WILL BE THE BIGGEST CHALLENGE...AND THIS COULD BE MORE IMPACTFUL THAN THEIR FINDING WORKFORCE HOUSING ISSUE.

HERE'S WHAT SHOULD BE HAPPENING: PAUSE....AND REFLECT

TYPICALLY WHEN DISTRICT IS IN THIS POSITION, THEY TAKE REFLECT AND PAUSE YOUR ACTIONS...

- NOTHING NEW TILL YOU CAN CALM THINGS DOWN
- PRIORTIZE ROUTINE DISTRICT BUSINESS AND HOW TO KEEP THE CRITICAL STAFF THAT REMAINS
- FOCUS ON THE SEARCHES FOR NEW DIRECTORS WHO YOU CAUSED/FORCED TO RESIGN BY YOUR BEHAVIOR
- PAUSE SETTING UP BOARD COMMITTEES, EXCEPT FOR A CITIZEN COMMITTEE TO HELP WITH THE TALENT SEARCH,
- YOU ALSO HAVE 2 PEOPLE UNDER RECALL. FOCUS ON THE PRIORITIES. WHAT IS YOUR END GAME SINCE YOUR NOT DOING WHAT YOU SHOULD BE DOING.
- THE UNION CONTRACT HAS EXPIRED – EMPLOYEES IN PUBLIC WORKS, IT, AND ACCOUNTING WORKING WITHOUT UNION CONTRACTS AND THIS TRANSLATES INTO MORE INSTABILITY.

USING THE WORD “YOU” IS NEVER POPULAR, BUT I DON’T KNOW HOW TO BETTER PUT IT:

YOU, OUR TRUSTEES, NEED TO MEDITATE ON THE UNINTENDED CONSEQUENCES OF YOUR MICROMANAGEMENT AND WHAT IS HAPPENING.

ALSO: PLEASE REREAD AND MEMORIZE THE BOARD HANDBOOK ON WHAT YOU SHOULD BE DOING.

The BOT job is not to run the operations. YOUR job is oversight and management.

1. The role of the Board in accordance with the NRS AND OTHER APPLICABLE LAW, THE bot IS RESPONSIBLE FOR THE CREATION, AMENDMENT AND OVERSIGHT OF STAFF'S ADHERENCE TO DISTRICT POLICIES, PRATICES, ORDINANCES AND RESOLUTIONS. ...

TRUSTEES: Schmitz, Dent + Tullock.

Focus on your BOT role

+ work on building, not

tearing down our community.

LISTEN to Dr. Kauna,

Do The Right Thing

This written statement is to be made part of the meeting minutes.

I draw your attention to the Food and Beverage Operations for the six years from 2018 to 2023. The claim made is that combined operations for food and beverage provided a 12.66% operating margin for 5 years. Somehow, 2023 was conveniently left off. 2023 was a terrible year. Some facts.

Total revenues for all venues were only 78% of Budget. A miss by \$953,000.

Net Income was only 14% of budget generating only \$100,000 or 2.9% of \$3.5 million in revenues far below any acceptable level.

All venues except Diamond Peak lost money. Diamond Peak actually exceeded budget.

Revenues at the Championship Golf Course were 72% of budget and lost \$315,000. For every dollar received, IVGID had to fund \$.51 cents.

The Mountain Golf Course revenues were only 54% of budget but only lost \$11,000. A simple delivery of services.

Events revenues are troubling reaching only 63% of budget and losing \$43K. Most revenues come from weddings. Why are we in the wedding business?

A major concern is that Howard has budgeted a "pie in the sky" revenues increase of 33% to \$942,000 for the Champ Course. I believe results will never be met.

IN 2024

Keep in mind that venues expenses do not include any rent, property taxes or capital costs which for an outside business would be about 6% of revenues.

Howard appears to have failed managing F&B effectively.

Lets jump to the Incline Beach House Project. Where is the robust presentation that was promised by Indra Winqest?

Asking the Board to decide on 5 items is not their job.

The Director of Parks and Recreation should be bringing concepts and proposed requirements to the board not engineers.

A CMAR contract cannot be used. NRS states CMAR can only be used if a project presents "unique and complex construction challenges". Explain the unique and complex challenges of building some restrooms and a kitchen.

Think about this. The Beaches have almost 200,000 visitors each year. Historically F&B services generated only \$300,000 per year or \$1.50 per visit. The Mountain Course with only 18,000 visits generates \$5.55 per visit. It is quite obvious that the Beaches with 11 times more visits provide little interest in food service. Grab and Go is the proper solution. We don't need another "unique and complex" food service operation.

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN
MINUTES OF THE IVGID BOARD'S REGULAR JULY 26, 2023 MEETING – AGENDA
ITEM H(5) – “GOOD GOVERNMENT” TRAINING**

Introduction: Here our Chairperson has initiated this agenda item to seek approval to spend more money on better government. This is after the Board approved a survey contract with Kevin Lyons which I thought included an additional \$2,500 for good government training. I am opposed to this wasteful expenditure and that's the purpose of this written statement.

My E-Mail of July 26, 2023: On July 26, 2023 I sent the Board an e-mail which outlined my opposition to the District's expenditure of my Recreation Facility Fee (“RFF”) monies on better government training¹. When the problem is really that no one seems to know what type of government we have which will allegedly benefit from that training. Rather than regurgitating the contents of my e-mail, I simply refer the reader to the contents of Exhibit “A.”

Conclusion: Get back to the basics and understand what we really are Board. When you do, you will come to the realization that we don't need Kevin Lyons' "good government" tools. And if you need me to teach you what GIDs are really all about and what limited powers you may legitimately exercise, please ask. And the price, UNLIKE Kaye Shackford, will be ZERO dollars!

And you wonder what your RFF is really spent on? And how it never seems to go away? Now I've provided some of the answers.

Respectfully submitted, Aaron Katz (Your Community Watchdog Because Nearly No One Else Seems to be Watching).

¹ That e-mail is attached as Exhibit “A” to this written statement.

EXHIBIT "A"

Re: July 26, 2023 IVGID Board Meeting - Agenda Item H(5) - Good Government Training

From: "Dave Noble" <noble_trustee@ivgid.org>
To: "s4s@ix.netcom.com" <s4s@ix.netcom.com>
Cc: "Matthew Dent" <dent_trustee@ivgid.org>, "Sara Schmitz" <trustee_schmitz@ivgid.org>, "Michaela Tonking" <tonking_trustee@ivgid.org>, "Ray Tulloch" <tulloch_trustee@ivgid.org>, "Mike L. Bandelin" <MLB@ivgid.org>
Subject: Re: July 26, 2023 IVGID Board Meeting - Agenda Item H(5) - Good Government Training
Date: Jul 26, 2023 11:12 AM

Mr. Katz,

The IVGID BOT has received your correspondence.
 Each Trustee will individually decide what, if anything, to do with the information provided.

David Noble
 Secretary, IVGID BOT

From: s4s@ix.netcom.com <s4s@ix.netcom.com>
Sent: Sunday, July 23, 2023 8:57:30 PM
To: Matthew Dent
Cc: Sara Schmitz; Michaela Tonking; Dave Noble; Ray Tulloch
Subject: July 26, 2023 IVGID Board Meeting - Agenda Item H(5) - Good Government Training

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Chairperson Dent and Other Honorable Members of the IVGID Board -

Here Kevin Lyons proposes assisting the Board in making "good government decisions" at an add'l cost of \$10.5K. On top of the nearly \$10K previously awarded to Kevin's company. Please Matt, wake up and say NO!

We've had similar programs in the past. CoralBridge partners with their strategic plan waste (coming up with propaganda tag lines to tell the public we're something we're not) at a cost of over \$35K. Then we had Dr. Bill's "can't we all just get along" counseling at a cost of over \$50K. You remember how that puppy worked out for us, don't you Sara? Then previous Kevin Lyon's FlashVote surveys which included \$2,500 worth of "training" (wasn't that enough training Kevin? If not, then why didn't you tell us then and there that real training cost was going to total much more?). Then Kaye Shackford's self-promoted "how to get along" seminars which allegedly provide solutions to help IVGID staff get along with their public employee colleagues. And notwithstanding all of the above, now more! Good government concepts (learn how to work together has a good decision making team).

IMO, our basic problem here continues to be what it has always been. Few if any of you understand what a GID actually is. And how it differs from other forms of local government? Why do we need you Kevin versus Washoe County which is

our true governance authority? What are a GID's limited powers? Why are you trustees here? If you don't have the answers to these basic questions, whatever Kevin is offering is a WASTE. And I'm sorry. Kevin has about as much of a clue as to the answers to these basic questions as the rest of you. Which is no clue at all!

Thank you. That will be \$10K to have shared the above with you and the answers to the basic problems you/we face.

Stop it for GOD's sake.

If we're a Dillon's Rule state which means the only powers GIDs have are those expressly provided by statute, then why are we operating F&B money losing businesses? Why do we operate money losing bar carts at our two golf courses? Why do we operate a money losing Grille Restaurant? Why do we publish a money losing magazine? Why do we spend \$1M on marketing? Why do we spend public funds with lobbyists to influence federal and state legislation? Why do we rent skis and snowboards? Why do we engage in retail clothing and equipment sales? Why, why, why?

So stop it! Stop wasting our Rec Fee on garbage like this. And don't you tell me that the \$10.5K at issue doesn't represent my Rec Fee. Because it DOES Sara!

Take a look at the most recent budget you the Board adopted. The General Fund. \$2.15M of estimated ad valorem tax revenues, \$1.91M of estimated C-tax revenues, and \$111K of interest. That totals \$4.16M of revenue. Don't throw in your PHONY Central Services income Sara. It's nothing more than a financial subsidy. Just the way the Rec Fee ("RFF") is a financial subsidy for overspending assigned to the Community Services Fund. And the Beach Fee ("BFF") is a financial subsidy for overspending assigned to the Beach Fund. So \$4.16M of estimated revenues.

Now what expenses have you budgeted to the General Fund? \$7.1295M! That's a LOSS Sara of nearly \$3M! In a single year no less! So where is the \$10.5K you need to pay Kevin Lyons? Don't tell me fund balance because someday soon there's not going to be a positive fund balance.

Get to the basics and understand what we really are Board. When you do, you will come to the realization we don't need Kevin Lyons' "good government" tools. And if you need me to teach you what GIDs are really all about and what limited powers you may exercise, please ask. And the price UNLIKE Kaye Shackford is ZERO dollars!

Respectfully, Aaron Katz

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN
MINUTES OF THE IVGID BOARD'S REGULAR JULY 26, 2023 MEETING – AGENDA
ITEM H(1) – KEEPING THE BEACH HOUSE RESTAURANT PROJECT ALIVE BY
SEEKING BOARD DIRECTION**

Introduction: Here staff have initiated this agenda item to seek direction insofar as the Beach House Restaurant project is concerned. And that's the purpose of this written statement.

My E-Mail of July 26, 2023: On July 26, 2023 I sent the Board an e-mail which outlined my opposition to the District's expenditure of my BFF monies towards a project which most of my fellow parcel owners don't want¹. Rather than regurgitating the contents of my e-mail, I simply refer the reader to the contents of Exhibit "A."

Conclusion: In my written statement I ask for a fair and honest survey directed *solely* to local parcel owners with beach access. What I mean about a fair and honest survey is that too often the questions are crafted in such a manner as to favor or call for the type of response staff is looking to receive. As opposed to learning the true wishes and desires of those being survey. And in this case that would mean sharing the estimated costs of such a facility in conjunction with what I suspect would otherwise be "how important is this improvement to you" survey questions.

And without these kinds of questions, why would you wonder why we need to financially subsidize all of our recreation and beach operations with the Recreation ("RFF") and Beach ("BFF") Facility Fees? And why they never end? And now I've now provided answers.

Respectfully submitted, Aaron Katz (Your Community Watchdog Because Nearly No One Else Seems to be Watching).

¹ That e-mail is attached as Exhibit "A" to this written statement.

EXHIBIT "A"

Re: July 26, 2023 IVGID Board Meeting - Agenda Item H(1) - Keeping The Beach House Restaurant Project Alive With Direction

From: "Dave Noble" <noble_trustee@ivgid.org>
To: "s4s@ix.netcom.com" <s4s@ix.netcom.com>
Cc: "Matthew Dent" <dent_trustee@ivgid.org>, "Sara Schmitz" <trustee_schmitz@ivgid.org>, "Michaela Tonking" <tonking_trustee@ivgid.org>, "Ray Tulloch" <tulloch_trustee@ivgid.org>, "Mike L. Bandelin" <MLB@ivgid.org>, "Brad Underwood" <BBU@ivgid.org>, "Bree Waters" <baw@ivgid.org>
Subject: Re: July 26, 2023 IVGID Board Meeting - Agenda Item H(1) - Keeping The Beach House Restaurant Project Alive With Direction
Date: Jul 26, 2023 11:12 AM

Mr. Katz,

The IVGID BOT has received your correspondence.
Each Trustee will individually decide what, if anything, to do with the information provided.

David Noble
Secretary, IVGID BOT

From: s4s@ix.netcom.com <s4s@ix.netcom.com>
Sent: Sunday, July 23, 2023 8:57:13 PM
To: Matthew Dent
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Chairperson Dent and the Other Honorable Members of the IVGID Board -

So here's another one!

Here staff member Bree Walters disingenuously seeks direction as to how to proceed with the Beach House project. Why is she doing this? Because just like Darren Howard, she doesn't have any other productive work to do yet needs to do something to earn her keep (remember, the only way internal services can generate the revenue it requires to pay salaries and benefits, is to bill out its work to the District's other departments). Hence this.

The first thing the Board needs to understand is that the public DOESN'T want this improvement. Certainly if at anywhere near the expense amount suggested by staff. Ms. Waters tells us that "a Flash Vote survey was released on April 13, 2023 (and) the results were made available April 15, 2023." So what were the results which demonstrates the community's support for a dog park?

And let's first understand that last April the questions were posed by staff and thus skewed to elicit the answers staff wanted. Let's understand that there were a meager 590-625 responses out of over 8,200 local parcel owners (roughly 7-1/2%). So certainly NOT overwhelming.

Next let's understand that responses came from persons who are not parcel owners with beach access. So how relevant can the answers actually be? With all that said, here were the questions and answers:

1. How important is it to have F&B sales at our beaches? 38% answered none or slightly. Another 38% answered that if it's there, they will buy it from time to time. Less than overwhelming.

2. What beach improvements are the most important to you? 24% answered better/faster food service. In other words, 76% don't even place beach food service on their radar. So why should you?

3. How important to you is a comprehensive overhauled bigger/better beach building at a cost of \$5M-\$10M? 11.4% answered yes. In other words, 88.6% don't even place bigger/better beach food service on their radar. So why should you?

Since the overwhelming majority of local property owners do not care about bigger/better beach food service, demonstrated by the survey questions and responses outlined above, WHY ARE WE EVEN HAVING THIS DISCUSSION? It's dumb!

Furthermore, Ms. Waters admits it is dumb. She states that "return on Investment is not part of the engineering review of this project." Of course not Ms. Waters. Because we all know there is NONE.

Finally, Ms. Waters admits the incompetence of staff. Because she and her crew are not competent to oversee design or perform construction management, she recommends "the Board makes a motion to approve Staff to issue an RFP for

Design Services by an A&E Team as well as for a CMAR." A CMAR? For 50 years the District never used a CMAR. It was only when a depleted engineering staff was incapable of doing much of anything (which is exactly what we have today), Nathan Chorey called for help - a CMAR to do his job. And ever since, that's exactly what has taken place in engineering. And now again! Which guarantees we pay the MAXIUM F&B price. Good job Ms. Waters.

So now you know. No dedicated dog park without surveying local parcel owners. And no committing to new engineers because we lack competence to evaluate projects such as this one. Thank you for your cooperation.

Respectfully, Aaron Katz

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN
MINUTES OF THE IVGID BOARD’S REGULAR JULY 26, 2023 MEETING – AGENDA
ITEM F(4) – MOVING FORWARD WITH A DEDICATED DOG PARK AT THE
WRONG LOCATION INVOLVING THE EXPENDITURE OF THE WRONG
AMOUNT OF OUR RECREATION FACILITY FEE (“RFF”)**

Introduction: Here Sheila Leijon advances her initiative we begin spending millions of dollars on a dedicated dog park adjacent to the Village Green. Something the County should be doing on our behaves rather than deferring to the District at our expense. And that’s the purpose of this written statement.

My E-Mail of July 23, 2023: On July 23, 2023 I sent the Board an e-mail which outlined my opposition to the District’s expenditure of my RFF monies towards a dedicated dog park adjacent to The Village Green¹. Rather than regurgitating the contents, I simply refer the reader to the contents thereof.

Conclusion: Ms. Leijon has raised a number of “works” which combined comprise an overall scope of work. But they present a number problems she cannot address. Other than spending money the District doesn’t have at a venue which is the wrong venue, and fail to answer why Incline Village isn’t entitled to its own county dog park. Paid for and maintained at the county's expense. And then there's the question: is a dog park included within the term "recreation" contained in NRS 318? Take a look at NRS 318.143(3) for the list of recreation facilities a GID may acquire, construct, reconstruct, improve, and extend. Do you see where dog park is anywhere listed? So why do we assume a dog park is a permissible project for IVGID to construct?

What about Dillon's Rule? After all we are a *Dillon’s Rule* state. Aren’t we? Doesn't that mean that the only powers a GID may exercise are those EXPRESSLY stated by in a statute? And doesn’t the fact we have none insofar as a dog park is concerned, end of the inquiry?

Next we get to the question of cost. Where's the money going to come from? Staff tell us that we can maybe, possibly, conceivably, if we're lucky, get donations to fund our own dog park. Using the Incline-Tahoe Foundation no less. But before we can attract donations we need to have a conceptual plan and construction estimate; don't we? And a CMAR who is going to cost us 30% or more than if we were to professionally manage the project ourselves, in house. So staff want us to spend hundreds of thousands of dollars creating a design and plan so it can be marketed to potential donors. And that becomes the real purpose of the proposed expenditures staff now suggest. And let's assume there are no donations. Or there are donations, but they're not enough? Well we have the RFF. Don't we? Even though the RFF allegedly pays for the availability to use recreation facilities that *people* use, your staff want to use these funds for a dog park.

¹ That e-mail is attached as Exhibit “A” to this written statement.

And then we have the fact that the Board's predecessor represented to the County Board of Commissioners and we public that the power to furnish facilities for recreation wouldn't be used to acquire, operate and finance facilities such as these. But who cares about these facts and representations. Because the ends justify the means.

I'm sorry. This is totally inappropriate. So at the end of the day there's really only one answer to staff's request. A resounding NO! So now is the time to send this message.

And you wonder why we need to financially subsidize all of our recreation operations with the RFF? And why it never ends? I've now provided answers.

Respectfully submitted, Aaron Katz (Your Community Watchdog Because Nearly No One Else Seems to be Watching).

EXHIBIT "A"

Re: July 26, 2023 IVGID Board Meeting - Agenda Item F(4) - Moving Forward With a Dedicated Dog Park at The Wrong Location Involving The Expenditure of The Wrong Amount of Our Rec Fee

From: "Dave Noble" <noble_trustee@ivgid.org>
To: "s4s@ix.netcom.com" <s4s@ix.netcom.com>
Cc: "Matthew Dent" <dent_trustee@ivgid.org>, "Sara Schmitz" <trustee_schmitz@ivgid.org>, "Michaela Tonking" <tonking_trustee@ivgid.org>, "Ray Tulloch" <tulloch_trustee@ivgid.org>, "Mike L. Bandelin" <MLB@ivgid.org>, "Shelia Leijon" <sal@ivgid.org>
Subject: Re: July 26, 2023 IVGID Board Meeting - Agenda Item F(4) - Moving Forward With a Dedicated Dog Park at The Wrong Location Involving The Expenditure of The Wrong Amount of Our Rec Fee
Date: Jul 26, 2023 11:12 AM

Mr. Katz,

The IVGID BOT has received your correspondence.
 Each Trustee will individually decide what, if anything, to do with the information provided.

David Noble
 Secretary, IVGID BOT

From: s4s@ix.netcom.com <s4s@ix.netcom.com>
Sent: Sunday, July 23, 2023 8:57:04 PM
To: Matthew Dent
Cc: Sara Schmitz; Michaela Tonking; Ray Tulloch; Dave Noble
Subject: July 26, 2023 IVGID Board Meeting - Agenda Item F(4) - Moving Forward With a Dedicated Dog Park at The Wrong Location Involving The Expenditure of The Wrong Amount of Our Rec Fee

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Chairperson Dent and the Other Honorable Members of the IVGID Board -

Well here's another one. Indra's citizen's dog park committee now recommends the District go down the road of spending huge amounts of money from our Rec Fee on something we're NOT expressly authorized to pursue - a dog park. In particular (see page 20 of the Board packet for this meeting),

1. A geologic/mapping survey of the entire area of the fenced-in dog park;
2. TRPA approval for the use of a portion of the wooded area between the Village Green and 3rd Creek;
3. A detailed conceptual design;
4. Eventual Board approval for the above-conceptual design;
5. Permitting from TRPA and Washoe County;
6. Civil engineering evaluation and plan development;

7. Development of cost estimates for construction and maintenance; and,
8. Seek community feedback on the proposal.

Here we're talking about the questionable expenditure of millions and millions of dollars and hundreds and hundreds of thousands of dollars in un-reimbursed internal services staff time. Yet before we do, why aren't we first seeking community feedback? Tell the public what you're proposing. Tell the public the millions of dollars chasing this rabbit hole is going to cost (remember, the Community Services Master Plan pegged this cost at many millions of dollars). Tell the public the truth insofar as where the money is going to come from (our Rec Fee Sara. Not central services cost transfers. But the Rec Fee which funds those transfers). Tell the public the truth as to the added yearly maintenance and repair costs associated with a dedicated dog park. Tell our staff the truth that there will be no remaining funds in the General Fund to pay for a spiffy new admin building. Then let's see how they vote! Ah...The truth hurts.

Or better yet, why aren't staff pursuing this issue through our county commissioners? After all, aren't we part of the county? Doesn't the county have a Parks and Recreation Dep't? Hasn't the county constructed at least seven (7) dog parks throughout the county (go to https://www.washoecounty.gov/animal/information/dog_parks.php)?

* Virginia Lake Park Dog Park, 1980 Lakeside Dr., Reno, NV 89509 (<http://visitreno.com/parks/virginia/>)
 Virginia Lake, Reno, NV<<http://visitreno.com/parks/virginia/>>
visitreno.com
 Virginia Lake, Reno, NV. From [Visitreno.com](http://visitreno.com)

* Whitaker Park Dog Park, 550 University Terrace, Reno, NV 89503
 (<https://www.reno.gov/Home/Components/FacilityDirectory/FacilityDirectory/116/2864?npage=5>)

* Sparks Marina Park Dog Park, 300 Howard Dr., Sparks, NV 89434 (<http://cityofsparks.us/resources/resource/park-map/>)

* Link Piazza Dog Park at Hidden Valley Regional Park, Parkway Dr., Reno, NV 89502
 (https://www.washoecounty.us/parks/specialty_facilities/dog_parks.php)

* Rancho San Rafael Park Multi Use Area, North Sierra St., Reno, NV 89503
 (https://www.washoecounty.us/parks/parks_and_trails/park_directory/peavine_district/main_ranch_house.php)

* Wedekind Regional Park, 11 Disc Dr., Sparks, NV 89436 (<http://cityofsparks.us/resources/resource/park-map/>)

* Cyan Park, 2121 Long Meadow Dr., Reno, NV 89521 (<https://www.reno.gov/government/departments/parks-recreation-community-services>)

So why isn't Incline Village entitled to its own county dog park? Paid for and maintained at the county's expense. What is the county doing for us? And what effort have our staff expended to get the county to provide an Incline Village dog park?

And then there's the question; is a dog park included within the term "recreation" contained in NRS 318? Take a look at NRS 318.143(3) for the list of recreation facilities a GID may acquire, construct, reconstruct, improve, and extend. Do you see dog park anywhere? Bueller? So why do we assume a dog park is a permissible project for IVGID to construct?

What about Dillon's Rule? After all we are a Dillon's Rule state. Doesn't that mean that the only powers a GID may exercise are those EXPRESSLY stated by a statute? And the fact we have none insofar as a dog park is concerned, how come that's not the end of the inquiry?

Next we get to the question of cost. Where's the money going to come from? Staff tell us that we can maybe, possibly, if we're lucky, get donations to fund our own dog park. Using the Incline-Tahoe Foundation no less. But before we can attract donations, we need to have a conceptual plan and construction estimate; don't we? And with a CMAR who is going to cost us 30% or more than if we were to professionally manage the project in house. So staff want us to spend hundreds of thousands of dollars creating a design and plan so it can be marketed to potential donors. And that becomes the real purpose of expenditures now rather than embarking upon the dog park construction route.

And let's assume there are no donations. Or there are donations, but they're not enough? Well we have the Rec Fee baby. Don't we? Even though the Rec Fee allegedly pays for the availability to use recreation facilities that people use, your staff want to use these funds for a dog park. In other words, the ends justify the means. I'm sorry. This is totally inappropriate.

So at the end of the day there's really only one answer to staff's request.

NO! Now send it.

Respectfully, Aaron Katz

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN
MINUTES OF THE IVGID BOARD'S REGULAR JULY 26, 2023 MEETING – AGENDA
ITEM F(1) – DARREN HOWARD'S DECEITFUL FOOD AND BEVERAGE REPORT**

Introduction: Here Darren Howard submits his report insofar as F&B is concerned. Bottom line he perpetuates the fraud of his colleagues and predecessors; that is, that F&B operates at a financial break even or positive cash flow. No like everything else in the District, it operates at a loss. And that's the purpose of this written statement.

My E-Mail of July 23, 2023: On July 23, 2023 I sent the Board an e-mail which outlined the fallacies in Mr. Howard's report¹. Rather than regurgitating the contents, I simply refer the reader to the contents thereof.

Conclusion: Mr. Howard has raised two questions. The First is whether the model he and his staff have allegedly been using works? And the second is that since it does not work, what type of model should the Board of Trustees tell Mr. Howard it would like to see implemented and on what timeline? Well here's the answer. GET OUT OF THE F&B BUSINESS Mr. Howard! GET OUT OF IT YESTERDAY! And insofar as the remainder of businesses the District has gotten itself into, GET OUT OF THOSE BUSINESSES AS WELL! I'm tired of hearing "Food and beverage operations are a complimentary (I guess Mr. Howard doesn't know how to spell either. Or maybe he does and what he really means is that F&B services are provided FOR FREE to his beloved golf constituents?) service (which)...enhances the experience of enjoyment and pleasure at each of our venues." YOU pay for it Mr. Howard. Or let your golfing constituents pay for it! Why do the remaining 7,700 or more of us have to financially subsidize another service they don't use? OR WANT? Why Mr. Howard?

And you wonder why we need to financially subsidize all of our recreation operations with the Recreation Facility Fee ("RFF")? I've now provided answers.

Respectfully submitted, Aaron Katz (Your Community Watchdog Because Nearly No One Else Seems to be Watching).

¹ That e-mail is attached as Exhibit "A" to this written statement.

EXHIBIT “A”

Re: July 26, 2023 IVGID Board Meeting - Agenda Item F(1) - Darren Howard's Food & Beverage Report

From: "Dave Noble" <noble_trustee@ivgid.org>
To: "s4s@ix.netcom.com" <s4s@ix.netcom.com>
Cc: "Matthew Dent" <dent_trustee@ivgid.org>, "Sara Schmitz" <trustee_schmitz@ivgid.org>, "Michaela Tonking" <tonking_trustee@ivgid.org>, "Ray Tulloch" <tulloch_trustee@ivgid.org>, "Mike L. Bandelin" <MLB@ivgid.org>, "Darren Howard" <jdh@ivgid.org>
Subject: Re: July 26, 2023 IVGID Board Meeting - Agenda Item F(1) - Darren Howard's Food & Beverage Report
Date: Jul 26, 2023 11:12 AM

Mr. Katz,

The IVGID BOT has received your correspondence.
Each Trustee will individually decide what, if anything, to do with the information provided.

David Noble
Secretary, IVGID BOT

From: s4s@ix.netcom.com <s4s@ix.netcom.com>
Sent: Sunday, July 23, 2023 8:56:43 PM
To: Matthew Dent
Cc: Sara Schmitz; Michaela Tonking; Ray Tulloch; Dave Noble
Subject: July 26, 2023 IVGID Board Meeting - Agenda Item F(1) - Darren Howard's Food & Beverage Report

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Chairperson Dent and the Other Honorable Members of the IVGID Board -

Here Mr. Howard "reports" to the Board insofar as F&B operations are concerned. And why? For the same reason Bree Water "reports" to the Board insofar as the Beach House project is concerned. She doesn't have any other productive work to do and needs to do something to earn her keep (remember, the only way internal services can generate the revenue it requires to pay personnel salaries and benefits such as Ms. Waters', is to bill out its work to the District's other departments. And at more than the actual personnel costs employees like Ms. Waters incur). So here Mr. Howard doesn't have any other productive work to do and needs to do something to earn his keep.

So what "model" is Mr. Howard talking about when he refers to the "model" which staff have pursued for the last several decades? Initially, I didn't know the District had a model other than irresponsibly spend, spend, spend, lose, lose, lose money, and look to local parcel owners to cover the financial deficiency. Is that the model you're talking about Mr. Howard?

Or is your model Mr. Homan's model? After all, he's the only one on social media throwing out the term "model." You

know, lose money at the golf courses and the chateau with the notion those losses will be made up at Diamond Peak because rather than a series of money losing recreation businesses, these people profess we're "one division, one team." Because Mr. Howard tells us that at "the Board of Trustees...meeting on May 8, 2023 (he)...present(ed)...a financial chart specific to the Championship and Mountain golf course venues for food and beverage (which demonstrated)...the loss of revenue in FY 2021/22 of...about \$1,000 for each operating day as well as a FY 2022/23 projected loss...averaging about \$900 a day," here he attempts to show positive cash flow for F&B operations at OTHER VENUES than golf with the intent it masks the losses at his beloved Championship and Mountain golf course venues. After all, he states that "overall, Food and Beverage operations, across all activities within the Community Services recreation venues (what about the beaches Mr. Howard?) have shown an annual average positive net revenue for the past 5 fiscal years of \$381,728 including an average operating margin of 12.66%."

Stop cherry picking Mr. Howard. Stop omitting operations contrary to your narrative. Stop demonstrating bias in favor of your beloved golf versus ALL recreation operations you're responsible for as Director of Community Services.

And here's another fact to consider. We know Mr. Howard is not a "numbers guy." In the past he has had the luxury of Mr. Navazio to assist in manipulating the numbers to yield the result he wants to publicize. But no longer. Mr. Navazio is gone. And now Mr. Howard is on his own. And now we see the fallacy in Mr. Howard's faulty reasoning.

So let's go back "decades." Mr. Howard wasn't around here in 2000 when former GM Bill Horn represented to the community that if we voted in favor of a bond to finance Chateau repairs/renovations, his newly instituted catering department (really a different name for F&B) would generate enough profits to pay the servicing costs on the bonds the public was voting to approve. Well it turns out F&B has never generated a profit. Got that Mr. Howard? NEVER! And therefore the servicing costs of those bonds had to be paid by local parcel owners in the form of a higher than otherwise necessary Rec Fee. And now Mr. Howard wants to change the model so F&B is free to lose even more money as long as staff can game the numbers to make it look as if globally, it is squeaking out a small profit. You as a Board need to tell this man in no uncertain terms NO! This kind of fuzzy math isn't going to work anymore.

Let's continue. Mr. Howard attempts to back up his arguments with various financials going back to 2017-18 (see pages 9-14 of the Board packet for this meeting). But I and others in the community have learned the hard way that it is a mistake to rely upon District financials for the truth. They're PHONY for at least four reasons.

First, garbage goes into them that has no business going in. Operational expenses are improperly assigned to capital which deceitfully makes it look as if operations are break even or positive cash flow when they're really not. Similarly, revenue goes into them that really isn't operational revenue. For instance how are parcel owner and employee discounts handled financial reporting wise? What I suspect is that the undiscounted rather than actual prices of F&B are recorded, and then the amount of the discount gets buried in services and supplies. Is that what you do Mr. Howard? If not, please explain to us how you report discounted sales.

Second, do you see anywhere where the costs of central services devoted to F&B are included as expenses? The Board has budgeted \$2.553M of central services expenses for 2023-24 (see page 522 of the Board packet for its May 25, 2023 meeting) and NOTHING for F&B? Do you think central services expenses are paid by the tooth fairy Mr. Howard? Every other community services operation has central services costs assigned to it but not F&B? Come on. We might have been born at night, but just NOT LAST NIGHT!

Third, what about capital expenditures Mr. Howard like the recent \$800K remodel of the refrigerator at the Diamond Peak food court kitchen? \$2.372M of 2023-24 budgeted capital expenditures just to the Community Services Fund (see page 705 of the Board packet for its May 25, 2023 meeting), and NOTHING for F&B? So why aren't they included in your financials? Do you think they're paid by the tooth fairy Mr. Howard?

Let's look at page 261 of the Board packet for this meeting. Here Mr. Magee tells us that there will be \$31.1M of capital expenditures assigned to the Community Services Fund over just the next five (5) years. How much of this expenditure should we assign to F&B Mr. Howard? Which reduces net income to now a negative number.

For the Beaches, Mr. Magee tells us at the same page that there will be nearly \$7M of capital expenditures assigned to the Beach Fund just over the next five (5) years. Which reduces net income to now a negative number. So how much of this expenditure should we assign to F&B Mr. Howard?

Whatever the numbers, at the end of the day we're talking about massive bottom line F&B losses Mr. Howard, aren't we?

What I am attempting to demonstrate is that if we don't assign legitimate expenses to any single District operation, like F&B, of course we're going to be able to assert that we're break even or positive cash flow. This is an example of the old adage numbers don't lie but liars who manipulate the numbers do. Mr. Howard is playing games with the numbers to make it look like we're making a F&B profit, system wide, when we all know we're really not. Shame on you Mr. Howard! And shame on you trustees Tonking and Noble if you buy into this deceit.

Now a fourth piece of deceit Mr. Howard. As if the above weren't sufficient. Do you share with the Board that we're losing money on facility sales revenues because staff gives away use of our facilities as a loss leader so it can declare 100% of F&B sales revenues to make F&B look as if it is making money when combined with facility sales it does not? That's right. Once you declare part of the revenues we receive for event facility rentals, THERE IS NO F&B POSITIVE CASH FLOW to report. That's right. NOTHING!

To support this assertion take a look at pages 11-14 of the board packet for the meeting of July 12, 2023. There staff told the Board and the public the extent of FREE or severely discounted facility rentals given away at local parcel owners' expense as required by Resolution No. 1895. Thus we give away use of our facilities as long as the donees agree to purchase a certain amount of F&B. Mr. Howard then reports that we're making all this money running a F&B department, while conveniently failing to report we're losing a comparable amount of facility sales revenues. Right Mr. Howard? This kind of F&B revenue is really not revenue at the end of the day.

Now on top of all of the above, Mr. Howard tells us that "this year, we have felt confident enough to step up to the plate and provide (in house) beach food and beverage services once again; another tweak to the model." Really Mr. Howard? Let's tell the truth, shall we? Which is you couldn't find a third party concessionaire to assume beach F&B operations and pay us the concession fee staff demands. So if you don't come up with something, either staff will have to CEASE beach operations F&B, or we have to go back into the F&B business. Right Mr. Howard? You were presented with the same problem last year and begged Inclined Spirits to become that concessionaire. Which Miles (its owner) regretted doing because it would be a money losing proposition. In fact so much that he refused to do this for the current year. So take on another money losing for profit (or in this case for LOSS) commercial business, right Mr. Howard? Congratulations!

So bottom line, do you the Board agree with Mr. Howard that the model he and his staff have allegedly been using works? Each of you had best DISAGREE and in no uncertain terms. Tell Mr. Howard NO, NO, NO! In fact, why do we have such a person employed as the Director of Community Services? Just like all of our other operations, he's NOT qualified. Wake up and smell the coffee Mrs. Bueller! Our staff is not qualified, and they bend the truth to make themselves look like heroes when they're really zeros.

And since Mr. Howard's so called "model" doesn't work, what type of model should the Board of Trustees tell Mr. Howard it would like to see implemented and on what timeline? Well here it is! GET OUT OF THE F&B BUSINESS! AND GET OUT OF IT YESTERDAY! I'm tired of hearing "Food and beverage operations are a complimentary (I guess Mr.

Howard doesn't know how to spell either. Or maybe he does and what he really means is that F&B services are provided FOR FREE to his beloved golf constituents?) service (which)...enhances the experience of enjoyment and pleasure at each of our venues." YOU pay for it Mr. Howard. Or let your golfing constituents pay for it! Why do the remaining 7,700 or more of us have to financially subsidize another service they don't use? OR WANT? Why Mr. Howard.

It's time we acknowledge that we must outsource it all without putting the public at financial risk, or eliminate it all. That's the responsible thing to do. Now go do it!

Respectively, Aaron Katz

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN
MINUTES OF THE IVGID BOARD'S REGULAR JULY 26, 2023 MEETING – AGENDA
ITEM D – PUBLIC COMMENT – RESPONSE TO THE LIES OF HATEFUL RESIDENT
KAYE SHACKFORD – ONE WHO SUFFERS FROM NPD**

Introduction: Recently local resident Kaye Shackford has re-surfaced with her litany of lies (“LOLs”). And primarily about me. To those in the future who may be listening to her lies during her public comment at Board meetings, and/or reading in print in her written statements attached to the minutes of Board meetings, I feel it necessary to share the truth. Hence this written statement.

Before I start, let’s describe who Kaye Shackford really is. A narcissistic and terribly insecure person who blames everything negative in her life upon anyone and everyone other than herself¹. And here she has found me to be her convenient whipping person. Fueled by lie after lie (as you will see). Why do narcissists blame others for everything? “In order to avoid self-hatred, they project the blame onto (others)...If they do not successfully shift the blame, then they may find themselves drowning in a pit of self-loathing and shame. This usually leads them to spiral down into a shame-based self-hating depression.” This explains Ms. Shackford to a “t.”

In our community, Ms. Shackford is what I and others call a “taker.” What is a taker? It’s someone whose philosophy is not what he/she can do for his/her general improvement district (“GID”) or others, but rather, what he/she can do for him/herself personally. Forget for the moment that this philosophy comes at the expense of one’s neighbors. Or that the person endorses endeavors which are not expressly warranted by NRS 318. It’s a means justifying ends philosophy. And why? Because the person is “special,”² a taker, and it’s all about them.

Ms. Shackford’s “Negotiating Solutions Workshop” Business: Ms. Shackford claims that for “over 30 years (she has) help(ed) people change their minds about the nature of negotiation from ‘it’s us against you’ to something like ‘for better or worse, we’re in this together.’”³ The “help” she

¹ This is called being a “scapegoater;” that is, “one who transfers blame to persons or groups, who are not necessarily guilty, in order to focus attention away from those who are actually responsible — sometimes from themselves” (go to <https://www.psychologytoday.com/us/blog/finding-a-new-home/202212/the-surprising-reason-some-people-always-blame-others#:~:text=Projection%20refers%20to%20attributing%20one's,unable%20to%20regulate%20their%20emotions>).

² The sense of “specialness” is another example of narcissistic personality disorder (aka “NPD”). For example: 1) a Sense of self-importance; 2) the Preoccupation with power, beauty, or success; 3) a sense of Entitlement; where she 4) Can only be around people who are important or special; where she exhibits 5) Interpersonally exploitative for (her) own gain; 6) Arrogan(ce); and, a 7) Lack of empathy. In other words, just like staff tell us the District is “special,” a sense of being **SPECIAL** [go to <https://www.dukehealth.org/blog/9-signs-of-narcissistic-personality-disorder>].

³ Go to <https://www.linkedin.com/in/kaye-shackford-5959199/>.

professes to furnish involves “run(ning) a week-long, intensive, immersion, job-changing, often life-changing, workshop that (she has) designed called Negotiating Solutions.”³

Ms. Shackford has found a willing prey in IVGID staff. Over the years she has charged IVGID tens of thousands of dollars in tuition⁴ for its staff to attend her worthless⁵ seminars. And this doesn't include the additional hundreds of thousands of dollars attendees must pay to her partner, Granlibakken Resort, for lodging and meals⁶ incurred during her week long seminars. And this doesn't include the hundreds of thousands of dollars in unreimbursed staff time and benefits local parcel owners must subsidize while our employees are absent from their IVGID jobs to the direct benefit of Ms. Shackford. And unbelievably, Ms. Shackford doesn't see anything wrong with this.

For Years Ms. Shackford Has Been a Member of Our Core Golfing Community: These are the people in our community who are too cheap to pay the true costs for their personal golf recreation. So they insist their neighbors subsidize their costs. Even if it is difficult for their neighbors, and/or their neighbors are not physically able to play golf. What happened to elimination of your “it's you versus us” philosophy? I guess you forgot to take your own seminar!

Very Early On Ms. Shackford Rebuffed My “Better or Worse” Efforts Over a Cup of Coffee: What a hypocrite! As you the reader can see, Ms. Shackford's tag line is “for better or worse, we're in this together.”³ So taking Ms. Shackford at her word, very early on I reached out to her by telephone to invite her out for a cup of coffee to smooth out differing philosophies and hopefully get along with one another because “we're in this together.” And how did she respond? She hung up on me!

Rather Than Addressing The Issues of Our Community, Ms. Shackford Resorts to Name Calling, Untruths And Messenger Attacks⁷: Let's address some particulars, shall we? The following statements come from Ms. Shackford's written statements attached to the minutes of the Board's

⁴ According to Ms. Shackford, the “tuition for (her) open enrollment sessions is \$4,700/person” (go to <https://www.negotiatingolutions.com/> - “informational links”).

⁵ My opinion.

⁶ According to Ms. Shackford, “the facility fee at the Granlibakken Resort and Conference Center... (for) Sunday...through Thursday night lodging, and Monday morning through Friday noon meals...is \$2,100.”²

⁷ Contrast these truisms with Ms. Shackford's representations to the contrary: “participants (in her seminars) learn to separate the people from the problem, and to work together to maintain or strengthen the(ir) relationship, even while addressing the opportunity or the problem on its merits” (go to <https://www.negotiatingolutions.com/> - “principled negotiation: an overview”).

June 28, 2023⁸ and July 6, 2023⁹ meetings, respectively. Let's start with Ms. Shackford's attachment to the minutes of the Board's June 28, 2023 meeting⁸:

Katz is a Disbarred Attorney: Untrue Ms. Shackford. And I have never been disbarred. Don't believe me? Go to the California State Bar web site and do a member search¹⁰. There you will discover that I am a member (an "inactive" member. However most members over age 70 are inactive members). Now how can I be a member Ms. Shackford if disbarred?

Katz is a Serial Vexatious Litigant: Untrue Ms. Shackford. A "serial litigant" is one "who sues the same party repeatedly in reliance on essentially the same cause of action, perhaps with variations."¹¹ Given I have sued IVGID only once, there is nothing "serial" about me.

A "vexatious litigant" is one who "files a petition, objection, motion or other pleading which is without merit, intended to harass or annoy...or...unreasonably oppose or frustrate the efforts of an interested person who is acting in good faith to enforce his or her rights."¹² Given I have never filed any legal pleading intended to harass, annoy or unreasonably oppose an interested person who is acting in good faith to enforce his/her/its rights, there is nothing "vexatious" about me. Moreover NRS 155.165(1) is the NRS process which permits a court to "find that a person...is a vexatious litigant."¹³ No court has ever made such a finding against me.

Katz's Prior "(Law)suits...Against The Mountain View-Whisman School District, The Santa Clara County Library District, (and) a Hospital District...(Have Been) Declared Meritless:" Just like no court has ever found me to be a vexatious litigant under NRS 155.165(1), none of the aforementioned lawsuits has ever been declared meritless. If you have evidence to the contrary Ms. Shackford, put up or shut up!

Now let's examine Ms. Shackford's attachment to the minutes of the Board's July 6, 2023 meeting⁹:

Katz is a Deeply Disturbed Man: Really Ms. Shackford? What do you know about anyone, let alone me? And what qualifications do you hold to determine who is and is not "disturbed?" Believe it or not, I am a person of ethics. And a strong sense of right versus wrong. These are attributes missing

⁸ See page 123 at <https://www.yourtahoeplace.com/uploads/pdf-ivgid/G.2. - Consent Calendar - Meeting Minutes of 07062023.pdf> ("the 7/6/2023 Board packet").

⁹ See page 189 of the 7/6/2023 Board packet.

¹⁰ Go to <https://apps.calbar.ca.gov/attorney/LicenseeSearch/QuickSearch>.

¹¹ Go to <https://www.linkedin.com/pulse/you-serial-litigator-choo-dee-wei/>.

¹² See NRS 155.165(1).

¹³ NRS 155.165(1) which instructs that "the court may find...a person...(to be) a vexatious litigant."

in your life so I can understand how you would think that anyone like me is “disturbed,” let alone “deeply.” If you mean I am deeply disturbed by your lack of ethics and distorted view of right from wrong, then I guess you’re right.

Katz is a Serial Litigant: I have addressed this allegation above¹¹.

Katz’s Objections to The Rec Fee Are “Monomaniacal:” I will agree to this allegation. For the reasons which follow I am obsessed with the Rec Fee because I see it as the root to all our problems.

Katz’s Objections to The Rec Fee Are a “Vendetta:” Vendetta” is defined as “an often prolonged series of retaliatory, vengeful, or hostile acts or exchange of such acts.”¹⁴ My objections to the Rec Fee are founded in fact. No retaliation, no hostility nor vengefulness. There is no “vendetta.”

Katz Only Wants to Pay Those Parts of the Rec Fee For The Venues He Uses: Untrue Ms. Shackford. If you truly researched my position on this “tax” which is wrongfully labeled a “fee,” you would learn that I am against paying *any* portion of the Rec Fee whether or not I use the recreational venue(s) for which the fee allegedly financially subsidizes that/those venue(s). User fees on the other hand are a completely different subject. A user fee is voluntary, and it pays for a particular good or service furnished to the person who pays (rather than the general public as a whole). Although I may object to the amount of a user fee, I do not object to the notion of charging a fee in consideration of a good or service that the District furnishes and I am interested in purchasing. That way if I choose to pay, I am entitled to use. And if I choose not to pay, then I am not entitled to use. It’s my choice.

Katz “Gathered About 10 Disgruntled Haters and Hangers On (to)...Spew 3-Minutes of Venom at Every (IVGID Board Meeting) Public Comment:” Untrue Ms. Shackford. I haven’t solicited anyone to give public comment on anything at IVGID Board meetings. Their comments are their own. And they’re generally not venomous. I find them to be factual. I understand their views differ from yours. However, that doesn’t make them “haters.” Nor “hangers on.” For the reasons herein, I and others I know find you to be the hater.

Katz “Drove Folks Away From (IVGID) Board Meetings:” Untrue Ms. Shackford. If folks have chosen to stay away from IVGID Board meetings, it is not as a result of anything I have intentionally said, done, or attempted to do. In fact to the contrary, I encourage and have encouraged all Incline Village Crystal Bay parcel owners to attend all IVGID Board meetings and give public comment. By doing so, it is my hope they will educate themselves and contribute to the improvement of IVGID.

Katz “Kept Others From Running For The (IVGID) Board:” Untrue Ms. Shackford. If folks have chosen to not run for the IVGID Board, it is not as a result of anything I have intentionally said, done, or attempted to do. In fact to the contrary, but for one person in particular¹⁵, I support everyone’s

¹⁴ Go to <https://www.merriam-webster.com/dictionary/vendetta>.

¹⁵ Who interestingly nevertheless chose to run for the IVGID Board meaning Katz did not “keep” him from running for office.

right to run for the IVGID Board. And notwithstanding, my efforts or lack thereof have obviously not prevented a number of less than competent or qualified residents to run for public office. So I dispute your allegation.

Katz "Referred to Jay...Abdo's...2013 Suicide...as House Cleaning:" Untrue Ms. Shackford. And you know it! If you have evidence to the contrary, put up or shut up! And apologize for spewing an untruth like this. By the way, I never met Jay Abdo. Nor did I ever speak to him. And I had nothing to do with his suicide.

Katz "Used Endless Ethics Commission Complaints...Against (Publicly Employed) Waitresses at the Grille (Restaurant) Who Accepted Tips" For Doing Nothing More Than Their Public Jobs: Untrue Ms. Shackford. It was not "endless" ethics complaints, but one. And it was not against waitresses at the Grille Restaurant, but publicly employed cashiers at the Diamond Peak food court and bartenders at the Diamond Peak Loft Bar who not only accepted gratuities, but overtly solicited them! And it was filed because: NRS 281A.400(2) instructs that it is unethical for "a public...employee (to)...use the public...employee's position in government to secure...unwarranted privileges, preferences, exemptions or advantages for the public...employee." And it was filed because: NRS 281A.400(4) instructs that it is unethical for "a public...employee (to)...accept any salary, retainer, augmentation, expense allowance or other compensation from any private source, for the public...employee...for the performance of the public...employee's duties as a public...employee." So you the reader be the judge. On its face I say there was an ethics violation.

Katz "Used Endless Ethics Commission Complaints...Against (Public Officer And) Board Chair(person Gene) Brockman For Eating a Free Dinner at an Incliners Evening That Gene Had Not Attended:" Untrue Ms. Shackford. Again, it was one complaint. And it was against IVGID Trustee Bea Epstein. And it was for her vote in favor of a sales/use tax evasion scheme whereby she as an Incliner member was able to avoid paying sales taxes for Incliners dinners consumed for herself and her husband. Again on its face I say there was an ethics violation. What do you say?

"In 2011 (Katz) Filed a 51 Page Lawsuit (Against IVGID) Demanding That Limits be Set Against The Services, Facilities And Activities IVGID Could Provide:" Not exactly Ms. Shackford. I "demanded" nothing. And in accordance with NRS 30.040(1) I requested that the Court render "a declaration of rights, status or other legal relations...(and) question(s) of construction or validity arising under (any) instrument, statute, ordinance, contract or franchise (given my)...rights, status or other legal relations (we)re affected by a statute, municipal ordinance, contract or franchise." So again, you the reader be the judge.

Katz "Sought to Stack The (IVGID) Board With Himself, His Wife Judith Miller, And Frank Wright:" Untrue Ms. Shackford. Although I supported the candidacies of Frank and Judy, I had nothing to do with their decisions to run for the IVGID Board. Furthermore, Judy didn't run for the Board when I did. So how can I be accused of "stacking?" Finally, what's wrong with two or more candidates for public office agreeing amongst themselves to be treated as parts of a single "slate?"

And haven't you and your hater friends sought to do the very same thing by supporting Peter Morris and Kendra Wong when they ran for public office?

"When This Failed...(He) Bought Matthew Dent Off With an Undisclosed \$800K Loan:" Untrue Ms. Shackford. I never bought off Trustee Dent or any other Trustee with anything. Nor did I ever make a loan to Trustee Dent, let alone one for \$800K. So why are you falsely accusing me Mr. Shackford?

"When This Failed...(He) Bought...Sweet-Sounding Sara Schmitz...Off...Hard at Work to Keep The Riff Raff Out – No Black Families...Contaminating Our Beaches:" Untrue Ms. Shackford. I never bought off Trustee Schmitz or any other Trustee with anything. Nor do I support calling black families "contamination." Nor do I support preventing black families from accessing our beaches based upon their race. Ms. Shackford, you are a racist. And my experience is that the biggest racists, are those who so indiscriminately raise "the race card." But you view yourself as superior to these people. Right?

"Incline, Without (IVGID's Recreation)...Venues Will be a Far Less Lovely Place to Live:" Really Ms. Shackford? You care more about the "loveliness" of the place we live in based upon the recreation facilities IVGID furnishes, versus what GOD created. Kind of shows us all where your head is at.

Conclusion: So who's telling the truth, and who's not Ms. Shackford? I submit it's you. And now the rest of the community knows the truth.

Respectfully, Aaron Katz (Your Community Watchdog Because Nearly No One Else Seems to be Watching).

WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN MINUTES OF THE IVGID BOARD'S REGULAR JULY 26, 2023 MEETING – AGENDA ITEM D – PUBLIC COMMENTS – THE DISTRICT'S "SPECIAL ANNOUNCEMENTS" INTENDED TO ACCOMPLISH LITTLE MORE THAN RESIDENT INTIMIDATION, PROPAGANDA, AND ADVANCEMENT OF THE NOTION OUR EMPLOYEES ARE THE DISTRICT'S MOST IMPORTANT ASSET

Introduction: I for one am tired of hearing propaganda at the hands of our wonderful staff hammering home the point that they are the District's most important asset and I should be so wonderfully pleased to have them working for my GM. Staff have time for this garbage, yet no time to do their real jobs; operating our recreational facilities at a financial break even or positive cash flow! Well it is along this vane I received a "special announcement" from IVGID staff on July 19, 2023¹. And that's the purpose of this written statement.

My E-Mail of July 20, 2023: Rather than my regurgitation of everything that's wrong with special announcements such as these, I simply refer the reader to Exhibit "A" which is attached to this written statement.

Conclusion: I don't understand why the public receives e-mails such as the one in question. If there is a violation of our ordinances or resolutions, please don't tell the rest of the public that the same has occurred and what staff did to address it. This is someone else's business. And please don't use the opportunity to share propaganda about how wonderful you are, and the extent of privileges you allegedly provide to us. Spend your time doing the job(s) for which you were hired to do.

Thank you for your cooperation. Respectfully, Aaron Katz (Your Community Watchdog Because Nearly No One Else Seems to be Watching).

¹ That announcement is part of my July 20, 2023 e-mail to the Board attached as Exhibit "A" to this written statement.

EXHIBIT "A"

Subject: Re: IVGID Special Announcement

From: Dave Noble <noble_trustee@ivgid.org>

Date: 7/21/2023, 11:25 AM

To: "s4s@ix.netcom.com" <s4s@ix.netcom.com>

CC: Matthew Dent <dent_trustee@ivgid.org>, Sara Schmitz <trustee_schmitz@ivgid.org>, Michaela Tonking <tonking_trustee@ivgid.org>, Ray Tulloch <tulloch_trustee@ivgid.org>, "Mike L. Bandelin" <MLB@ivgid.org>, Shelia Leijon <sal@ivgid.org>

Mr. Katz,

The IVGID BOT has received your correspondence.
Each Trustee will individually decide what, if anything, to do with the information provided.

David Noble
Secretary, IVGID BOT

From: s4s@ix.netcom.com <s4s@ix.netcom.com>
Sent: Thursday, July 20, 2023 8:52:34 AM
To: Matthew Dent
Cc: Sara Schmitz; Michaela Tonking; Dave Noble; Ray Tulloch
Subject: Fw: IVGID Special Announcement

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

Chairperson Dent and Other Honorable Members of the IVGID Board -

So I received the "special announcement" below yesterday.

Are you for real Sheila and Mike?

It's the same woke politicalization over and over and over again. And these people just don't get it. Because they're incapable of getting it.

Don't tell me about your zero tolerance policy. Just enforce it and there's no reason I need to get a "special announcement" e-mail like this pertaining to others who don't take the time to familiarize themselves with the rule. And don't tell me about your "zero tolerance" when your staff have demonstrated the 100% opposite for people like Tim Callicrate who were in violation of Ordinance No. 7 because they didn't pay their taxes/rec fees in a timely manner and yet staff did NOTHING to suspend his recreational privileges. And you know I'm right.

Re: IVGID Special Announcement

This "special announcement" is really just another form of staff propaganda. Just listen to staff: "Our websites, social media, and IVGID Magazines are all great ways to find out about what's going on at our venues but we wanted to send over a few highlights of events and programs you won't want to miss." Really?

It just goes on and on and on forever. It doesn't matter who the employee is. It just goes on and on and on forever. It's the IVGID culture asserting itself. Meanwhile, these people just don't seem to know how to make a buck which is what they were hired to do (if you disagree, then explain to me why we're in the commercial for profit recreation business marketing our wares to the world's tourists).

So what are you doing about it? And before you answer, the ten or more key employees I am aware of who are leaving/have left in the last couple of months and have not been replaced, kind of tells it all. Don't you think? What about the Board Clerk? Do you have a replacement yet? If not, why not? You've got a systemic problem here and you're seeing it play out right before your eyes. And guess what? The problem's not me. And it's not Sara. And it's not the so called toxic work place. It goes way, way deeper. And having a replacement GM like Mike Bandelin who has authored this "special announcement" would be as much of a mistake as the one made with Indra. IMO.

Thank you, Aaron Katz

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

From: Incline Village General Improvement District <info@ivgid.org>
Sent: Jul 19, 2023 7:47 PM
To: <s4s@ix.netcom.com>
Subject: IVGID Special Announcement

Announced Wednesday, July 19th...

Special Announcement - July 19, 2023

View this email in your browser<<https://mailchi.mp/ivgid.org/special-announcementjuly-192023?e=1a3978688e>>

[<https://mcusercontent.com/a5106141daee313038900b846/images/04bed119-a3e6-47f8-9b15-018a021b91ab.jpg>] <<https://yourtahoepace.us1.list-manage.com/track/click?u=a5106141daee313038900b846&id=4f79578c42&e=1a3978688e>>

IVGID Special Community Member Announcement

July 19, 2023

Recently, the District reported several racial and hate speech incidents at the beach venues. The Incline Village General Improvement District has a zero-tolerance policy in place, which states:

“Abusive behavior of staff or other customers will not be tolerated. All District rules must be adhered to. Recreation privileges MAY be suspended for any period deemed appropriate or privileges may be revoked at District’s sole discretion.

The District is taking action regarding these recent incidents, as this behavior is not tolerated at any District venues including the beaches. Each and every resident and their guests are expected to behave in an appropriate and respectful manner with EVERYBODY at our venues. Your adherence to this policy is mandatory to keep our venues safe.

Respectfully,

Shelia A. Leijon
Director of Parks and Recreation

Mike L. Bandelin
Acting District General Manager

Be in the Know.....

Our websites, social media, and IVGID Magazines are all great ways to find out about what’s going on at our venues but we wanted to send over a few highlights of events and programs you won’t want to miss.

[<https://mcusercontent.com/a5106141daee313038900b846/images/22d43ae9-c144-6f98-dd0e-6d0945f8cefc.jpg>] <<https://yourtahoepace.us1.list-manage.com/track/click?u=a5106141daee313038900b846&id=63ba5c4b80&e=1a3978688e>>

Update Your Email Preferences

If you would like to update your email preferences, remove yourself, or sign up for any of our other newsletters (55+, Tennis & Pickleball, Parks & Recreation, etc) you can update your profile online<<https://yourtahoepace.us1.list-manage.com/profile?u=a5106141daee313038900b846&id=7b369ef48a&e=1a3978688e&c=fb173c42ae>>. If you'd like to be added to any of the Diamond Peak email lists please fill out the signup form at [DiamondPeak.com](https://yourtahoepace.us1.list-manage.com/track/click?u=a5106141daee313038900b846&id=14358e4856&e=1a3978688e)<<https://yourtahoepace.us1.list-manage.com/track/click?u=a5106141daee313038900b846&id=14358e4856&e=1a3978688e>>.

Incline Village General Improvement District
893 Southwood Blvd, Incline Village, NV 89451

YourTahoePlace.com<<https://yourtahoepace.us1.list-manage.com/track/click?u=a5106141daee313038900b846&id=52da7d5b81&e=1a3978688e>>

unsubscribe from all IVGID emails<<https://yourtahoepace.us1.list-manage.com/unsubscribe?u=a5106141daee313038900b846&id=7b369ef48a&e=1a3978688e&c=fb173c42ae>> / update profile<<https://yourtahoepace.us1.list-manage.com/profile?u=a5106141daee313038900b846&id=7b369ef48a&e=1a3978688e&c=fb173c42ae>>

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN
MINUTES OF THE IVGID BOARD'S REGULAR JULY 26, 2023 MEETING – AGENDA
ITEM D – PUBLIC COMMENTS – WHY WON'T YOU AGENDIZE FOR POSSIBLE
BOARD ACTION PURSUIT OF THE REFUSE, INC. SOLID WASTE TRANSFER
STATION YET GRANT WASTE-MANAGEMENT EVERY OPPORTUNITY
TO PURSUE A PREMATURE FIVE (5) YEAR EXTENSION OF THE
CURRENT SOLID WASTE FRANCHISE AGREEMENT WHICH
IN ESSENCE DESTROYS OUR ABILITY TO EVER CONTROL
OUR SOLID WASTE DISPOSAL DESTINY?**

Introduction: At the Board's June 28, 2023 meeting our Public Works staff¹ stupidly agendized Waste-Management's ("WM's") request its proposal to approve a 5-year extension of the existing solid waste disposal franchise contract be approved². This request was founded in its Refuse, Inc.'s subsidiary's intent to make major capital improvements to its solid waste transfer station in essence making its control out of reach for any future IVGID Board. Fortunately, rather than going forward with this agenda item, the Board decided to take no action and remove it from the General Business portion of the meeting. However in anticipation of that agenda item being discussed, I submitted a written statement voicing my opposition which I requested be attached to the minutes of that meeting³.

Not happy with the outcome, WM went back for a second bite of the apple at the Board's July 12, 2023 meeting⁴ convincing Madonna Dunbar to agendize a formal request for directions directed to the IVGID Board insofar as WM's franchise extension request was concerned. Again the Board fortunately decided to provide no direction but to suggest the request was untimely given there are still three (3) years remaining on the current solid waste franchise. However in anticipation of that agenda item being discussed, I submitted another written statement to the Board voicing my opposition which I requested be attached to the minutes of that meeting⁵.

¹ Thank you Madonna Dunbar.

² Go to <https://www.yourtahoeplace.com/uploads/pdf-ivgid/G.1. - General Business - Waste Management.pdf>.

³ You can read that statement at pages 141-147 of the packet of materials prepared by staff in anticipation of this July 26, 2023 Board meeting ["the 7/26/2023 Board packet" (go to: <https://www.yourtahoeplace.com/uploads/pdf-ivgid/G.1. - Consent Calendar - Meeting Minutes of 06282023.pdf>)].

⁴ Go to <https://www.yourtahoeplace.com/uploads/pdf-ivgid/G.1. - General Business - Waste Management Presentation.pdf>.

⁵ Unfortunately you cannot read that statement because it has not yet been included in materials posted to the District's web site. However, the reader can read the July 15, 2023 e-mail I sent to the

The reader can see that in my e-mail to the Board I asked that our GM and/or Board chairperson agenda a discussion of this matter at the next Board meeting. After all, a representative of WM was given the opportunity to address the Board on this subject at its June 28, 2023 meeting. So now we have another meeting of the Board scheduled for this evening. And do you see anywhere where the matter I requested be agenda for discussion and possible Board action has been agenda? Of course not. Because it's going to be buried the way most citizen initiated matters are buried. Because this is wrong, *I object!*

Conclusion: Exercising our power to furnish facilities for the collection and disposal of our community's garbage and solid waste, is one of our most important functions. And since we require any collector to have access to and operate a local transfer station, the future of our single transfer station in town is of imperative importance. My e-mail to the Board sets forth the many reasons why so that if you are an interested reader, you may appreciate educating yourself.

And you want to know why your water, sewer and solid waste disposal rates are as high as they are, and never seem to go down? Hopefully I've provided answers.

Respectfully, Aaron Katz (Your Community Watchdog Because Nearly No One Else Seems to be Watching).

Board which was attached to that missing written statement as it is attached as Exhibit "A" to this written statement. And rather than regurgitating its substance, I simply refer the reader to the exhibit.

EXHIBIT "A"

Subject: Re: The Solid Waste Transfer Station. Most of You Guys Just Don't Get It! What is it Going to Take if Anything?
From: Dave Noble <noble_trustee@ivgid.org>
Date: 7/18/2023, 9:36 AM
To: "s4s@ix.netcom.com" <s4s@ix.netcom.com>
CC: Matthew Dent <dent_trustee@ivgid.org>, Sara Schmitz <trustee_schmitz@ivgid.org>, Michaela Tonking <tonking_trustee@ivgid.org>, Ray Tulloch <tulloch_trustee@ivgid.org>, "Mike L. Bandelin" <MLB@ivgid.org>, Brad Underwood <BBU@ivgid.org>

Mr. Katz,

The IVGID BOT has received your correspondence. Each Trustee will individually decide what, if anything, to do with the information provided.

David Noble
Secretary, IVGID BOT

From: s4s@ix.netcom.com <s4s@ix.netcom.com>
Sent: Saturday, July 15, 2023 12:59:18 AM
To: Matthew Dent
Cc: Sara Schmitz; Michaela Tonking; Dave Noble; Ray Tulloch
Subject: The Solid Waste Transfer Station. Most of You Guys Just Don't Get It! What is it Going to Take if Anything?

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

Chairperson Dent and Other Honorable Members of the IVGID Board -

After listening to the Board's discussion of Waste-Management's ("W-M's") request for a five year extension of the current trash franchise, I am very displeased. Which leads me to ask what you guys don't understand about what's really at play here?

Trustee Tonking - You're apparently O.K. with W-M's request if it's a 3 year versus a 5 year extension even though we're getting essentially nothing.

Trustee Noble - You're apparently O.K. with W-M's request if we can pin down some maximum for a handful of years' future trash rates.

Trustee Schmitz - I can't tell your bottom line decision on this issue because all you seem to be concerned about is addressing more pressing issues than W-M's request. In other words, sweep the matter under the rug until it becomes a more pressing problem 2 or more years from now.

Chair Dent - I can't tell your bottom line decision on this issue whatsoever. Because you didn't express it.

Trustee Tulloch - I think you get it. Fortunately. Will you please explain this to your trustee colleagues?

Do any of you have any clue what Reno Disposal is paying to Refuse, Inc. for the former's use of the latter's transfer station?

Don't you understand that whatever the amount, it becomes an allowable expense which goes into the calculation of Reno Disposal's net income? Which means that the greater the amount Reno Disposal pays to Refuse, Inc., the lower the amount of Reno Disposal's net income? And if that net drops below 9%, our rates rise.

So for starters, don't you think you need to know what Refuse, Inc. has been charging Reno Disposal for the last eight years (starting a year before the current trash franchise went into effect)? W-M has steadfastly REFUSED to share these particulars for the last eight or more years. I know because I've pushed Indra to do this.

Do you understand that no collector can qualify to take over the trash franchise unless it has access to the Incline Village transfer station?

Do any of you really, really think that Refuse, Inc. is going to agree to allow a collector other than W-M to use its Incline Village transfer station to W-M's detriment?

If you answer "yes," what do you think Refuse, Inc. is going to charge, how reasonable is that charge going to be, and what ability is the District going to have to limit that charge?

Which means you're never, never going to be able to get a competing collector to successfully bid on the trash franchise and come up with a price which is lower than W-M's. Which means W-M has a monopoly for the rest of our lives. Even Trustee Tonking's.

Which means the solution to our solid waste removal problems is to control the Incline Village transfer station.

Did I hear any of you raise this concern at the last Board meeting? What about staff?

Do any of you really, really think Underwood and Co. are competent to negotiate this issue with W-M?

And if you let Refuse, Inc. invest \$5M in capital improvement costs into the transfer station, we're never, ever going to be able to acquire or control it in the future because of the inherent increased costs. Which again means W-M will have a monopoly on our trash collection for the rest of our lives.

Don't tell me you can't acquire or control the transfer station unless Refuse, Inc. agrees. Because that's not true.

First, if you have people who are capable of negotiating, you can negotiate transfer of the transfer station as part of the consideration given by Reno Disposal, Inc. for an extension of the trash franchise.

If Refuse, Inc. refuses to give up the transfer station, or demands more than its fair market value, we hold the trump card. It's called eminent domain (see NRS 318.190). Do each of you know what this power really is? If not, you need to educate yourselves. And let me help.

First a local government determines that acquisition of someone else's property is necessary for the best interests of its constituency, the public. Once the decision is made, there's no basis for the owner of that property to object. It's a done deal.

However, the local government must pay that property owner the property's fair market value. And if the property owner has to relocate to some other property to continue its business (which will not be the case here), the local government must pay moving and other associated costs the property owner incurs.

So this is the direction within which you as a Board need to proceed. And every day you

Re: The Solid Waste Transfer Station. Most of You Guys Just Don't Get It! What is it Going to Take if Anything?

delay going down this road, you end up putting us in a deeper hole because the price tag keeps going up.

Now understand we're ALREADY paying for Reno Disposal, Inc. to use the transfer station. What they're paying Refuse, Inc. is what we're paying because this cost is directly passed through to us.

Now that you know how much we're paying, you need to answer the question of how much money we could borrow from the state which resulted in servicing costs we're in essence currently paying. Because that's the source of funds we would be relying upon to pay Refuse, Inc. And by the way, just like the state offers low cost loans for local governments making capital improvements to their water and sewer systems, it does the same thing for facilities for solid waste disposal. So don't you think you as a Board need to do these calculations?

In answer to the question of whether we would have to operate the transfer station if we were to acquire it from Refuse, Inc., the answer is no. Whoever our collector will be, will be responsible for operating that station. And making necessary upgrades/repairs.

Finally, if we have \$5M+ for a Burnt Cedar Pool, we have money for the transfer station which directly benefits EVERY property owner in our community. If we have \$1M+ to reconstruct the tennis courts, we have money for the transfer station. If we have \$750K+ annually to pay our share of increased Rec Center operational costs associated with any expansion (don't you recall this was the staff estimate if we were to go forward with the recently failed Rec Center expansion), we have money for the transfer station. If we have \$1M+ to replace Ski Way, we have money for the transfer station. If we have \$1,000/day to LOSE on Food and Beverage services, we have money for the transfer station. If we have \$2M+ annually to subsidize the green fees our core golfers pay, we have money for the transfer station.

So as I have asked, what don't you understand about the key to our community's future solid waste disposal rates?

Agendize the issue of initiating efforts to acquire Refuse, Inc.'s solid waste transfer station and then let's move forward. We need to spend several thousand dollars with an MAI appraiser so that if we have to file an eminent domain action, we will have our expert witness in place. And we need to spend \$1,000 or less for a meeting with an attorney who specializes in these matters so he/she can share our rights and duties under the law. And then we will be equipped with the knowledge necessary to decide whether or not to go forward.

Or sit there and do NOTHING. So W-M can continue to rape us with excess solid waste disposal rates. Why do you think there's been no increase in rates for the last three or more years? Wouldn't it be because W-M has been making a return of in excess of 9% annually? No wonder it wants to lock us in for life. And at least two of you are clueless.

Thank you for your understanding and hopefully, you're initiation of the smart thing to do.

Respectfully, Aaron Katz

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN
MINUTES OF THE IVGID BOARD'S REGULAR JULY 26, 2023 MEETING – AGENDA
ITEM F(2) – LOOK AT ALL THE KEY SENIOR STAFFING WE'VE LOST/WE'RE IN
THE PROCESS OF LOSING AND UNABLE TO REPLACE – OUR CHICKENS
ARE COMING HOME TO ROOST!**

Introduction: In case you the reader did not pick up on my July 24, 2023 comments given at the Audit Committee's meeting of even date, here they are stated again.

Look at how many senior staff we've lost/are in the process of losing within the last several months. And look at how many we've been unable to replace. There's a problem here and it's not me. Nor Trustee Schmitz. Nor the "so called" nasty nine. Nor the lack of morale in the trenches. It goes far, far deeper. And as Reverend Jeremiah Wright observed after 9/11¹, God Damn IVGID, and "the chickens have come home to roost!" And that's the purpose of this written statement.

Rev. Wright's Observations Edited to IVGID and What We're Experiencing Now: IVGID gives favored special interests in our community unjustified benefits which are paid by all local parcel owners, rather than just those who ask for and take such benefits. "No, no, no, God damn (IVGID), that's in the Bible...God damn (IVGID) for treating (some of) our citizens (primarily from Crystal Bay) as (second class). God damn (IVGID) for as long as she acts like she is God and she is supreme." District staff have brought on the current divisiveness we suffer from because of their own acts. "And now we are indignant because the stuff we have done...is now brought right back to our own front yards. (Incline Village's) chickens are coming home to roost!"

My E-Mail of July 19, 2023: On July 19, 2023 I sent an e-mail to the Audit Committee² commenting on the extent of senior personnel we have lost, are in the process of losing, and who just can't seem to be replaced. Since that e-mail relates to this topic, some trustees may not have had the opportunity to see it, and rather than regurgitate my comments, I simply refer the reader to the same.

E-Mail String Between July 23-25, 2023: If the reader wants a real focused view on what's wrong with our hiring practices, I believe the e-mail string between myself and fellow resident Dick Warren³, which has been copied to the Board, gives many of the answers. Again rather than regurgitating our comments, I simply refer the reader to the same.

Conclusion: As the reader can see from the e-mails which are attached to this written statement, the problems we are facing today go back to the wrongs committed decades ago. When Harold Tiller on behalf of the IVGID Board testified before the Washoe County Commission supporting

¹ Go to <https://www.nationalreview.com/the-campaign-spot/obamas-pastor-after-911-americas-chickens-are-coming-home-roost-jim-geraghty/>.

² That e-mail is attached as Exhibit "A" to this written statement.

³ This string is attached as Exhibit "B" to this written statement.

the District's request it be granted the basic power to furnish facilities for public recreation, he expressly represented to the Commission and the public that if the District's request were granted, ALL of the community's recreational facilities and the services offered therefrom but for the beaches, would be privately owned, operated and financed. In other words, the District would not go into the commercial, for profit, recreation business. This turned out to be untrue. And I and a number of local parcel owners I know have been prejudiced. So we're making noise and demanding that the powers granted be rescinded based upon District fraud. And we're demanding that we dispose of all facilities acquired but for the beaches, and get out of the commercial, for profit, recreation business where we sell access to and use of our recreational facilities to the world's tourists. Only then will we be able to shed ourselves of the massive, over compensated and over benefited staff who are financially drowning us.

And you want to know why your Recreation ("RFF") and Beach ("BFF") Facility Fees are as high as they are, and never seem to go down? Hopefully I've provided answers.

Respectfully, Aaron Katz (Your Community Watchdog Because Nearly No One Else Seems to be Watching).

EXHIBIT "A"

July 24, 2023 IVGID Audit Committee Meeting, Agenda Item D(1) - The Key Senior Staff We Have Lost

From: <s4s@ix.netcom.com>
To: "Nolet Chris" <cnolet99@gmail.com>
Subject: July 24, 2023 IVGID Audit Committee Meeting, Agenda Item D(1) - The Key Senior Staff We Have Lost
Date: Jul 19, 2023 12:49 PM

Chairperson Nolet and Other Honorable Members of the IVGID Audit Committee:

I submit public comment with respect to this matter.

Can you please share these comments with other Board members and Mr. Magee prior to the meeting?

At the last IVGID Board meeting, a member of the public gave public comment to the effect that when you have a mass exodus of key employees, like we do, you have a problem. And the simple answer to the reason why is not Trustee Schmitz. We have a problem.

And I presume Mr. Magee is going to speak to this problem as part of this agenda item. And just so we're on the same page, below find a list of the key employees I am aware of that we've lost or never placed. Which now makes me ask the question: why do we have an HR person? I know why. But if she can't place these key positions for whatever the reasons, then we're no worse off not having an HR person.

So here are our key employee vacancies I am aware of:

1. Our GM of course who according to his own press release, voluntarily separated from the District after twenty (20) years of employment to spend more time with his family (now why would one of our longest lasting employees all of a sudden choose to leave his position and spend more time with his family?);
2. Our under qualified (he didn't even have a C.P.A.) Director of Finance (who viewed his job as protecting his colleagues rather than the public);
3. Our Controller (Marty Williams) who left six or more months ago and still we've been unable to replace him - notwithstanding we're offering a starting salary of \$100,204-\$120,245/yr (how about hiring local resident Joy Gumz? She is a C.P.A. and wants the job);
4. Our Revenue Manager who left months ago and we've been unable to replace him - notwithstanding we're offering a starting salary of \$86,355 – \$102,055/yr;
5. "The addition of a new (full time, fully benefited) HR/Recruitment Assistant" (this appeared in the budget the Board approved). Have we found anyone yet?
6. Our Director of Public Works (he was so capable he couldn't take on a project without incurring the added cost of a CMAR);
7. Our Director of Food & Beverage (who used to be nothing more than a chef);

8. Our Sous Chef who apparently left months ago and we've been unable to replace - notwithstanding we're offering a starting salary of \$2,500.00 bi-weekly;
9. Our District Clerk who left months ago (after being on the job for only a couple of months) and we've been unable to replace; and,
10. Our attorneys who announced at the Board's July 12, 2023 meeting that they would no longer be representing the District when its current legal services agreement terminates in December of this year.

I'm sure there are more such employees I don't know of. However, I submit that this list is bad enough!

And like I said. We have a problem here.

Respectfully, Aaron Katz

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EXHIBIT “B”

Re: July 26, 2023 IVGID Board Meeting - Agenda Item H(7) - Paying Mike Bandelin \$220K/Annually Versus His Current \$135K/Annually or So

From: <s4s@ix.netcom.com>
To: Dick Warren <bd1947@icloud.com>
Cc: Chris Nolet <cnolet99@gmail.com>, Matthew Dent <dent_trustee@ivgid.org>, Schmitz Sara <schmitz_trustee@ivgid.org>, Tonking Michaela <tonking_trustee@ivgid.org>, Tulloch Ray <tulloch_trustee@ivgid.org>, Noble Dave <noble4ivgid@gmail.com>
Subject: Re: July 26, 2023 IVGID Board Meeting - Agenda Item H(7) - Paying Mike Bandelin \$220K/Annually Versus His Current \$135K/Annually or So
Date: Jul 25, 2023 5:46 PM

Thank you Dick -

Only because you've sent a copy of your most recent e-mail to the Board, do I respond. To them.

If we have to pay \$350K annually just to have a GM, WE'RE IN THE WRONG BUSINESS. Pure and simple. We're the equivalent of a mosquito district! Nothing more. We're not a city. Nor a county. Nor an unincorporated town. Nor a municipality. We're a limited purpose mosquito district. Thus \$350K annually in compensation to a titular head of nothing more than a mosquito district? You are out of your mind.

There are 85 or so GIDs in the state. Why don't you have our HR Director survey all 84 other GIDs insofar as the salaries they are paying their GM. And then let's have a discussion. If you do this, I predict you won't discover another GID in the state that pays its GM anything close to \$350K annually. And why do you suspect that is?

And don't think we're going to get the kind of GM you're talking about. Because we're not. No local government does what we do. Because we are not in compliance with the NRS. So what makes you think our problem has been selecting the wrong type of GM in the past? There is no script. There is no experience to do what our GM does. Any candidate you come up with is doomed to failure. Just look at our history. Same thing happened with Paul Navazio. And from the little I saw yesterday, it looks as if the same thing is going to happen with Mr. Magee. Why? Because these people refuse to do what the NRS dictates, because we're a different breed of animal.

And don't think that any of our recreational businesses are capable of operating at a break even or positive cash flow. Without generational changes which no board capable of being elected will ever, ever agree to, it's an impossibility. Again. Look at the District's history.

So this whole idea of fixing what is wrong is a pipe dream. And the idea of attracting the right person for the job simply by offering him/her \$350K annually in salary plus benefits, is never going to happen no matter who you get to be GM.

And insofar as your question as to why previous boards didn't insist that but for parks, each recreational venue operate on a break even or positive cash flow, THEY DID. And how did staff respond to the direction? The Board was ignored. And what action did the Board take against staff who wouldn't do what the Board requested? NOTHING. Because that would be micro-managing. Wouldn't it?

One final point. And I want each board member to listen and understand. When the Board asked the County to grant the District the power to furnish facilities for public recreation, our Board represented that if the requested power were granted, THE DISTRICT WOULD NEVER USE IT TO ACQUIRE, OPERATE OR FINANCE ALL OF THE RECREATIONAL FACILITIES WE'RE HAVING PROBLEMS WITH TODAY BUT FOR THE BEACHES. Got that Board? Every single one!

You're an attorney Trustee Noble. What is it called when someone makes a representation of fact, another relies on it to his or her detriment, and then the person who made the representation does the

exact opposite? And what is the remedy for the fraud which has been perpetrated? And what is the remedy here?

All of this stuff (these recreation venues) MUST GO. All of them. Because they're all the product of fraud. And the remedy for fraud is rescission. All the problems we face today were caused by a former board's fraud. So now that you know the truth, FIX IT. Rectify that fraud your predecessors have propagated for the benefit of all of us who relied to our detriment. You owe it to us. Got that Gail Krolick, Tim Callicrate, Kaye Shackford and the rest of your lemmings. YOU OWE IT TO US.0000

Thanks for your colloquy and I respect your differing views. Aaron

Aaron

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

From: Dick Warren <bd1947@icloud.com>

Sent: Jul 25, 2023 3:49 PM

To: Aaron Katz <s4s@ix.netcom.com>

Cc: Chris Nolet <cnolet99@gmail.com>, Matthew Dent <dent_trustee@ivgid.org>, Schmitz Sara <schmitz_trustee@ivgid.org>, Tonking Michaela <tonking_trustee@ivgid.org>, Tulloch Ray <tulloch_trustee@ivgid.org>, Noble Dave <noble4ivgid@gmail.com>

Subject: Re: July 26, 2023 IVGID Board Meeting - Agenda Item H(7) - Paying Mike Bandelin \$220K/Annually Versus His Current \$135K/Annually or So

Aaron, I don't agree with your final statement that spending \$350k or so on a GM is insane. It's amazing what competent folks can do when given the chance. For years we've been paying losers like Indra & Pinkerton \$200k or so and we have gotten nothing, mainly because these former GM's did not have the experience, knowledge and financial acumen to run an operation like IVGID.

IVGID adopted EFA (Enterprise Fund Accounting) a few years ago; EFA requires each & every Venue to at least breakeven WITHOUT the Rec Fee Subsidy. And that's breaking even including all revenues and all expenses on an accrual basis (not on a cash flow basis). Now why didn't previous Boards insist on this? Well, previous Boards, on a collective basis, were about at the same competency level as Indra & Pinkerton. But I have confidence that the current Board will demand that the new GM adhere to EFA and make every Venue at least breakeven. And if they don't then outsource them or eliminate them. Take the Golf Operation, that's a slam dunk to outsource. When a guy like Darren Howard, who has 30+ years in the Golf business, told me that he had never considered depreciation expense (a Capital cost) and interest expense (a Debt Service cost) in his calculation of golf fees (revenues) needed to cover expenses, that's highly enlightening, and further evidence of needing competent folks to run the Golf operation.

Unfortunately, we've just never had competent folks in important positions like the GM spot. I'm willing to give it a try, even if it costs us a couple of bucks.

On Jul 25, 2023, at 8:47 AM, s4s@ix.netcom.com wrote:

Thanks Chris for the copy of the e-mail responding to Dick's comments (below). BTW, my initial e-mail was to the IVGID Board and because of this, I did not send you a copy. I have no objection to your having received a copy. However to set the record straight, I did not send it to you.

Now because of your response, I would like to comment on it. Because you've now opened up the broader discussion I feel needs to take place. And that is, you've now made the case that WE NEED TO GO OUT OF THE RETAIL, FOR PROFIT, RECREATION BUSINESS which markets our recreational facilities to the world's tourists. And why do I make this observation? At least two reasons. First, that's NOT the purpose of government. So why then do we continue to pursue it? The public doesn't want to be involuntarily dragged along with the agenda of those who think we're not government per se, and we exist to operate our recreational facilities because they're underutilized. And second, BECAUSE WE CANNOT AFFORD IT!

All this talk at yesterday afternoon's meeting about we have to up our compensation offerings for: a GM; a Finance Director; a Controller; a Revenue Manager; etc., etc., etc. And we have to spend the extra dollars to engage a recruitment firm to assist us in finding a G.M. And now a recruitment firm to assist us in finding a Finance Director. So you've looked at our finances Chris. WHERE DO YOU THINK THE MONEY IS GOING TO COME FROM? Or as Warren Buffet has suggested, the tooth fairy?

The salaries of the GM, the Finance Director, the Controller, the Revenue Manager, etc., etc., are all assigned to the General Fund. The Board has passed a budget which budgets for roughly \$3M MORE in expenditures, than available revenues. And this doesn't include the probably \$500K or more annually you're suggesting in increased compensation for all of our key employees. Which means overspending assigned to the General Fund is now going to be \$3.5M or more, annually! SO WHERE IS THE MONEY GOING TO COME FROM?

Whether or not you agree with me, by and large our employees lack competence. And they're grossly overpaid for the public jobs they perform. It's almost as if they were hired because they exhibit the likelihood of conforming to the IVGID culture. And we're paying for this incompetence. Yes I understand we're going to "raid" the excess fund balance in the General Fund this year. But what about next year? And what about the years after that? WHERE IS THE MONEY GOING TO COME FROM?

I know the answer and I'm going to get push back from Sara. But the simple answer to my question is an ever increasing Rec Fee ("RFF"). And Beach Fee ("BFF"). And water rates. And sewer rates. Staff is going to disingenuously call transfers from these revenue sources "central services transfers." But the truth of the matter is that these transfers from the Community Services, Beach and Utility Funds will be financed by an ever increasing RFF, BFF, water and sewer rates. Which I and others see as nothing more than financial subsidies to pay for gross overspending.

And why are we going through all of this? The takers in our community will respond because we're running commercial for profit (or in our case for LOSS) business enterprises. And these are the costs you incur when you're running a business. And the costs are higher now because wages have increased. And there's more demand. And bidenomics. And inflation. And whatever other excuse you want to come up with.

But I don't care. If we can't make a buck running these commercial business enterprises, then it's time to sell them or go out of business. If we were running private businesses and we were incapable of attracting employees, or we couldn't break even financially, what would we do? Sell the businesses or go out of business. So why is it any different here? Why do some on the Board think that in the meantime, we need to keep these businesses running?

For years past Boards have been ignoring this given and eventuality. And now we have a Board which isn't. Thank GOD!

I'm tired of hearing from the takers, some of whom are on your audit committee, that our finances are wrong and we're really making money. Well THEY'RE WRONG! We don't make money on ANYTHING WE DO. NOTHING! Our finances are phony. They're incomplete. They've been manipulated over the years by Ramona Cruz, Gerry Eick, Paul Navazio and Steve Pinkerton to present the narrative staff want to present, rather than the truth. And I think you're starting to learn this from your investigation.

I can hear those telling us we make a couple of million dollars each year on Diamond Peak. Well those people are very short sighted. The capital costs at Diamond Peak are so intensive that whatever positive cash flow one makes in the short run is going to be more than spent in the long run thus CANCELING OUT any positive cash flow. Snow cats cost \$350K/each. \$125K on uniforms. \$350K-\$500K on ski/snowboard rental

equipment. \$7M-\$10M ski lifts. \$2M or more for a reconstructed parking lot we call Ski Way. \$1.75M for the culvert to nowhere. Diamond Peak will NEVER generate the revenues necessary to cover all of these and other similar costs.

Then I have to listen to residents like Mr. Fiest who is asking the overwhelming majority of us to pay many millions of dollars reconstructing 7 tennis courts. Why? Because about 250 of our residents play tennis, and the courts haven't been renovated in over 30 years! I guess he forgot about the \$1.25M we wasted on the Tennis Center a couple of years ago on a deck and snack bar. And let's not forget the similar amount wasted on the Mountain Course pro shop for basically a new traffic flow.

And it's not just personnel and improvement costs. You're approving a 5 year CIP for the State. The last time I looked it calls for \$31M of CIPs assigned to the Community Services Fund, and nearly \$7M to the Beach Fund. That's \$38M or \$7.6M/year for each of the next 5 years. And given our staff are incompetent in estimating anything other than lunch time, that \$38M is probably closer to \$50M. WHERE'S THE MONEY GOING TO COME FROM?

It's time to face reality. We just can't continue doing what we have been doing for decades. We need to face the reality that we either stop all this waste and overspending primarily for the benefit of outsiders and staff, or we grossly increase the financial subsidies we are paying to continue the waste. I say it's time to put our collective feet down and just say no!

IVGID is a glorified mosquito district. To even be discussing a salary of \$350K+ benefits annually for a GM, IMO, is INSANE!

Aaron

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

From: Chris Nolet <cnolet99@gmail.com>

Sent: Jul 24, 2023 5:05 PM

To: Dick Warren <bd1947@icloud.com>

Cc: Matthew Dent <dent_trustee@ivgid.org>, Schmitz Sara <schmitz_trustee@ivgid.org>, Tonking Michaela <tonking_trustee@ivgid.org>, Tulloch Ray <tulloch_trustee@ivgid.org>, Noble Dave <noble4ivgid@gmail.com>, Aaron Katz <s4s@ix.netcom.com>

Subject: Re: July 26, 2023 IVGID Board Meeting - Agenda Item H(7) - Paying Mike Bandelin \$220K/Annually Versus His Current \$135K/Annually or So

Dick - I was not speaking about any particular IVGID executive. I firmly believe, however, that if we want to recruit highly talented executives who live in IV, we are not currently offering competitive salaries in certain cases. History clearly proves my point.

Chris

On Mon, Jul 24, 2023 at 3:27 PM Dick Warren <bd1947@icloud.com> wrote:

Aaron is absolutely correct on this. Where did you get the crazy idea to up his salary because he's Acting GM? Focus on getting a very, very good GM soon! You might have to pay a competent GM (something we've never had) somewhere around \$350k annually, but it will be worth it, because a competent GM will cut through all the crap at IVGID quickly, and the net result will be substantial reductions in expenses, particularly labor costs.

If Mike Bandelin does a good job in the interim, give him a bonus of some sort, but don't go stupid and raise his salary over 60% just because he's Acting GM!

On Jul 23, 2023, at 8:57 PM, s4s@ix.netcom.com wrote:

Chairperson Dent and Other Honorable Members of the IVGID Board -

Here Chair Dent proposes increasing Mike Bandelin's salary from his current \$135K+/- annually to \$220K/annually, simply because he is acting as a temporary GM figure head while we search for Indra's replacement.

Was Bill Horn getting paid \$220K/annually? NO.

Was Pinkerton getting paid \$220K/annually? NO.

Was Indra worth his \$217K/annually that we were paying him? NO.

Is Mike worth \$220K/annually? Absolutely not.

Is Mike entitled to something more than his current \$135K/annually because he is taking on some non-technical add'l responsibilities? Yes. Is it worth \$85K/annually? NO.

Come on guys. I'm sure Mike will be thrilled to receive a \$25K annual increase in salary because he holds the figure head title of GM? So what's the justification in favor of a \$220K/annually? Is it simply because that's what we were paying Indra, whether justified or not?

Okay. I've got one for you. Under alternatives, the staff memo says the Board can appoint someone else as temporary GM. So I nominate Frank and me! Did you know Frank is more qualified than Indra? Frank has a masters in education-admin. He has lived here longer than Ms. Herron so he possesses the continuity required to effectively manage the District. Unlike Indra, Frank actually lives in the District. And unlike Mike, Frank tells me he is willing to work for \$1 per month. Me too! And maybe, just maybe, we can convince Cliff Dobler to step in and help out.

So there you go. Mike Bandelin at \$220K annually, or Frank and me at \$2/month?

Respectfully, Aaron Katz

One of the alternatives offered is to hire someone else to be interim GM. If the cost to local parcel owners is \$220K/annually, I say no. If it's someone more qualified than Mike, I say yes.

Remember. You've budgeted to LOSE nearly \$3M annually in the General Fund. Since that's the fund where Mike's enhanced salary will be assigned, again you're looking to my Rec and Beach fees to bail out your overspending. I object!

Respectfully submitted, Aaron Katz

William Kahrs

625 Lariat Cir. #1

IVGID Board Meeting July 26, 2023

The \$25 M donation proposed by the Duffields last year found a home at the Incline High School. Good for Incline High School but unfortunate for IVGID who lost a Boys and Girls club space, a Teen center, a gymnastics center for youth, and an upgrade to the Rec Center. The money was there, but Trustee Schmitz voted it down. That is old news.

Then came the beach vote to exclude non-picture pass holders, under the umbrella (or perhaps more like disguise) of protecting the “beach deed”. The triumvirate (Trustees Dent, Schmitz & Tullock) voted to further separate and exclude non-picture pass employees from beach access, further distancing community members who no longer qualify to be part of the beach community. Sorry summer employees; unless you are a picture pass holder, you can work at the beach but exit as soon as you “punch out” - you are probably not qualified to “hang around”.

In addition, Trustees Tullock and Schmitz, with the acknowledgement of Trustee Dent, increased their direct involvement in directing IVGID employees in the performance of their tasks. This has resulted in what some described as a hostile work environment, leading to the severance of the GM and later, the resignations of multiple staff managers. Is there an ongoing “remove and replace” plan the community is not aware of? Or does this lead down the road to a “privatization plan” which the Board has dismissed. The community should not be so quick to dismiss privatization. If management talent leaves due to a hostile work culture, it may become a realistic option.

It is also discomfoting to think that a takeover of IVGID by Washoe County might yield a more credible government than the triumvirate in place now. Furthermore, unless Trustees Tonking and Noble cast votes with the other three on future decisions, I will personally have zero confidence in a respectable outcome.

To the Trustees - the ongoing recall effort is a vote of no confidence. It is not a joke nor a wasted effort.

To the community, I ask that you: Put Community First. Support the Recall.

*Linda Kahur
625 Lariat Circle*

SUMMER WATER SAFETY PROGRAM:

- **Since 1996 or before the NORTH LAKE TAHOE Fire Department has coordinated with the Public Schools a summer water safety program AT SKI BEACH in collaboration with the IVGID life guards.**
- **On April 18, 2023, at 11:58 Kerrian Neu, a fifth grade teacher at Incline Elementary School emailed Trustees Schmidt & Dent on April 18 the following:**

“Each end of the school year our 3rd through 5th grade students walk down to Ski Beach and learn about water safety from NLTFD and Life Guards. Students go for one hour each grade (3rd 10-11, 4th 11-12, 5th 12-1). Students learn for 30 minutes and then the Fire Department cooks a hot dog lunch. Teachers attend and watch groups. Starting last year, we have been asked to get passes or have punch cards donated to attend. Before this, we just went during our time. We understand Ordinance 7, and its importance, but our students are also just going to learn how to be safe at the beach and near water during the summer months.

Can you help us? We would love to keep attending and have our students learn from IVGID employees and the Fire Department without trying to get people to donate punch cards. Is it possible to get a waiver for this event only?"

- **On April 18, 7 minutes later, at 12:05, Trustee Scmitz responded:**

"Thank you for the question. As Trustees, we are obligated to protect the District's assets, and that includes our deed restricted beaches. Our beaches are restricted to those whom are beneficiaries of the beach deed, and that includes parcel owners and their guests. Punch cards are no longer transferrable except to a guest of a parcel owner, per Ordinance 7."

- **NLTFD went to STATE PARKS, got permission & in conjunction with State Parks, IVGID lifeguards there was a summer water safety program at Sand Harbor AND the school district had to pay to bus the children.**
- **The students could have been GUESTS of parcel owners but the process was too Cumbersome.**

Trustee Schmitz, you continue to show by your actions:

- a. **You don't care about your community schools**

**b. You don't PRIORITIZE the SAFETY EDUCATION of the children
in our COMMUNITY**

**As a member of this community, my husband and I find it abhorrible
that educating our children on water safety is a detriment to
maintaining the beach deed.**

**Your laser focus on BEACH DEED is shameful and Elitist. Once again,
your exclusive use objectives take precedence over educating students
for one hour on the beach. PLEASE RESIGN.**

**As a community, we should MUST EDUCATE the children. ALL OF
THEIR PARENTS SHOULD BE SIGNING THE PETITION AND DEMANDING
THAT YOU RESIGN.**

Mick Homan

Incline Resident

I want to follow up on an item I commented on in the last meeting. Item H.4 on tonight's agenda - Frequently Asked Questions.

I believe the inclusion of this material is a direct violation of Nevada Ethics Statutes - NRS 281.A.520, which deals with utilizing district resources to impact current ballot issues or candidates in an upcoming election.

Before going into the details, a bit of my background. I had a 40-year professional career in auditing and corporate controllership. I retired as the Chief Accounting Officer of a fortune 50 company. Part of my responsibility was to ensure that every fact stated in our financial reporting – both financial and non-financial, was accurate and supported by underlying documentation. That activity protected the company, its leadership, and our shareholders from the legal and financial exposures that would result from presenting misleading information. I developed a very good eye for top-spin and the art of deflection and rationalization as tools to overcome an unfavorable situation. CFO's, CEO's and Chair's took my advice when I told them they couldn't say something.

With that in mind, most of the topics included in the meeting materials are simply not factual. They represent the opinion of certain of the board members. They do not present both sides of a broader story and can be easily countered with differing opinions or facts. So they can easily be characterized as misleading.

They do not deal with official IVGID policies or practices.

In addition, most deal with concerns raised about individual Trustees – not the board as a whole.

Even more concerning, to the extent they deal with concerns about individual trustees, they largely overlap with issues raised in the current recall efforts.

I provided some examples in my public comments last week, so I won't repeat them here.

But I want to remind you that as a Trustee, your only responsibility is to the district. It's not appropriate for you to use district resources or publications for the benefit of individual Trustees. Doing so results in financial and legal exposure for both the Board and the district.

And you're creating this exposure when the underlying document provides no broader benefit for the district.

Any perceived benefit of the document accrues directly to individual trustees.

It's not lost on a reader that the document only tackles rumors that are damaging to trustees. Why doesn't it tackle misinformation that benefits trustees' agendas, like the golf courses lose \$4 million a year or that golf clubs get all the good tee times?

Under any circumstance, it's inappropriate to utilize District resources to defend the actions of individual Trustees. At present, with a recall effort related to many of the same topics included in the materials, it appears to be a direct violation of Nevada Ethics Statutes that prohibit the use of district resources to impact current ballot issues or candidates in an upcoming election.

In my professional life, the general counsel and her office were my best allies in terms of policing external communications. And we were almost always of a single view on the boundaries. I'm pretty sure I know where they would fall on this document.

So I'd ask the Board and general counsel to consider this seriously and take appropriate action.

Below text not talked live at meeting, but are an update to specific examples provided at the July 12 meeting:

For example, questions 4 and 5 deal with the board's intent on privatizing venues or changing the model. The question itself deals with the board's intentions or plans – not past actions. Further, I believe residents are commenting on individual trustees and their views and actions – not the board as a whole. At a minimum, the change pushed publicly by Tulloch (but not adopted) to get golf to cover all operating costs, including depreciation is an example of a change in the model.

Questions 7 and 8 deal with the impact of reducing rec fees and punch card values and the negative impact on home values and rights. There is no factual answer for this. Combined with the cap on punch card availability, I can easily see how residents believe their beach rights have declined and that their home ownership may be worth less as a result. This is exacerbated by Trustee Schmidt's recent unilateral attempt to reduce the value of punch-cards to the golf community by overturning decades of practice and board guidance that allowed the punch-cards to buy down their guest rates from published guest golf rates.

On question 9, the only recommendation that was written by the staff was the one that was originally proposed for the March 8 meeting. That proposal was an across the board 5-6% increase in daily, multi-play and unlimited play passes, along with the retention of both individual and couples AYCP passes at 5% increases. Everything after that was based on demands made by the board in public meetings and Sarah meeting directly with and directing Darren to revise per her wishes

On question 10, the Board very clearly did push for and approve the more punitive golf cancellation policy that they just rescinded.

On question 2, which was originally written about and traces back to Trustee Dent's possible ethics violation, it's inappropriate to state this is false when there is an open investigation.

And on questions 12 dealing with the Duffield grant, the better question to ask is whether the project would have continued to proceed if Trustee Schmitz had voted yes on both votes. The community is smart enough to realize that there was no actual contract in hand for the Duffield donation. It was a voluntary donation. Donations by their very nature are not contractual. It never got to the point of an actual commitment because Trustee Schmidt's "NO" vote killed it before it got there. The "FACT" that responds to this rumor is deflection.

Rob Watson

Incline Resident
361 Country Club Dr

My comments tonight are focused on some of the FAQ attachments which I believe are self-serving for some of the Board members facing a Recall movement and not really focused on clearing up any questions.

On questions 4 and 5 that deal with the board's intent on privatizing venues or changing the model. The question itself deals with the board's intentions or plans – not past actions. At a minimum, the change pushed publicly by Trustee Tulloch to get golf to cover all operating costs, including depreciation is an example of a change in the model.

Questions 7 and 8 deal with the impact of reducing rec fees and punch card values and the negative impact on home values and rights. There is no factual answer for this. Combined with the cap on punch card availability, I can easily see how residents believe their beach rights have declined and that their home ownership may be worth less as a result. This is exacerbated by Trustee Schmidt's recent unilateral attempt to reduce the value of punch-cards to the golf community by trying to overturn decades of practice and board guidance that allowed the punch-cards to buy down their guest rates from published guest golf rates as stated on the website of IVGID.

On question 9, the only recommendation that was written by the staff was the one that was originally proposed for the March 8 meeting. That proposal was an across the board 5-6% increase in daily, multi-play and unlimited play passes, along with the retention of both individual and couples AYCP passes at 5% increases. Everything after that was Trustee Schmidt directing our Director of Golf to revise per her wishes.

On question 10, the Board very clearly did push for and approve the more punitive golf cancellation policy that they just rescinded. This was not a recommendation by the Director of Golf and clearly the board made a bad decision by not listening to the Director of Golf.

And on questions 12 dealing with the Duffield grant, the better question to ask is whether the project would have continued to proceed if Trustee Schmitz had voted yes on both votes. The community is smart enough to realize that there was no actual contract in hand for the Duffield donation. It was a voluntary donation. Donations by their very nature are not contractual. It never got to the point of an actual commitment because Trustee Schmidt's no vote killed it before it got there. The "FACT" that responds to this rumor is deflection.

Instead of approving FAQ's that are aimed at stifling a recall movement, why not condemn one of the trustees ,targeted by the recall, for trying to get the recall table, set up in a free speech zone at the beach, REMOVED.

Why not condemn the aggressive actions by the few residents against the recall for their physical attacks, their threats of publishing names on social media and their threats of fines....for basically.....threats of free speech!!!!

Kendra Kostecky, Waste Management – 1076 Tahoe Blvd.

At the July 12 board meeting I agreed to provide a full explanation of the guard rails in section eleven of the Solid Waste Franchise agreement, governing any annual adjustment of rate. Specifically – the 15% cap on return on revenue.

Eleven-point-one states that any annual rate adjustment is based on the December-to-December percentage change in the Consumer Price Index for Garbage and trash, as published by the Bureau of Labor Statistics.

Eleven-point-one “A” states the collector will not be entitled to that increase if their rolling average return on revenue for the prior **THREE** years is greater than 9%. – I have previously stated this to you as a “three-year ROR cap of 9%”

Assuming that benchmark is met, Eleven-point-one “B” limits a **ONE**-year Return on Revenue for the PRIOR year to 15%. So even if the three-year average is met... because two of the years performed poorly, the collector is not eligible for a rate adjustment if the prior year reached 15% ROR.

Eleven-point-one “C” is a third layer of protection to the rate payer, capping any adjustment at a maximum of six percent regardless of the published CPI and if the collector is under both caps outlined in “A” and “B”

I would also like to acknowledge section 11.2 “Other Rate Adjustments.” This language specifically addresses the addition of new services, or increased fees imposed during the franchise agreement. Any changes in rates under section 11.2 would require Board Approval.

I will continue to be ~~be~~ honest and transparent with you. WM employees take pride in being good community partners in Incline Village.

The current agreement is available to the public on the Incline Village Public Works Website.

<https://www.yourtahoeplace.com/public-works/about-public-works/solid-waste-services>

**PUBLIC COMMENT. JULY 26, 2023 IVGID BOARD MEETING
KAYE SHACKFORD. DONNA DRIVE**

At the July 12th Board meeting, Brad Underwood, Director of Public Works, brought Kendra Kostelecky, Waste Management's Northern Nevada Contract Manager, to make a status report to the Board. One relatively innocuous item was whether IVGID might want to increase the number of weeks in which Waste Management would pick up stickered bags of yard debris.

I watched Trustee Tulloch verbally attack Kendra over that item, endlessly... He seemed delighted with his performance. After listening to multiple minutes of his abuse, I said to a woman next to me, "He reminds me of a rabid pitbull."

Then I realized I'd seen this behavior before. It's called Hard Positional Negotiation. The Harvard Project on Negotiation identified these elements:

- participants are adversaries
- the goal is winning
- demand concessions to continue the relationship
- be hard on the people and the problem
- distrust others
- make threats
- demand one-sided gains
- search for the single answer - the one I can accept
- insist on my position
- and apply pressure.

In a closed system, such as Russia or North Korea, or in a semi-closed system, when the other party needs your business, this can seem to succeed. However, when you treat people this way you guarantee they will only work to the minimum letter of the contract. Every wise business person knows that when your suppliers trust and respect you, they have many ways they can help that are not spelled out contractually. When you violate their self-esteem, they withhold those elements. And the research shows that when someone's self-esteem has been violated, they find ways to get back. Trustee Tulloch violated not just Ms. Kostelecky's self-esteem, she was here as a representative of her company. Every other supplier to IVGID has been put on notice. I suspect we will experience negative fallout from his performance for years to come.

In a more open system, like IVGID, people don't have to put up with that abuse. They can vote with their feet. Our management team is evaporating. Brad Underwood recently resigned. With each departure, we lose decades of competence and caring and tribal knowledge. And any competent person who might take their place, if they have a brain in their heads, will steer clear. What kind of an idiot would choose to enter such a toxic, hostile work environment?

Roger Fisher, Professor Emeritus and founder of the Harvard Project on Negotiation, had this piece of advice for us: "Be hard on the data, the facts, and unconditionally constructive with the people - doing only those things good for you and good for the relationship, whether or not they reciprocate."

I am watching Ray Tulloch destroy relationships - with our suppliers and inside IVGID. I call upon the other Board members to rein him in. Thank you.

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN
MINUTES OF THE IVGID BOARD'S REGULAR JULY 26, 2023 MEETING – AGENDA
ITEM D – PUBLIC COMMENTS – MS HERRON'S CONTINUED CONCEALMENT
OF PUBLIC RECORDS AND YOUR REFUSAL TO DO ANYTHING ABOUT IT**

Introduction: On May 26, 2023 I made two very specific requests to examine public records relating to unreimbursed internal services staff time associated with two endeavors. The first was the District's pursuit of ARPA funding from the county. And the second was project manager Bree Waters' efforts prosecuting the skate board park renovation/reconstruction project¹. When six (6) months had gone by and I had received no response to my request, on July 12, 2023 I sent a follow up e-mail to our Public Records Officer ("PRO") asking if the District was going to make the requested records available for my examination and if so, when¹?

This follow up e-mail resulted in a substantive response on July 12, 2023 whereby Ms. Herron merely referred me to a dialogue in a former General Manager's status report available on the District's website¹. Although Ms. Herron did not identify that portion of the District's website, I believe she was referring to pages 33-54 of the packet of materials prepared by staff in anticipation of the Board's June 14, 2023 meeting ["the 6/14/2023 Board packet" (go to chrome-extension://efaidnbnmnnibpcajpcglclefindmkaj/https://www.yourtahoeplace.com/uploads/pdf-ivgid/E.3._-_Reports_-_General_Managers_Report.pdf)].

Ms. Herron also referred me to documents referenced at other portions of the District's website such as the \$250,000 grant award for our skateboard park renovation project, and Ms. Herron's application to the county for ARPA funding for our effluent export pipeline replacement project. But notably, NONE of this responds to my records request. Nowhere am I provided with a breakdown of the particulars of unreimbursed internal services staff time advanced prosecuting these two endeavors.

As the Board can see Ms. Herron attempts to be disingenuously helpful where she volunteers to help me locate the same if I cannot find the breakdown I have requested to examine. So on July 12, 2023 I wrote back to Ms. Herron. This time with a copy to Board members¹. I reiterated each of the requests, noted that nowhere where they provided, and asked if she intended to provide the same for my examination and if so, when? Two weeks have gone by and NO RESPONSE BY MS. HERRON WHATSOEVER!

As the Board can see I also asked Ms. Herron that if she did not intend to provide the records requested for my examination that she share her justification for refusing to provide the same. Again, two weeks have gone by and NO RESPONSE BY MS. HERRON WHATSOEVER!

¹ The reader can read the particulars of those public records requests and communications regarding the same from the string of e-mails attached as part of Exhibit "A" attached to this written statement.

I don't know what you Board members call these actions but I call them INTENTIONAL CONCEALMENT which you know is criminal in Nevada. So what do you intend to do to compel Ms. Herron to do her job? What discipline do you intend to impose on Ms. Herron for the willful failure to perform her job duties as PRO? Assuming you intend to do nothing, may I remind you that this nothing makes you a principal/accessory to Ms. Herron's unlawful acts under NRS 195.010, et seq?

Conclusion: We've had this discussion before. You have the power to discipline/terminate District employees who commit unlawful acts in the course of their employment². So why don't you do your jobs? Why do you continuously allow Ms. Herron to thumb her nose at the public as if she were the owner of these public records? The time for Ms. Herron to have been terminated as a public employee was years ago. And still you do nothing. So if you don't do something by the next Board meeting, I intend to file a criminal complaint against Ms. Herron and each of you as accessories to Ms. Herron's criminal conduct. Is that what you want me to do?

Respectfully, Aaron Katz (Your Community Watchdog Because Nearly No One Else Seems to be Watching).

² See NRS 318.210.

EXHIBIT “A”

Subject: RE: Records Request - Unreimbursed Internal Services Staff Time Expended on ARPA Grant Funding as Well as the Skate Board Park Project

From: s4s@ix.netcom.com

Date: 7/12/2023, 12:50 PM

To: "Susan A. Herron" <sah@ivgid.org>

CC: Matthew Dent <dent_trustee@ivgid.org>, Sara Schmitz <trustee_schmitz@ivgid.org>, Michaela Tonking <tonking_trustee@ivgid.org>, Dave Noble <noble_trustee@ivgid.org>, Ray Tulloch <tulloch_trustee@ivgid.org>

Thank you Ms Herron -

But again, you haven't responded to my request.

And this is a common problem which plagues the District. Over and over and over again.

We had extensive efforts performed by UNREIMBURSED internal services staff. Primarily Kate Nelson, and likely Bree Waters as well.

I want to know what time was expended by internal services staff, and at what cost? That's what I attempted to learn. But so far NOTHING.

I asked to examine the following:

1. The names of all staff persons furnishing efforts to secure ARPA grant funding from Washoe County since January 1, 2022 ("scope of work"). I believe this included unsuccessful efforts to secure funding for our effluent export pipeline replacement project as well as successful efforts to secure funding for proposed skate board park repairs/renovations. In addition, I asked to examine the records I did with respect to Bree Waters' efforts including preparation of a staff memo in anticipation of the Board's May 25, 2023 meeting, as well as her time expended supporting her request at that meeting.

So to the extent you have responded only with respect to the District's successful grant request, you HAVEN'T responded to my request. Moreover, you have provided NO documents for my examination notwithstanding we know Kate Nelson was one of those staff persons. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated.

2. The date(s) they provided these services. Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. I want to learn all the dates where staff persons furnished the services they claim to have furnished.

3. A word by word description of the services actually performed by these person(s). Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. I want to learn a word by word description of all services actually performed, and on all the dates where staff persons furnished those services (see paragraph 2 above) they claim to have furnished.

4. The time expended for each of the services actually performed. Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. I want to learn the time expended for all services actually performed, and on all the dates where staff persons furnished those services (see paragraphs 2 and 3 above) they claim to have furnished.

5. The time billed to a department other than internal services for each of the services actually performed. Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. I want to learn the time billed to any District department other than internal services for all services claimed to have been actually performed, and on all the dates where staff persons furnished those services (see paragraphs 2, 3 and 4 above) they claim to have furnished.

6. The hourly rate(s) for the time billed to a department other than internal services for each of the services actually performed. Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. I want to learn the hourly amounts charged by/on behalf of every staff person who advanced billable time towards the efforts described above, and on all the dates where staff persons furnished those services they claim to have furnished.

7. The identity of the department(s) other than internal services which were billed for each of the services actually performed. Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. I want to learn the identity of all District departments which were billed for all services actually performed, and on all the dates where staff persons furnished those services they claim to have furnished.

8. The identity of each specific CIP to which internal services time with respect to this scope of work was billed. Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. I want to learn each specific CIP for which internal services time was expended with respect to the work identified above.

9. Any out of pocket expense incurred in the prosecution of this scope of work which was billed to a department other than internal services. Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. I want to learn all out of pocket expenditures incurred by staff with respect to the work identified above which was billed along with unreimbursed internal services staff time.

10. The district chart of account number assigned for each of the services actually performed pursuant to this scope of work as well as out of pocket expense(s) incurred which were billed to a department other than internal services. Again, you have provided NO documents. And records which respond to my request were not included in the GM reports referenced in your most recent response as you have stated. Not only do I want to examine records which will identify each and every billing to the recipient District department with respect to the work identified above, but I want to examine the chart of account number assigned by staff to every such billing.

So do you intend to provide the requested records for my examination and if so when? If you do not, will you please share your justification for refusing to provide the requested records.

Thank you for your cooperation. Aaron Katz

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

From: Susan A. Herron <sah@ivgid.org>

Sent: Jul 12, 2023 11:26 AM

To: s4s@ix.netcom.com <s4s@ix.netcom.com>

Cc: Matthew Dent <dent_trustee@ivgid.org>, Sara Schmitz <trustee_schmitz@ivgid.org>, Michaela Tonking <tonking_trustee@ivgid.org>, Dave Noble <noble_trustee@ivgid.org>, Ray Tulloch <tulloch_trustee@ivgid.org>

Subject: RE: Records Request - Unreimbursed Internal Services Staff Time Expended on ARPA Grant Funding as Well as the Skate Board Park Project

Mr. Katz,

Thank you for following up on this records request. Our former District General Manager informed me, when this request was received, that he was going to handle this request personally. My recollection is that he told me that he discussed it with you verbally and that no further action was required. By your email of this morning, I am assuming that verbal discussion wasn't enough therefore I apologize and provide the following:

The history of this grant, and it is only one grant, was dialogued in the District General Manager's status reports which are available on the website; if you have trouble locating them, please let me know. The award of the grant came before the Board of Trustees, where it was approved, and that is also on our website and again, if you have trouble locating that item, please let me know. Further, I prepared the grant application with review from our Engineering Manager and former District General Manager. I submitted the application and worked with and continue to work with the Washoe County Grants team to ensure receipt of this non-competitive grant and its reporting which continues to date. As to any documents, those were included in the Board packet where this grant was approved.

Respectfully,

Susan

From: s4s@ix.netcom.com <s4s@ix.netcom.com>

Sent: Wednesday, July 12, 2023 8:10 AM

To: Susan A. Herron <sah@ivgid.org>

Cc: Matthew Dent <dent_trustee@ivgid.org>; Sara Schmitz <trustee_schmitz@ivgid.org>; Michaela Tonking <tonking_trustee@ivgid.org>; Dave Noble <noble_trustee@ivgid.org>; Ray Tulloch <tulloch_trustee@ivgid.org>

Subject: Re: Records Request - Unreimbursed Internal Services Staff Time Expended on ARPA Grant Funding as Well as the Skate Board Park Project

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

Hello Ms Herron -

Still waiting on this one.

It has been a boggling 6+ weeks!

Are you going to tell me you sent me records evidencing the same?

Aaron Katz

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

From: <s4s@ix.netcom.com>

Sent: May 26, 2023 3:13 PM

To: Susan A. Herron <sah@ivgid.org>

Subject: Records Request - Unreimbursed Internal Services Staff Time Expended on ARPA Grant Funding as Well as the Skate Board Park Project

Hello Ms. Herron -

I would like to examine two sets of records.

The first involves internal services' staffs' efforts to secure ARPA grant funding from Washoe County since January 1, 2022 ("scope of work"). It was revealed last night that at least Kate Nelson was involved in these efforts. Which ultimately resulted in a \$250K grant for renovations to the skate board park. Prior to that, there were unsuccessful efforts for funding of the export effluent pipeline.

And so we are clear, I want to examine records which reveal:

1. The names of all persons furnishing these services;
2. The date(s) they provided these services;
3. A word by word description of the services actually performed by these person(s);
4. The time expended for each of the services actually performed;
5. The time billed to a department other than internal services for each of the services actually performed;
6. The hourly rate(s) for the time billed to a department other than internal services for each of the services actually performed;
7. The identity of the department(s) other than internal services which were billed for each of the services actually performed;
8. The identity of each specific CIP to which internal services time with respect to this scope of work was billed;
9. Any out of pocket expense incurred in the prosecution of this scope of work which was billed to a department other than internal services;
10. The district chart of account number assigned for each of the services actually performed pursuant to this scope of work as well as out of pocket expense(s) incurred which were billed to a department other than internal services.

Please do not provide a recreated summary of all of the above merely demonstrating hours expended and at an applied hourly rate. I want to examine the source documents themselves.

Now let's move on to the skate board park renovation project in particular. I want to examine records which reveal:

1. The names of all persons whose salaries are assigned to internal services who furnished these services;
2. The date(s) they provided these services;
3. A word by word description of the services actually performed by these person(s). This would include but not be limited to Ms. Waters' research in anticipation of preparing a staff memo in support of last night's agenda item on this subject matter; Ms. Waters' staff memo presented in support of last night's agenda item on this subject matter; Ms. Waters' preparation in anticipation of appearing at last night's agenda item on this subject matter; Ms. Waters' time appearing at last night's agenda item on this subject matter; all work Ms. Waters has done since last night's Board meeting in prosecution of this scope of work as requested by the Board; etc.
4. The time expended for each of the services actually performed;
5. The time billed to a department other than internal services for each of the services actually performed;
6. The hourly rate(s) for the time billed to a department other than internal services for each of the services actually performed;
7. The identity of the department(s) other than internal services which were billed for each of the services actually performed;
8. The identity of each specific CIP to which internal services time with respect to this scope of work was billed;
9. Any out of pocket expense incurred in the prosecution of this scope of work which was billed to a department other than internal services;
10. The district chart of account number assigned for each of the services actually performed pursuant to this scope of work as well as out of pocket expense incurred which were billed to a department other than internal services.

Please do not provide a recreated summary of all of the above merely demonstrating hours expended and at an applied hourly rate. I want to examine the source documents themselves.

Continuing, in Ms. Waters' staff memo in support of last night's agenda item on this subject matter, she represented that she had obtained or created an updated cost estimate for this project totaling \$500,000. I would like to examine that cost estimate.

Finally, in Ms. Waters' staff memo in support of last night's agenda item on this subject matter, she represented that there were multiple phases to this project. I would like to examine records evidencing the number of phases to this project, and a description of the work involved in each phase.

Thank you for your cooperation. Aaron Katz

