

IN EFFORTS TO COMPLY WITH  
STATUTORY REQUIREMENTS, ENCLOSED  
ARE THE ABBREVIATED MEETING MINUTES  
OF FEBRUARY 8, 2023 AND FEBRUARY 22,  
2023. A MORE DETAILED AND  
TRANSCRIBED VERSION OF THESE  
MINUTES WILL BE FORTHCOMING AT A  
LATER DATE.

## MINUTES

### REGULAR MEETING OF FEBRUARY 8, 2023 Incline Village General Improvement District

#### ABBREVIATED MEETING MINUTES

The regular meeting of the Board of Trustees of the Incline Village General Improvement District was called to order by Board Chairman Matthew Dent on Wednesday, February 8, 2023 at 6:00 p.m. at the Boardroom, 893 Southwood Boulevard, Incline Village, Nevada.

#### A. PLEDGE OF ALLEGIANCE\*

The pledge of allegiance was recited.

#### B. ROLL CALL OF TRUSTEES\*

On roll call, present were Trustees Raymond Tulloch, Matthew Dent, David Noble, Sara Schmitz and Michaela Tonking.

Members of Staff present were Director of Parks & Recreation Sheila Leijon, District Project Manager Bree Waters, District Engineering Manager Kate Nelson, Director of Public Works Brad Underwood and Director of Finance Paul Navazio. Members of the public physically present were Mark Hestmark, Mark Helleckson, Linda Kahrs, William Kahrs, Judith Miller, Aaron Katz, Steve Dolan, Mike Abel, Margaret Martini, John Eppolito, Jack Dalton, Frank Wright and others.

#### C. INITIAL PUBLIC COMMENTS\*

Diane Becker read from a prepared statement, which is attached hereto.

Mark Hestmark commented that his parents bought a house in Incline Village in 1983; he has been visiting every year since then with his wife and they have been property Owners since 2012. He stated that he has never felt that Staff, whom are not property Owners, have ever impacted his ability to enjoy the beaches. He noted that he may not have entire access to all of the legal documents but upon reviewing the deed, it is a simple argument to make that allowing non-property Owner Staff access to the beaches is beneficial to the property Owners. He continued that he thinks it is a perquisite that is allowable and helps fill Staff functions that may not otherwise be able to be filled; therefore, having the Staff functions filled because there is a perquisite that a non-property Owner Staff person is allowed to have access to the beaches is a benefit. He continued that he also feels that there is some benefit in having people that work in the Community become a part of the Community; not allowing them to have access to the beaches prevents that from

happening. He stated he hopes this will be considered and he feels it is in line with the language in the deed that allows the Board to have the discretion to make that decision.

Mark Helleckson, Incline Village resident and IVGID employee commented that he apologizes that he does not have a written statement; he went home, took care of his dog and decided staying silent was not going to help anybody else. He stated he appreciates the comments that came before him for giving support to the employees; he knows that the majority of the Community is here to support the employees. He continued that unfortunately, there are quite a few Community members who do not want IVGID employees living in the Community or being a part of the Community; they feel it every single day. He stated he worked at the beaches for 2 summers; in fact, Chair Dent's wife made a public comment referencing him 2 summers ago as an exemplary employee who handled a tough situation well as he was having his life threatened by an Incline Village resident who did not have any reprimanding that occurred and was still allowed on the beaches everyday. He continued that was just one of about 100 incidences. He stated that the employees work their butts off and want to be a part of the Community; there are many employees that live in the Community that rent. He continued that it gets harder every day to be a part of a Community where they know they are not welcomed anymore. He stated that he knows that the beaches is a done deal and most people already knew what the decision was going to be going into the last meeting; they knew that it was a hopeless effort but they wanted to show that they do care and they hope that the Board of Trustees would support them. He continued that the number one way they could do that is by changing some of the things that are done to the seasonal employees who work year-round. He stated that he is lucky that he just received a year-round benefited position; he was seasonal for 4 years without taking a single sick day or vacation day because he was not entitled to it, even though he was working full time year round in 2 separate seasonal roles. He continued that he is begging the Board of Trustees to support the employees; allow the employees at ski to call in sick without having to lose out on a payday, give the people who are working at different venues a chance to take a vacation day where they don't have to worry about how big their paycheck will be and if they will be able to make rent. He continued that the District has had four individuals take their own lives in the last 5 years; the root cause is not feeling supported by the community. He stated that a lack of support system is the leading cause of suicides and all four who took their own lives, were people working season to season. He continued that two of them were good friends of his so this issue is near and dear to his heart and he is asking the Trustees to take a step back and think about how they can support the employees.

Linda Kahrs read from a prepared statement, which is attached hereto.

William Kahrs read from a prepared statement, which is attached hereto.

Judith Miller commented she can understand the employees' perspective; however, they need to become more informed about the practices in every other political subdivision, county, city and State; there are some statutes that preclude employees from receiving any benefits for which the general public has to pay. She continued that since property Owners pay the Recreation fee, in addition to paying for their guests, it seems totally inappropriate for employees who are not residents to receive that privilege just because of their employment. She stated she thinks employees need to feel compensated and appreciated; one way to show that might be to look at other jurisdictions to find out what their compensation packages consist of and ensuring that IVGID is among the best paid of any local agency in the Tahoe Basin or at least the State of Nevada. She continued that it is different in Incline Village; they do not have the same taxes that an employee would be subject to in California. She stated she read the part about the changes to Ordinance 7 and there was something that was confusing to her; she stated it sounded like if the Community is subdividing, and creating new parcels, those parcels did not exist at the time that IVGID was created or the beach deed came about. She asked if those new parcels such as the one contemplated for 947 Tahoe Boulevard, are subject to the Recreation fee and getting the benefit of Ownership; the wording is not clear to her. She continued that there is a Recreation fee, facility fee and beach fee and asked what if there were no facility fee, would there would be any punch cards that would have any value.

Aaron Katz provided written statements to be attached to the meeting minutes. He referenced 6 million dollars for a beach house cafeteria or 8 million dollars according to him; he thinks it is outrageous to be considered without going to the property Owners to see if they are in favor of it. He continued that there is a survey just to find out if there should be a dog park; there needs to be a survey to find out if there is a 6 million dollar cafeteria the property Owners are going to have to pay for. He asked when the Director of Parks & Recreation became a Director and when the Executive Chef became a Director and asked how much more money they are being paid to be a Director. He stated he could not get those simple answers to those questions from Staff; he thinks it is outrageous and the Community does not have the money to keep paying the overpriced employees. He stated that it does not matter what it is insofar as the District and Staff are concerned; in his opinion, everything is out of control as a practical matter and there is no fix. He continued that there is more than 50 years of experience whether it is the pond liner project or effluent pipeline project, trying to secure 595 funding from the Army Core of Engineers, which will never happen, even though Staff keeps holding out false hope. He referenced Marcus Faust making \$60K or more a year for nothing; he lies about his successes. He noted other items such as the Mountain Golf pathway project, RFID lift pass reading project, 6 or 8 million dollars

for the Incline beach house and 5 million dollars for a new pool. He commented from his favorite movie, Ferris Bueller's Day Off, "wake up and smell the coffee Mrs. Bueller". He stated that for those who think that any of this can be fixed, he has a couple of bridges in Incline Village that he would love to sell them; the fact of the matter is there is no fix. He continued that a wise man, many moons ago, stated that the fastest way to get out of a hole is to stop digging; he is asking everyone to stop digging, face reality and then deal with it.

Steve Dolan read from a prepared statement, which is attached hereto.

Mike Abel read from a prepared statement, which is attached hereto.

Margaret Martini read from a prepared statement, which is attached hereto.

John Eppolito welcomed and congratulated Trustee Tulloch and Trustee Noble and stated he thinks they will both do what they think is best for the Community; he wished them luck and stated he hopes they know what they are in for. He stated he has spent quite a few mornings at Diamond Peak; the grooming has been excellent and the General Manager of Ski seems to run a really good Ski resort from what he can see. He stated he wants to discuss something that is indirectly related to Incline Village but very much part of the Community and some would say it is the highlight of the high school. He referenced the We the People Team; they recently took 3<sup>rd</sup> place in the State completion in Las Vegas out of 8 schools. He continued that the teams that took 1<sup>st</sup> and 2<sup>nd</sup> place are schools with 2000 kids; it is a selective process and they turn a lot of kids away from the program. He stated that Mr. Hyams at Incline High does not always get enough kids that want to do it some years and referenced the job that he is doing with the kids; it is the highlight of the High school in his opinion. He thanked Trustee Tonking for volunteering with the program.

Jack Dalton commented that he is distressed about how the whole management stuff has gone. He congratulated the new Trustees. He stated he spends a lot of time walking around and speaks to as many people as possible; he mentioned that one of the former Trustees said he still sees a psychologist 20 years later. He continued that he spoke to the wife of a late Trustee and apparently, he was threatened by the Golf; the Golf seems to be a new thing, 2 million dollars, but that is ok as its small potatoes. He continued by explaining that he was threatened because he wanted to do something and the family said if he runs again, he is out of the relationship. He referenced the issue about the beach café and the Times and Wall Street Journal; he stated that the restaurants like Starbucks, etc. are not doing in-house dining but they are doing take out. He stated that many people he talks to, of all ages, do not know anything about the effluent pipeline; the Community needs to change how information is transmitted. He continued that the

small synopsis that is sent out by IVGID is inefficient; there needs to be more information for the Community so they can have input. He stated everyone drinks the cool-aid of whatever persuasion; he likes cool-aid with sugar in it.

Frank Wright commented that he would like to correct some of the members of the Community who spoke earlier regarding employee access to the beaches. He stated he is glad they are here fighting like crazy for the employees and he thinks it is commendable; they have his heart. He continued that it burns him to death that they find ways to get the employees who live in Reno on the beaches while there are people in the Community who are not allowed on the beaches and he is one of them. He stated it is sick and the employees do not belong on the beaches; he was on Ordinance 7 and the first thing he asked is what the employees are doing on the beaches; it is a violation of the deed. He continued that the second thing he said was to follow the deed; if the deed is in violation, the beaches will be opened up to the world's tourist. He stated he is living with the fact that the Crystal Bay residents will not be allowed on the beaches; he will be damned if he will allow employees from Reno and their families to go on the beaches for free while there are people who live in the Community who have to follow hoops that Ordinance 7 came up with to get their families on the beaches while paying. He stated his heart goes out to people if that cannot see that. He continued that Trustee Noble has made it public that he believes if you own property in the Community, you can let anyone on the beaches including the IVGID property holders. He stated that IVGID is a property Owner and so is Washoe County, the Forrest Service and the Indian Tribes; they all fall into the 1968 criteria. He asked if he wanted to open the beaches up to all their employees, everyone in Reno and the University of Nevada. He continued that he does not think he has a clue of what he said and he should go back and pay attention; the beaches belong to the people here and they are protected by the deed. He referenced Ordinance 7 and stated it was a General Manager's sham; he does not see anyone from the Ordinance 7 Committee invited to speak. He continued that he would like to speak about what took place and what was done to the people living here. He stated he does not have access to the beaches but people are being cheated by a General Manager who drug his feet for two years and tried to get an attorney that was being forced upon him by the people on the Committee, He continued that when an attorney opinion was finally received, he sat on it for at least a year because he has a conflict of interest as he negotiated with the attorney; he asked what he is doing negotiating with the attorney. He stated he is an employee from Reno and \$50K was spent for one attorney to read 1.5 pages; money is being blown.

Yolanda Knaak commented it has been interesting listening to the meeting; she stated she wanted to say thank you for sending out the letter from the Board of Trustees to the IVGID Staff. She asked how many people who spoke on the beach

issue read the letter; information needs to be sent out to the Community, which does not seem to be happening. She stated she got a picture pass ID when she rented in 2016 when she moved to the Community; she does not understand why there are people renting and not getting a picture pass ID. She continued that she does think a comparison of other jobs needs to be done and suggested looking into what other benefit could replace the beach access.

Paul Smith read from a prepared statement, which is attached hereto.

Andrew Wyman stated he has 3 comments to make; the 1<sup>st</sup> one he thinks the Board will enjoy, the 2<sup>nd</sup> one he is not sure and the 3<sup>rd</sup> one not so much. He commented that he tried to watch part of the first few meetings of the new Board and he would like to congratulate the Board and Chairman for the following reasons: there has been a real effort to include commentary from the different Trustees and he finds that a welcome change than how the Board has functioned in the past. He stated that people discuss issues and talk about their perception of things; there may be meetings in the future wherein people will change their mind in the meeting. He referenced the conversation about Flashvote and stated he was less impressed with that; when talking about voting, you need to know about the liability and validity. He stated unless he knows that Flashvote is a reliable and valid procedure, it is useless and he did not hear any discussion about that. He continued that there was one member who talked about other opportunities to use voting and perhaps doing it for less money; it was never explored or discussed in the meeting, yet it was voted on. He referenced workforce housing and stated a member of Staff made a public comment in a meeting that IVGID does not deal with workforce housing; he disagree with this and mentioned there was a long discussion on this issue a number of years ago in front of the Board. He continued that the Board ultimately voted 3-2 against workforce housing; his understanding is that the attorney at that time, thought it was a reasonable thing. He asked that this issue be looked at more carefully or at least talk about the impact of the workforce housing from the County and TRPA and how it affects IVGID. He stated he was disappointed by the way the Board went about the beach access issue.

**D. APPROVAL OF AGENDA (for possible action)**

Trustee Tulloch requested that item E. 1. be moved from the Consent Calendar to General Business. Trustee Schmitz requested moving General Business item F.8. further up as it has public interest and she would like people to hear the discussion. Trustee Noble suggested moving it to the first item. Chairman Dent stated there are people present for public interviews and suggested moving it to be the third item. It was determined that item E.1. would become item F.4 and F.8 would become F.3. The agenda was approved as revised.



**E. CONSENT CALENDAR (for possible action)**

- E.1. SUBJECT: Authorize the District General Manager to Reallocate \$50,000 From Available Salary Savings in the FY 2022/23 Aquatics Budgets for the Recreation Center Pool (\$21,000, account 350-48- 850) and Burnt Cedar Pool (\$29,000, account 390-39-850) to Aquatics Contractual Services (Recreation Center - 350-48-850-7330) and Burnt Cedar (390-39-850-7330), and Approve a Preventive Maintenance Purchase Order to Lee Joseph, Inc., Not to Exceed \$50,000 to Maintain District Swimming Pools for the Remainder of FY 2022/23 (Requesting Staff Member: Director of Parks & Recreation Shelia Leijon) *(This item was moved to General Business Item F.4.)***
- E.2. SUBJECT: Authorize the District General Manager to Execute a Statement of Work with OpenGov, Inc. for Re-integration of the District's Financial Reporting and Transparency Tool with the Tyler Munis Financial System at a Not-to-Exceed Cost of \$16,650 (Requesting Staff Member: Director of Finance Paul Navazio)**

Trustee Tonking made a motion to approve the consent calendar;  
Trustee Tulloch seconded the motion.

Trustee Schmitz asked if the Tyler Munis system has an interface that would be appropriate for the general public and is that the reason why this has to be completed with OpenGov; she mentioned that OpenGov is not an intuitive tool. Trustee Tulloch stated he understands that Tyler Munis is supposed to have its own reporting system so he is confused as to why this is here. Director of Finance Paul Navazio stated it does not; it does have some reporting capabilities and some public facing capabilities but it is not on the par with the functionality with OpenGov. There was some additional discussion on this subject.

Chairman Dent called the question and the motion passed unanimously.

**F. GENERAL BUSINESS (for possible action)**

- F.1. SUBJECT: Review, Discuss and Possibly Appoint Two (2) Board of Trustees Members to Serve on the Audit Committee Effective February 28, 2023 (Requesting Staff Member: District General Manager Indra Winquest)**

District General Manager Winquest proved an overview of the submitted



material. There was discussion on this item.

Trustee Tulloch made a motion to appoint Trustee Tulloch and Trustee Schmitz to the Audit Committee as the Trustees. Chairman Dent seconded the motion. Chair Dent called the question and the motion passed unanimously.

**F.2. SUBJECT: Review, Discuss, and Interview Two Candidates (Mr. Cliff Dobler and Mr. Chris Nolet) for One (1) At-Large Audit Committee Position and Review, Discuss and Possibly Appoint One (1) At- Large Audit Committee Member, Effective February 28, 2023, to a Two Year Term (Term Ending June 30, 2025) (Requesting Staff Member: District General Manager Indra Winquest)**

Chairman Dent noted that Mr. Dobler has withdrawn his application. District General Manager Winquest provided an overview of the submitted materials. Mr. Nolet, the sole applicant, was given the floor for a statement and an interview ensued.

Trustee Tulloch made a motion to appoint Chris Nolet as the Audit Committee Member-at-Large for a two-year term. Trustee Noble seconded the motion. Chairman Dent called the question and the motion passed unanimously.

**F.3. SUBJECT: Review, Discuss and Possibly Approve Staff Recommendation to Issue a Request for Proposal (RFP) for Design Services by an Architect and Engineering Team, and for Preconstruction Services by a Construction Manager at Risk for the Incline Beach House Project (Requesting Staff Member: District Project Manager Bree Waters) (*formally General Business Item F.8.*)**

District Project Manager Bree Waters provided an overview of the submitted material. There was much discussion on this item. It was determined that the next steps will include creating a Flashvote Community survey to obtain feedback from the community regarding the Incline Beach House project. Additionally, the Board of Trustees and Staff will continue to review and determine next steps related to the LSC traffic and safety study with the goal of developing overall project planning at the beach properties.

- F.4. SUBJECT: Authorize the District General Manager to Reallocate \$50,000 From Available Salary Savings in the FY 2022/23 Aquatics Budgets for the Recreation Center Pool (\$21,000, account 350-48- 850) and Burnt Cedar Pool (\$29,000, account 390-39-850) to Aquatics Contractual Services (Recreation Center - 350-48-850-7330) and Burnt Cedar (390-39-850-7330), and Approve a Preventive Maintenance Purchase Order to Lee Joseph, Inc., Not to Exceed \$50,000 to Maintain District Swimming Pools for the Remainder of FY 2022/23 (Requesting Staff Member: Director of Parks & Recreation Shelia Leijon) *(formally item E.1.)***

Director of Parks & Recreation Sheila Leijon provided an overview of the submitted material. There was much discussion on this item.

Trustee Schmitz made a motion to authorize the District General Manager to reallocate \$50,000 from available salary savings in the FY 2022/23 Aquatics Budgets for the Recreation Center Pool (\$21,000, account 350-48- 850) and Burnt Cedar Pool (\$29,000, account 390-39-850) to Aquatics Contractual Services (Recreation Center - 350-48-850-7330) and Burnt Cedar (390-39-850-7330), and Approve a Preventive Maintenance Purchase Order to Lee Joseph, Inc., Not to Exceed \$50,000 to Maintain District Swimming Pools for the Remainder of FY 2022/23. There was an amendment to the motion to include that Staff advise should the amount exceed the \$40,700.00 proposed bid amount. Trustee Tulloch seconded the motion and amendment. Chairman Dent called the question and the motion passed unanimously.

- F.5. SUBJECT: Review, Discuss and Provide Direction and Comment to Staff on the Fiscal Year 2023 IVGID Utility Rate Study and Direct Staff to Prepare Documents and Utility Rate Schedules for a Water Utility Rate Increase and Sewer utility Rate Increase- Including a Presentation by HDR (Requesting Staff Member: Director of Public Works Brad Underwood) *(formally General Business Item F.3.)***

Director of Public Works Brad Underwood provided an overview of the submitted material. Mr. Shawn Koorn, from HDR Engineering, provided a presentation. There was much discussion on this item. It was determined that Staff will bring back draft utility rates with the requested clarifications at the March 8, 2023 Board of Trustees meeting. Additionally, a public hearing



date will be set at this time.

**F.6. SUBJECT: Review, Discuss, and Provide Direction to Staff Regarding the Board Rules and Potentially Update the Related Board Policy (Requesting Trustee: Chairman Matthew Dent) *(formally General Business Item. F.4.)***

Chairman Matthew Dent provided an overview of the submitted material. There was some discussion on this item. It was determined that there would be changed to Policy 3.1.0 with regards to presentation timelines by vendors and the Code of Conduct regarding a section on the Board Packet. Trustee Schmitz volunteered to work on a draft and bring it back at a future meeting.

**F.7. SUBJECT: Review, Discuss, and Possibly appoint Board Liaisons for Departments and/or Special Tasks (i.e. Contracts, Flashvote, Etc) (Requesting Trustee: Sara Schmitz) *(formally item F.5)***

Chairman Dent and Trustee Schmitz provided an overview of the submitted material. The following liaisons were selected by the Board of Trustees:

Chairman Dent: Public Works Building Projects and Flashvote Services  
Trustee Schmitz: Contracts and Beaches  
Trustee Noble: Diamond Peak Ski  
Trustee Tulloch: Public Works  
Trustee Tonking: Parks & Recreation and Golf

**F.8. SUBJECT: Review, Discuss, and Potentially Adopt Policy and Procedure No. 143/Resolution No. 1899 Regarding Public Records and Public Information Including Tracking Staff Time (Requesting Trustee: Chairman Matthew Dent)**

Chairman Matthew Dent and District General Counsel Josh Nelson provided an overview of the submitted material. There was much discussion on this item. The Board of Trustees provided direction to District General Counsel to bring back the draft policy with revisions. The Board also instructed Staff to track the time spent on public records requests for 6 months in effort to evaluate if fees should apply.

**F.9. SUBJECT: Review, Discuss and Possibly Set a Public Hearing Date (April 12, 2023) for Ordinance 7 and Review, Discuss and Possibly Provide Feedback on Draft Redline Ordinance 7**

**Revisions as Provided by Staff (Requesting Staff Member:  
Director of Parks & Recreation Shelia Leijon)**

Director of Parks & Recreation Sheila Leijon provided an overview of the submitted materials and proposed revisions. The Board of Trustees provided feedback and direction for revisions pertaining to Ordinance 7 and an updated draft of the revisions will be placed on the March 8, 2023 agenda.

Trustee Schmitz made a motion to hold the public hearing on April 12, 2023. Trustee Tulloch seconded the motion. Chair Dent called the question and the motion passed unanimously.

**G. REPORTS TO THE BOARD**

**G.1. District General Manager's Report**

District General Manager Winqest provided an overview of the submitted material.

**G.2. Treasurer's Report (Requesting Trustee: Treasurer Raymond Tulloch)**

Trustee Tulloch provided a report to the Board of Trustees.

**H. REVIEW OF THE LONG RANGE CALENDAR (for possible action)**

Trustee Noble requested that an item be added regarding having a committee for workforce housing for seasonal employees. Trustee Schmitz asked that the conflict of interest disclosure policy, employee recreation benefits, disengaging with the Nevada Division of Land Contract, District General Manager review process and the capitalization policy be added to the long range calendar. Chairman Dent requested to remove item 4 from the February 22, 2023 meeting. He asked to ensure that the notes about Trustees being on vacation be added to the very top and not listed as a number. Trustee Tulloch stated the Board of Trustees needs to discuss a strategy on how Board correspondence will be received and addressed. There was additional discussion on the long range calendar.

**I. FINAL PUBLIC COMMENTS\***

Jack Dalton commented he is not running for anything; he is interested in improving things. He stated he and his family members were verbally assaulted; he made the proper reports and he never had any follow up with senior Staff. He

referenced the Code of Conduct and stated this situation would be in violation of that conduct. He referenced the Advisory Committee and asked why the District General Manager can establish them; he mentioned this this seems like a conflict as they should be established by the Board of Trustees. He stated he wonders if the participation at the meetings is decreasing because the meetings are held at the Boardroom; he noted that there were always more people at the Chateau at every meeting. He stated he likes the Chateau and he would like to see more people at the meetings; there is an issue with information not getting out to the members of the Community. He asked if there is a way to do a table of content on the Livestream.

Cliff Dobler read from a prepared statement which is attached hereto.

**J. BOARD OF TRUSTEES UPDATE**

No updates at this time.

**K. ADJOURNMENT (for possible action)**

The meeting was adjourned at 12:30 a.m. on Thursday 2/9/2023.

Respectfully submitted,

Melissa N. Robertson  
District Clerk

Attachments\*:

Submitted by Diane Becker

Submitted by Linda Kahrs

Submitted by William Kahrs

Submitted by Aaron Katz

Submitted by Steve Dolan

Submitted by Mike Abel

Submitted by Margaret Martini

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Submitted by Paul Smith

Submitted by Cliff Dobler

Deane Becker 2/8/2023

Handout to Board

1<sup>st</sup> page is 5 areas to consider for additional new provisions to O7 to assure that passes get to the correct people under the beach deed.

3d page is some minor language changes to draft before you tonight.

**1<sup>st</sup> area for your further consideration is tenants of apartments and single family.**

Public comment by employee who can't get passes. I have heard the this is common.

This was raised at )7 and I apologize because it was not addressed but should be addressed now.

I have heard people say can't mandate passes for tenants because owners get to give them out as they like. I disagree. **READ BEACH DEED** page 1 line 30 to page 2 line 6.

If you feel that you cannot mandate, I urge you to not allow managers or agents to get punch cards, but instead require owners to designate tenants or get punch cards themselves in rental units, since those will not be STRs

If you can't do either, what can we do in O7 or start a marketing campaign like "HELP US BUILD A SUSTAINABLE INCLINE VILLAGE WORKFORCE. Give your Tenants Picture Passes."

**3d area is the people who may become eligible for beach access by virtue of zoning and development code changes by WC and TRPA.**

See map which I handed out. Look how large the areas are that are in the Tahoe Area Plan as Town Centers and think how many parcels these encompass that were formerly commercial and will become high rise condominiums because of the change last month made by WC to its Tahoe Area Plan allowing increased height, concentration and density of residential highrises in town centers. These were all commercial parcels in 1968 and up until 2020. Now the one approved project is 40 condos and 1 commercial property. Had 5 RP, and will have 40 x 10 plus 5 for 405 RP. That could happen on every parcel and more importantly there are new proposed amendments being developed that we will be told about in April 2023 that will further increase height, density and concentration to allow far more units.

**2d area is the hotel provision that was added at the absolute last minute to the 2022 Amendment to O7 to Allow each hotel to get up to 75 beach passes a day for hotel occupants,** I believe in addition to their 5 passes as a commercial parcel. The numbers of a total of 56 + 235, for a total of 291 total beach visits don't justify allowing every hotel to have 75 beach visits every day. If you look at the town centers, some have tourist zoning which will support more hotels. Hopefully the Parkside Inn will look at this for the benefit of the community and not threaten to sue and a more reasonable number of passes could be developed. Also the Hotel occupant guest fee was set at a minimum of \$16.00 per guest per day, the same as parcel owner guests. That does not amortize the cost of the new pool, or the Incline Beach upgrades, etc. that are coming. That number really should be evaluated.

**4<sup>th</sup> Area ADUs**

I want to thank General Manager IW and the Director of Parks and Recreation Sheila Lejon for so quickly responding to the email I sent to them on Sunday about pending questions on the beaches. One take-



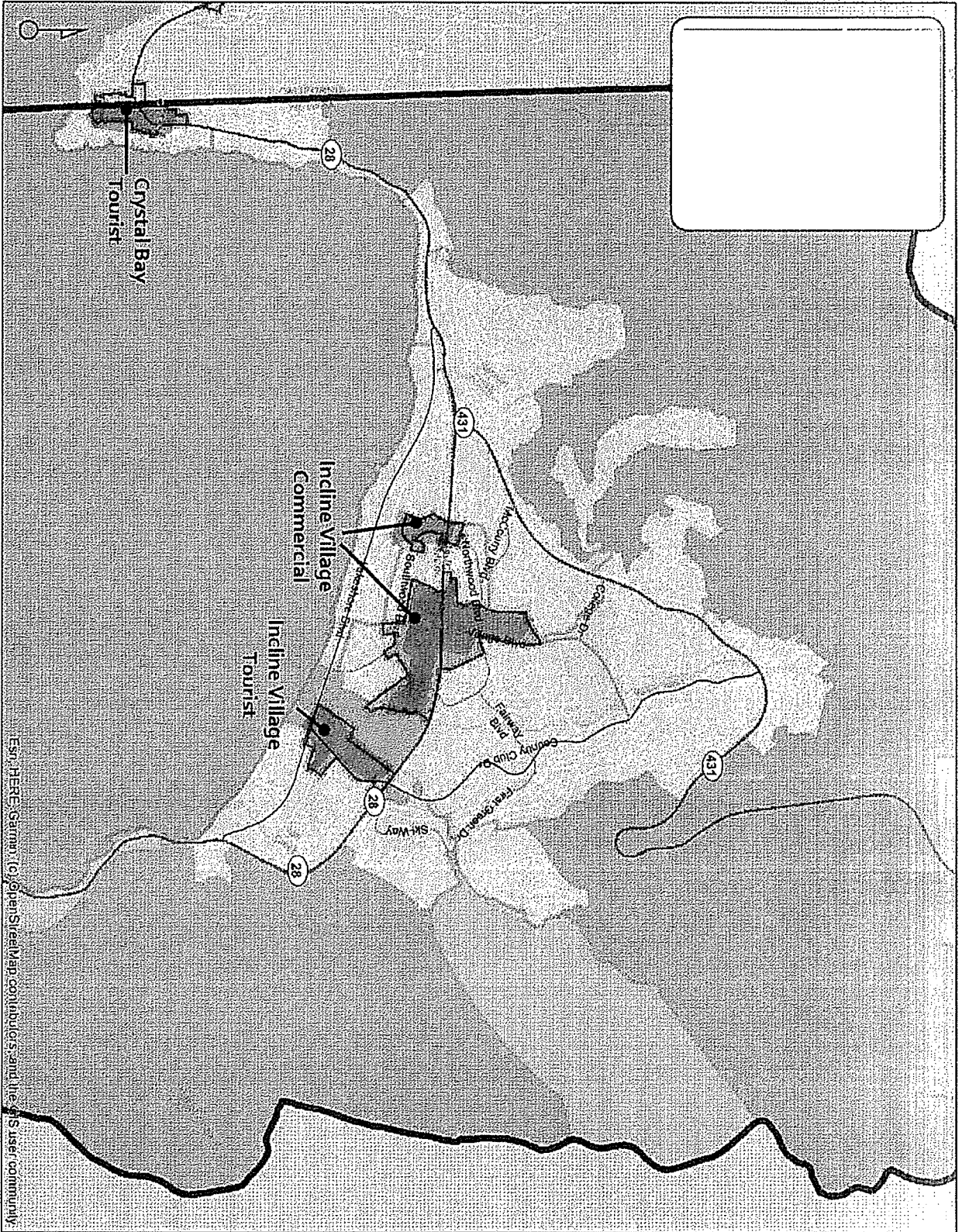
away is that the IT Dept cannot track beach visits to a parcel, and recommend changing the number of guests per card and tying guests to a picture pass.

**ADDITIONAL AREAS FOR BOARD OF TRUSTEES TO CONSIDER IN ORDINANCE 7  
TO ASSURE THAT PASSES GET TO CORRECT PEOPLE UNDER THE BEACH DEED  
AND THAT BEACH OVER-CROWDING IS MITIGATED**

1. **Residential Tenants of Apartment Properties/Single Family Residential:** How to get Tenants with Leases of 6 months or more to receive Recreation Privileges for the residential units they are renting. Can regulations be put in and if not, a marketing campaign to Property Owners to "Help Support a Sustainable Workforce for Incline Village" by giving Recreation Privileges to Long Term Tenants.
2. **Hotel Properties:** Consider: # of Passes per Hotel Room for Occupied Rooms; Hotel Occupant Fee for Beach Access; Do Hotels both receive 5 Recreation Privileges (Cards) as a Commercial Parcel and the Passes Per Hotel Room for Occupants as of 2022 which is contrary to all historical documents?
3. **Recent and Upcoming Further Changes in Zoning in Commercial Town Centers:** Washoe County just voted to allow High Rise Multi-Family Condominium Units to be built in formerly commercial areas designated as town centers. (See town center areas under current Tahoe Area Plan, and be aware that as of April, 2023 and upcoming expansions in number of units by increased height and density being recommended by Staff).
4. **Auxiliary Dwelling Units (ADUs):** Currently only allowed on properties over 1 acre, but are proposed to be allowed in Washoe County for all residential parcels in Incline Village/Crystal Bay.
5. **Non-profits, Charities, Schools and Other Organizations:** Allow parcel owners who are members of a group to reserve group picnic areas for these organizations for recreational purposes only, but the organizations themselves are not beneficiaries under the beach deed. No commercial activities such as fundraising or membership drives should be allowed.

Respectfully submitted 2/8/2023,

Diane Becker, Local Resident



MAP 2.7: TOWN CENTER LOCATIONS

February 8, 2023

Re: February 8 Agenda, Item 7, Suggested language changes on Ordinance 7

Dear Trustees,

I have a few suggested language changes to paragraphs 40, 45, 46, 54, 77, 78, 79, 84(a), 85, 88, 103(a), described below:

- a. **Paragraphs 40 (and 17):** In the prior version of Ordinance 7, Beach Access was only for a commercial tenant principal or commercial tenant corporate office. At paragraphs 26, 29 and 43 of the 3/25/1998 version of Ordinance 7 which was in effect until the 2022 amendment, Recreation Privileges were intended only for a commercial tenant principal or commercial tenant corporate officer, and this should be added at paragraph 40 (ii) before the word "Tenant", so that it reads "... (ii) Owner of a principal or corporate officer of a Tenant of a commercial...".
- b. **Paragraphs 21 and 103(a) and (c):** A new definition of Department Heads was added by Staff to paragraph 21, which definition needs to be corrected to the current organization chart if the concept change in paragraph 103 is left in. The definition of Department Heads was added to expand the people enforcing Misconduct by Pass Holders at paragraph 103 (c) from the Director or Parks and Recreation to the Department Heads.
- c. **Paragraph 45:** If Recreation Privileges are suspended because property taxes are delinquent, I suggest adding language that the Pass Holder pay a reinstatement fee to the District so that District costs are covered.
- d. **Paragraph 46:** Staff deleted the following language which I proposed and I urge that it be reinserted if approved by the Board in concept: "Notwithstanding the foregoing: (i) a Residential or Commercial Tenant who receives a Recreation Punch Card may not use a Recreation Punch Card to bring Guests to the Beaches, and may not assign, transfer or give such Recreation Punch Card to another person; and (ii) if a Residential or Commercial Tenant ceases to be a Resident of a Parcel within the boundaries of the District, the Owner must immediately notify the District, and the IVGID Recreation Pass and the Recreation Punch Card must immediately be returned to the District. The District will immediately cancel the IVGID Recreation Pass and Recreation Punch Card in the name of a former Commercial or Residential Tenant, upon notification of termination of tenancy."
- e. **Paragraph 54** should leave in my proposed language requiring that the Property Owner sign the IVGID form Declaration of Domestic Partnership I drafted or some edited version. The form has the property owner indemnifying IVGID for their Domestic partner's actions and makes other promises and representations to IVGID.
- f. **Paragraph 77:** I recommend the language which I proposed be reinserted which has the Board approving policies on Hotel/Motel access: "Occupants of Hotels & Motels shall be provided access to the Beaches, if any, consistent with the terms of the Beach Deed and in compliance with a Board approved written District policy, as set forth in Exhibit "C" attached hereto (as amended from time to time) and in compliance with a written Board approved District verification and administration process, as amended from time to time. This written process, at a minimum, shall include the payment of a Hotel/Motel Occupant fee and include a reasonable limitation on the maximum number of Hotel/Motel Occupants to be provided

access per Hotel/Motel per day or per other time frame. Access shall be limited to occupants of the Hotel or Motel during the time that they are occupants, and not before Guest check-in or after Guest check-out from the Hotel/Motel.” I respectfully submit that the Board is responsible for setting privileges for the Hotels for the Beaches and should not delegate that responsibility.

g. **Paragraph 78:** Staff proposed deletion of the 1<sup>st</sup> sentence of this paragraph , “Parcels that were annexed to the District after June 4, 1968, are not eligible for Beach Access, per deed restrictions listed on the beach Deed, among other reasons.” This exact language is from prior versions of Ordinance 7 and is a separate concept from the second sentence and should not be deleted.

h. **Paragraph 79:** The last sentence needs to be changed to conform to the recently passed District Contracts Policy to say: “All contracts, including but not limited to contracts for the provision of food and beverage and services related to the Beaches that are executed between the District and third-party vendors must be approved by the Board.” Or this could be shortened to “All contracts related to the beaches must be approved by the Board”.

i. **Paragraph 84(a):** I recommend that the sentence I had drafted, which Staff deleted “Recreation Punch Cards cannot be given to a Guest by a Tenant or assignee, or transferred to a Guest by a Tenant or Assignee” should be added back in the draft. The historical documents reflect that Beach Access was intended in the past for Residents and Tenants have historically been accorded different access than parcel owners.

j. **Paragraph 85:** The language which I had drafted which staff deleted , “until new Recreation Punch Cards are issued on June 1 of the following year” should be put back in the draft.

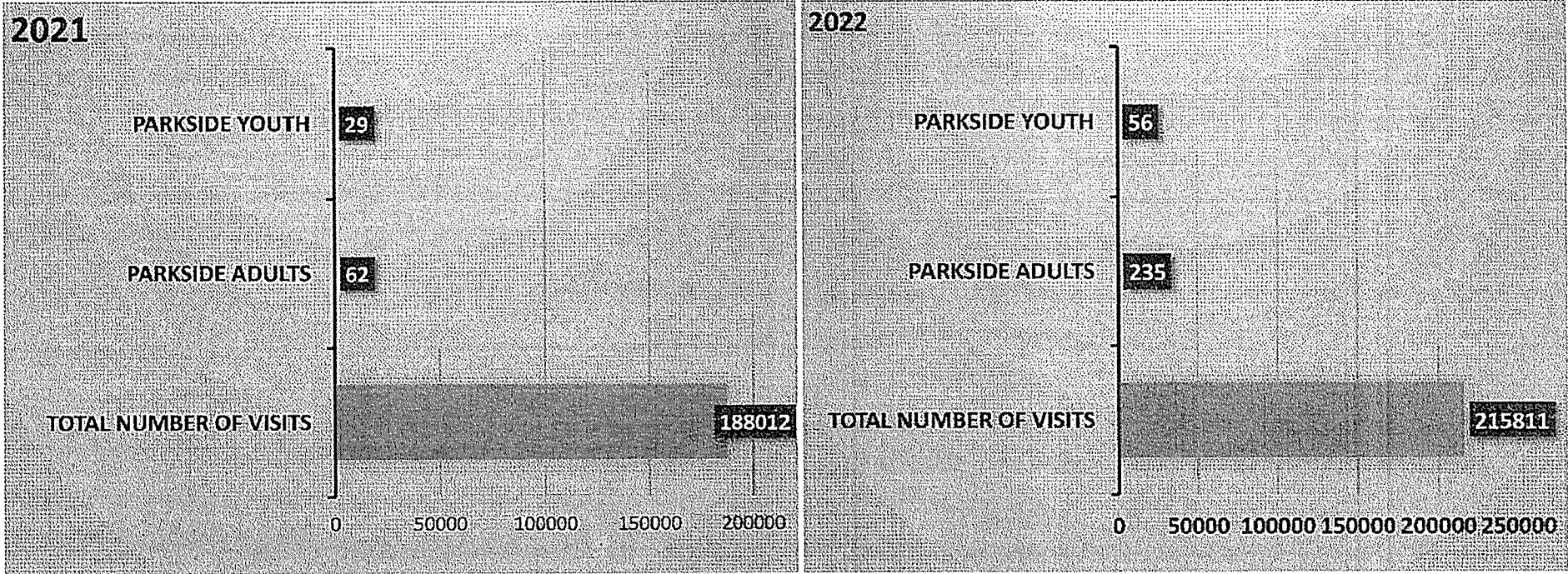
k. **Paragraph 88:** The sentence which I drafted and Staff removed should be put back in the paragraph: “For clarity, an Owner’s Agent can only distribute Recreation Punch Cards to Guests of the Owner to whom the Recreation Punch Cards were issued, including but not limited to Recreation Punch Cards of an Owner cannot be given to Guests of other parcel Owners or Guests of Tenant.” This is critical as even if it is hard to track, the parcel owners should be told that they cannot do this. I have been asked for my extra punch cards by friends, and a number of my friends have given their extra punch cards to friends who operate STRs.

l. **Paragraph 103 (c)(1)(a):** Change the sentence to “An email shall be sent to the Alleged Violator and Owner, to the extent an email address has been given by the Owner to the District. A....”

Thank you in advance for your kind consideration.

Diane Becker

# Parkside Inn Visits 2021 2022



One District ~ One Team

We find it quite disturbing that 3 Trustees, Schmidt, Dent and Tulloch, would not vote to permit a MINOR approximate 2 week delay regarding the decision to revoke the beach privileges of non -resident IVGID employees.

Trustee Noble, an ATTORNEY, was asking for a professional courtesy. After hearing the public comments at the board meeting, he requested a SHORT period of time to REVIEW additional information regarding the Deed prior to a final vote by all Trustees, as did Trustee Thomkins. There was no rush for this decision.

Our US Constitution and other legal documents such as Deeds are interpreted often as to INTENTION. (Perfect example is the controversy on the US second amendment. ) I am sure the Crystal Bay Development company, if they knew today's economic environment in Incline Village, would allow the IVGID Board to determine that the benefit to the community allowing beach access for employees is a benefit to the property owners.

IVGID is the grantee in the Deed. The Deed allows that IVGID IS TO MAINTAIN the property for recreation for the benefit of property owners and their tenants (including motels and hotels) as THE BOARD OF TRUSTEES MAY DETERMINE. The Board can and should determine that for recreation purposes all IVGID employees



are a benefit to the property owners by the mere fact that they keep the community in good working order and therefore should be entitled use all facilities.

In light of staffing and housing issues, this is a reasonable interpretation of the Deed.

IVGID is a property owner and the employees are guests of IVGID as they work on the property. This is no different than a guest of a hotel or motel who is allowed to use the property.

For approx. 45 years IVGID employees have been given beach access. There is no legal liability that has been incurred. Why now?

This PRECEDENT that has been set by the board and the IVGID district for the past 45 years ALLOWING employees access to beaches should not be taken LIGHTLY.

Especially in light of the number of IVGID attorneys in the past that have reviewed the Deed and been supportive of past district actions ALLOWING such access.

To continue the topic of beach access:

Washoe County gave IVGID 87 PARCELS. <sup>AS</sup> Since ~~IVGID~~ is a parcel holder, IVGID should be able to pay monies, <sup>db</sup> as other parcel holders, and get passes for employees. The cost would be minimal. We recommend that Trustees establish an independent committee, separate from the Ordinance 7 committee, to research this option.

We are very concerned about the possible fallout from the beach access vote by the 3 board members. ~~The GM knows how many people do we need to run the beach for the summer.~~ Should the decision by the 3 Trustees not be rescinded, we respectfully request that the ~~board~~ Trustees, individually and collectively and positively, help with the potential staffing issues, <sup>The COMMUNITY</sup> because ~~we, the property~~ owners, could be negatively impacted by the lack of proper staffing.

<sup>Full</sup> Please know that we support the General Manager and the hardworking, valued, IVGID STAFF. We appreciate their work.

TRUSTEE BEHAVIOR

The dismissive comments made by Trustee Tulloch regarding the bilingual language materials was offensive. We all know that the supermajority of non-English speakers <sup>INCLINE</sup> in ~~IV~~ are Spanish speakers. ~~To have a trustee who is to represent~~

229 W

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~~the citizens of the community~~ <sup>To have a TRUSTEE</sup> make a joke, ~~and~~ citing Gaelic or referencing multiple

language signs in CANADA is ~~again~~ offensive. ~~Snide comments are not befitting to~~

~~an IVGID TRUSTEE~~ <sup>We know that</sup> 45 % of Incline students are English learners.

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PUBLIC COMMENTS:

At the last board meetings a citizen calling in made a disparaging public comment and called an IVGID EMPLOYEE who was presenting statistics on beach attendance a liar. This comment was slanderous, offensive, and inflammatory.

Trustees, PLEASE be mindful of the Nevada Open Meeting Law manual part of which is Referenced at the bottom of this paper:

Furthermore, People attending or listening to board meetings do not always know whether something is true or false. We respectfully request that the appropriate Trustees immediately shuts down disparaging, bullying public comments when they occur.

We again request that All community members and Trustees be respectful, factual, and not disparaging in their public comments.

P95

ONE FINAL REQUEST: Trustees, PLEASE rescind your beach access vote and allow further study.

NEVADA OPEN MEETING LAW MANUAL:

"A public body's restrictions must be neutral as to the viewpoint expressed, but the public body may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the public body, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers. See AG File No. 00-047 (April 27, 2001)."

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN  
MINUTES OF THE IVGID BOARD'S REGULAR FEBRUARY 8, 2023 MEETING –  
AGENDA ITEM C – PUBLIC COMMENTS – OUR STAFF DO NOT SPEAK THE  
TRUTH WHEN THEY INFORM US WHAT OUR RECREATION (“RFF”) AND  
BEACH (“BFF”) FACILITY FEES PAY FOR – SO I’M SETTING YOU UP FOR  
THE LIES WHICH WILL SOON PLAY THEMSELVES OUT TO SUPPORT  
STAFF’S PROPOSED 2023-24 BUDGET**

**Introduction:** Well “here’s another one” according to my friend DJ Khaled<sup>1</sup>! I keep telling the IVGID Board and the public that the District is not being properly managed<sup>2</sup> and as a consequence, the facilities and services it furnishes can be more effectively provided by another district<sup>3</sup> or Washoe County. Or more preferably, IVGID should simply be dissolved<sup>3</sup>. However in the interim, and in order to provide evidence in support of dissolution, let’s examine the waste the District engages in which ends up costing local parcel/dwelling unit owners even though this waste has nothing to do with their availability to recreation facilities and programs. it’s the same old, same old. Advancing the narrative to the less informed that the RFF/BFF represent legitimate NRS 318.197(1) standby service charges for the mere availability to access and use the District’s public recreational facilities/beaches. And that’s the purpose of this written statement.

**My E-Mail of February 4 2023:** On February 4, 2023, after reading the packet of materials prepared by staff in anticipation of this evening’s meeting<sup>4</sup> (“the 2/8/2023 Board packet”), I sent the

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<sup>1</sup> Go to <https://www.djkhaledofficial.com/>.

<sup>2</sup> NRS 318.515(1)(a) and 318.515(3)(a)-(d) instruct that “upon notification by the Department of Taxation or upon receipt of a petition signed by 20 percent of the qualified electors of the district, that...a district of which the board of county commissioners is not the board of trustees is not being properly managed...the board of county commissioners of the county in which the district is located shall hold a hearing to consider...(a) adopt(ion of) an ordinance constituting the board of county commissioners, *ex officio*, as the board of trustees of the district; (b) adopt(ion of) an ordinance providing for the merger, consolidation or dissolution of the district...(c) fil(ing) a petition in...district court for the...appointment of a receiver for the district; or, (d) determin(ing) by resolution that management and organization of the district...remain unchanged.”

<sup>3</sup> NRS 318.490(1)-(2) instruct that “whenever a majority of the members of the board of county commissioners...deem it to be in the best interests of the county and of the district that the district be merged, consolidated or dissolved, or if the board of trustees of a district, by resolution...agrees to such a merger, consolidation or dissolution, the board of county commissioners shall so determine by ordinance, (that)...(b) the services of the district are no longer needed or can be more effectively performed by an existing unit of government (or)...that the district should be dissolved, merged or consolidated.”

<sup>4</sup> Go to [https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT\\_Agenda\\_-\\_020823.pdf](https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT_Agenda_-_020823.pdf).

Board an e-mail<sup>5</sup> informing members of the fact that staff were about to lie to them about the RFF/BFF and how it is not what they represent.

**Staff's Representations re the RFF/BFF:** These are staff's very words: "Each year, the District establishes an annual Recreation Facility Fee and Beach Facility Fee to be collected from property owners within the District through a levy placed on the property tax bill and collected on behalf of the District by the Washoe County Tax Collection Office...As part of the annual budget process, the Board is required to approve a resolution which outlines the billing and collection process set forth in Nevada Revised Statutes 318.197 (**establishing standby service charges for services and facilities furnished by the District**) and 318.201 (establishing the method of collection), as well as the preliminary amount of the Recreation Facility Fee (RFF) and Beach Facility Fee (BFF)."<sup>6</sup>

The resolution the Board adopts<sup>7</sup> expressly incorporates a "REPORT FOR COLLECTION ON THE COUNTY TAX ROLL OF RECREATION STANDBY AND SERVICE CHARGES (ALSO KNOWN AS THE RECREATION FACILITY FEE AND BEACH FACILITY FEE)."<sup>8</sup>

**NRS 318.197(1)'s Representations re Standby Service Charges:** "The board may fix, and from time to time increase or decrease...recreational facilit(y)...rates, tolls or charges other than special assessments, including, but not limited to, service charges and standby service charges, for services or facilities furnished by the district, **charges for the availability of service**, annexation charges, and minimum charges."

Standby service charges are *not* "charges for services or facilities furnished." Rather, they are "charges for the (mere) availability of service."

**But Listen to What Staff Tell Us the RFF/BFF Really Represent:** The "FY2022/23 budget assumes the Community Services Fund will end the fiscal year with an unrestricted net position of \$12.12 million, or \$6.70 million above the Board's reserve policy level...The Beach Fund is expected to end the 2022-23 fiscal year with a fund balance of \$5.28 million. While this level of fund balance is \$4.7 million above the Board's reserve policy level, **funds are being set aside to support future Board-priority capital projects identified in the Beach Master Plan**, to include renovation of the Incline Beach House and improvements to beach access and circulation for both vehicles and pedestrians."<sup>9</sup> In other words, *not* the availability of service. But the accumulation of fund balance to

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<sup>5</sup> This e-mail is attached as Exhibit "A" to this written statement.

<sup>6</sup> See pages 224-225 of the packet of materials prepared by staff in anticipation of the Board's May 26, 2022 meeting ["the 5/26/2022 Board packet" ([https://www.yourtahoeplace.com/uploads/pdf-ivgid/05-26\\_-\\_Rev\\_1-1.pdf](https://www.yourtahoeplace.com/uploads/pdf-ivgid/05-26_-_Rev_1-1.pdf))].

<sup>7</sup> See pages 228-231 of the 5/26/2022 Board packet.

<sup>8</sup> See pages 232-237 of the 5/26/2022 Board packet.

<sup>9</sup> See page 033 of the 5/26/2022 Board packet.

pay for future unidentified/unappropriated capital improvement projects ("CIPs"). **These are not legitimate standby service charges!**

**Conclusion:** No one likes calling his/her public employees crooks or liars. But that's what we have here! And if that's what we have, what is the consequence? And why do you as Board members sit by idly accepting this unacceptable state of affairs?

**And You Wonder Why the RFF/BFF and the Water/Sewer Utility Rates and Charges Which Pay For This and Other Similar Waste Which Local Parcel/ Dwelling Unit Owners Are Forced to Involuntarily Pay is Out of Control?** I've now provided more answers.

**Prologue:** To those of you who are regular readers of my written statements attached to the minutes of Board and Audit Committee meetings. I've come to the conclusion that it doesn't matter what it is insofar as the District and our staff are concerned. Everything is out of control and as a practical matter, there is no fix. We have more than fifty (50) years' experience. Whether it's the pond liner project; or Phase II of the effluent pipeline project; or trying to secure Army Corps of Engineers 595 funding which will never, never, never be secured even though staff continuously hold out false hope; or paying Marcus Faust \$60K or more annually for NOTHING, and then lying to us Brad Underwood about his successes; or the Mtn Golf cart pathway re-pavement project; or the RFID lift pass reading system at Diamond Peak; or \$6M (or \$8M or more according to me) for a new cafeteria at Incline Beach; or \$5M for a new pool at Burnt Cedar Beach; or new golf carts at the Champ Course which were supposed to have saved us tens of thousands of dollars in existing cart battery exchanges, but did not; or the dog park; or the failed Rec Center expansion project and blaming Trustee Schmidt for its failure; or the Ordinance 7 committee; or the \$50,000 of legal fees with the Balkenbush law firm for recommendations and advice concerning violations of the beach deed; or the Mark Smith litigation fiasco; or the Kevin Lyons/Flashvote litigation fiasco; or the Tyler/Muis software system which isn't integrated with OpenGov; or our utility rates which subsidize staff's money losing businesses to local residents' prejudice; or spending \$1M or more annually of our RFF on marketing; or the propaganda rag we know as the IVGID Quarterly; or use of our private beaches for baptisms and circumcisions (in other words, purposes other than recreation for the benefit of local parcel owners with beach access); or pool furniture for GOD's sake; or opening up our private beaches to the public under the guise of a "public safety pier;" etc., etc., etc...Don't you people get it? It's EVERYTHING!

And I'm the problem?

From my favorite movie, "wake up and smell the coffee Mrs. Bueller!"<sup>10</sup>

And to those of you who think ANY of this can be fixed, I have a couple of bridges in Incline Village I'd like to sell you. The fact of the matter is THERE IS NO FIX!

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<sup>10</sup> Go to <https://getyarn.io/yarn-clip/8ecff1be-781e-4e32-9203-b49c12b251bd>.



A wise man many moons ago stated that the fastest way to get out of a hole is to STOP DIGGING. STOP DIGGING! Stop levying the RFF/BFF for purposes other than as the standby service charges they are asserted to represent. Instead of adopting a means to the end, how about telling the truth?

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

## **EXHIBIT "A"**

## So Now That We're Talking About Staff Lies, Can I Put You on Notice of Another Big One Which is Looming Within the Next Several Months? The Rec Fee.

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**From:** <s4s@ix.netcom.com>  
**To:** "Dent Matthew" <dent\_trustee@ivgid.org>  
**Cc:** "Schmitz Sara" <schmitz\_trustee@ivgid.org>, "Tonking Michaela" <tonking\_trustee@ivgid.org>, "Noble Dave" <noble\_trustee@ivgid.org>, "Tulloch Ray" <tulloch\_trustee@ivgid.org>  
**Subject:** So Now That We're Talking About Staff Lies, Can I Put You on Notice of Another Big One Which is Looming Within the Next Several Months? The Rec Fee.  
**Date:** Feb 4, 2023 12:21 PM

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Chairperson Dent and Other Honorable Members of the IVGID Board -

The Rec Fee is a complete fraud. And each of you should know this. And none of you should vote to perpetuate it. To prove my point,

Let me start with page 047 of the packet of materials prepared by staff in anticipation of the Board's May 26, 2022 meeting ("the 5/26/2022 Board packet): "As part of the annual budget process, the Board traditionally approves a resolution which outlines: The billing and collection process set forth in Nevada Revised Statutes 318.197 (establishing standby service charges for services and facilities furnished by the District) and 318.201 (establishing the method of collection), as well as Establishing the amount of the Recreation Facility Fee (RFF) and Beach Facility Fee (BFF) to be collected."

Okay. Here staff are telling us that the RFF/BFF are adopted based upon the authority of NRS 318.197. And specifically, they represent "standby service charges." Standby service charges for what? According to NRS 318.197(1), "rates, tolls or charges other than special assessments, including, but not limited to, service charges and standby service charges, for services or facilities furnished by the district, charges for the availability of service, annexation charges, and minimum charges."

Standby charges differ from service charges and are for the "availability of service." Don't believe me?

What "services or facilities (are) furnished" to those local parcels/dwelling units which are assessed the RFF/BFF "by the district?" The answer is NONE. No recreational facility nor service is provided to my Incline Village home. Arguably user fee discounts are provided to the occupants of those local parcels/dwelling units which are involuntarily assessed. But those are benefits to people rather than property. And those people are not involuntarily assessed.

What "availability of service" is provided to my Incline Village home? Arguably according to staff, the availability to use the District's public recreational facilities.

But that's NOT what staff tell us the Rec Fee pays for. Listen to page 033 of the 5/26/2022 Board packet:

"Beach operations in FY2022-23 reflect expenditure appropriations totaling \$2,631,439 funded primarily through the Beach Facility Fee (\$2,556,840) and Charges and Services (\$623,890) paid by guests. Beach fund appropriations include \$2,140,074 supporting beach operations and \$485,000 supporting planned capital expenditures. The Beach Fund is expected to end the 2022-23 fiscal year with a fund balance of \$5.28 million. While this level of fund balance is \$4.7 million above the Board's reserve policy level, funds are being set aside to support future Board-priority

capital projects identified in the Beach Master Plan, to include renovation of the Incline Beach House and improvements to beach access and circulation for both vehicles and pedestrians."

In other words, the BFF is not paying for the availability to access and use the beaches. Rather, it is paying for "funds...being set aside to support future Board-priority capital projects identified in the Beach Master Plan."

That's not a standby charge. That's not a service charge. It's a forced fee to build up reserves under the moniker of "fund balance" for future possible unappropriated capital projects. Although the fee may represent a "means" which can be justified by the "ends" it achieves, it is a fraud because the District is representing one thing while doing another. And if each of you can't see this and remedy the wrong which has taken place for decades, IMO you don't deserve to continue as IVGID trustees. And let's not confuse ourselves that local parcel owners are not paying their fair share to IVGID in taxes. The RFF/BFF are in addition to the ad valorem taxes all non-exempt parcels within the district must pay.

Now this RFF/BFF subject is not here yet. But it's going to be presented to you in the next several months. And when it is, your job will be to determine what type of exaction this really is, and what NRS authority exists for its involuntary assessment against local parcels/dwelling units. I hope you will do your jobs.

And if the consequences of this examination mean the District cannot afford to take on all of the money losing operations it engages in, or hire the 1K or more employees it employs, then so be it. Live within your financial means.

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 FEBRUARY 8, 2023 MEETING –  
AGENDA ITEM C – PUBLIC COMMENTS – OUR GM DOES NOT SPEAK THE  
TRUTH WHEN HE INFORMS THE BOARD AND THE PUBLIC OF STAFF'S  
ALLEGED COMPLETION OF PUBLIC RECORDS REQUESTS**

**Introduction:** Well “here’s another one” according to my friend DJ Khaled<sup>1</sup>! I keep telling the IVGID Board and the public that the District is not being properly managed<sup>2</sup> and as a consequence, the facilities and services it furnishes can be more effectively provided by another district<sup>3</sup> or Washoe County. Or more preferably, IVGID should simply be dissolved<sup>3</sup>. However in the interim, and in order to provide evidence in support of dissolution, let’s examine the waste the District engages in which ends up costing local parcel/dwelling unit owners even though this waste has nothing to do with their availability to recreation facilities and programs. it’s the same old, same old. Advancing the narrative to the less informed that staff are transparent and comply with the Public Records Act (“NPRA”) when in-truth-and-in-fact they are guilty of willful concealment. And that’s the purpose of this written statement.

**My E-Mail of February 4 2023:** On February 4, 2023, after reading the packet of materials prepared by staff in anticipation of this evening’s meeting<sup>4</sup> (“the 2/8/2023 Board packet”), I sent the Board an e-mail<sup>5</sup> informing members of the fact their General Manager (“GM”) doesn’t speak the

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<sup>1</sup> Go to <https://www.djkhaledofficial.com/>.

<sup>2</sup> NRS 318.515(1)(a) and 318.515(3)(a)-(d) instruct that “upon notification by the Department of Taxation or upon receipt of a petition signed by 20 percent of the qualified electors of the district, that...a district of which the board of county commissioners is not the board of trustees is not being properly managed...the board of county commissioners of the county in which the district is located shall hold a hearing to consider...(a) adopt(ion of) an ordinance constituting the board of county commissioners, *ex officio*, as the board of trustees of the district; (b) adopt(ion of) an ordinance providing for the merger, consolidation or dissolution of the district...(c) fil(ing) a petition in...district court for the...appointment of a receiver for the district; or, (d) determin(ing) by resolution that management and organization of the district...remain unchanged.”

<sup>3</sup> NRS 318.490(1)-(2) instruct that “whenever a majority of the members of the board of county commissioners...deem it to be in the best interests of the county and of the district that the district be merged, consolidated or dissolved, or if the board of trustees of a district, by resolution...agrees to such a merger, consolidation or dissolution, the board of county commissioners shall so determine by ordinance, (that)...(b) the services of the district are no longer needed or can be more effectively performed by an existing unit of government (or)...that the district should be dissolved, merged or consolidated.”

<sup>4</sup> Go to [https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT\\_Agenda\\_-\\_020823.pdf](https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT_Agenda_-_020823.pdf).

<sup>5</sup> This e-mail is attached as Exhibit “A” to this written statement.

truth. There in his status report he told the Board that staff had completed my NPRA request of January 30, 2023 for records evidencing the budgeting of each and every component expense under the "services and supplies" moniker of the current 2022-23 budget. But his staff didn't. In fact, they hadn't even substantively responded at the time. I am not going to repeat the truth as to what did and did not occur, but rather refer the reader to the attached string of e-mails.

**Conclusion:** No one likes calling his/her president a crook. Well no one likes calling his/her general improvement district ("GID") GM a liar. But that's what we have! And if that's what we have, what is the consequence? And why do you as Board members sit by idly accepting this unacceptable state of affairs?

**And You Wonder Why the Recreation ("RFF") and Beach ("BFF") Facility Fees and Water/Sewer Utility Rates and Charges Which Pay For This and Other Similar Waste Which Local Parcel/Dwelling Unit Owners Are Forced to Involuntarily Pay is Out of Control?** I've now provided more answers.

**Prologue:** To those of you who are regular readers of my written statements attached to the minutes of Board and Audit Committee meetings. I've come to the conclusion that it doesn't matter what it is insofar as the District and our staff are concerned. Everything is out of control and as a practical matter, there is no fix. We have more than fifty (50) years' experience. Whether it's the pond liner project; or Phase II of the effluent pipeline project; or trying to secure Army Corps of Engineers 595 funding which will never, never, never be secured even though staff continuously hold out false hope; or paying Marcus Faust \$60K or more annually for NOTHING, and then lying to us Brad Underwood about his successes; or the Mtn Golf cart pathway re-pavement project; or the RFID lift pass reading system at Diamond Peak; or \$6M (or \$8M or more according to me) for a new cafeteria at Incline Beach; or \$5M for a new pool at Burnt Cedar Beach; or new golf carts at the Champ Course which were supposed to have saved us tens of thousands of dollars in existing cart battery exchanges, but did not; or the dog park; or the failed Rec Center expansion project and blaming Trustee Schmidt for its failure; or the Ordinance 7 committee; or the \$50,000 of legal fees with the Balkenbush law firm for recommendations and advice concerning violations of the beach deed; or the Mark Smith litigation fiasco; or the Kevin Lyons/Flashvote litigation fiasco; or the Tyler/Muis software system which isn't integrated with OpenGov; or our utility rates which subsidize staff's money losing businesses to local residents' prejudice; or spending \$1M or more annually of our RFF on marketing; or the propaganda rag we know as the IVGID Quarterly; or use of our private beaches for baptisms and circumcisions (in other words, purposes other than recreation for the benefit of local parcel owners with beach access); or pool furniture for GOD's sake; or opening up our private beaches to the public under the guise of a "public safety pier;" etc., etc., etc...Don't you people get it? It's EVERYTHING!

And I'm the problem?

From my favorite movie, "wake up and smell the coffee Mrs. Bueller!"<sup>6</sup>

And to those of you who think ANY of this can be fixed, I have a couple of bridges in Incline Village I'd like to sell you. The fact of the matter is THERE IS NO FIX!

A wise man many moons ago stated that the fastest way to get out of a hole is to STOP DIGGING. STOP DIGGING!

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

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<sup>6</sup> Go to <https://getyarn.io/yarn-clip/8ecff1be-781e-4e32-9203-b49c12b251bd>.



## **EXHIBIT "A"**

## Liar, Liar, Liar Indra - Public Records Request - Line Item Specification of All Services and Supplies Amounts Included in Current FY 2022-23 Budget

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**From:** <s4s@ix.netcom.com>  
**To:** Dent Matthew <dent\_trustee@ivgid.org>  
**Cc:** Dent Matthew <dent\_trustee@ivgid.org>, Schmitz Sara <schmitz\_trustee@ivgid.org>, Tonking Michaela <tonking\_trustee@ivgid.org>, Tulloch Ray <tulloch\_trustee@ivgid.org>, <ISW@ivgid.org>, Noble Dave <noble\_trustee@ivgid.org>  
**Subject:** Liar, Liar, Liar Indra - Public Records Request - Line Item Specification of All Services and Supplies Amounts Included in Current FY 2022-23 Budget  
**Date:** Feb 4, 2023 8:24 AM

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Chairperson Dent and Other Honorable Members of the IVGID Board -

So now I have the Board packet for the Board's upcoming meeting on February 8. I am looking at our GM's Status Report, at page 281 of the Board packet in particular. There Indra tells us the public records requests from January 6, 2023 and their status. Look at my January 30, 2023 request and how Indra reports it is "complete." Really Indra?

Each of you know Indra's representation is a bold face lie. On February 1, 2023 I copied each of you on communications I had with Melissa insofar as her representation that I would not get the records I had asked to examine until February 17, MAYBE, even though they all exist TODAY! Is that your idea of "completing" my public records request?

Why do you allow staff to repeatedly lie to the Board and the public without any consequence whatsoever? Who's driving the bus here?

If your staff can't share the truth with the Board and the public, they don't deserve to be staff. TERMINATE THEM! Or how about this one Indra? You get paid your salary when I get access to the public records I have asked to examine and you've reported that satisfaction of my request is complete. Maybe then you'll have some urgency to tell the truth?

And since this subject addresses public records, we DON'T require a new public records policy [see Agenda item F(6) for this Board meeting]. You know staff keep telling us how "transparent" they are when the truth is the polar opposite. If staff were half as "transparent" as they represent, there would be no need for public records requests. And if no need for public record requests, there would be no need for a policy on those nonexistent requests. So you see the solution to the problem is NOT a new public records policy. Rather, it's compelling staff to be the transparent bellwether they represent. And if staff is not up to this challenge, then BE GONE with them! ALL of them.

Is it really this simple? You betcha. Respectfully, Aaron Katz

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

**From:** <s4s@ix.netcom.com>  
**Sent:** Feb 1, 2023 3:24 PM  
**To:** Melissa N. Robertson <mnr@ivgid.org>  
**Cc:** Susan A. Herron <sah@ivgid.org>, Dent Matthew <dent\_trustee@ivgid.org>, Schmitz Sara <schmitz\_trustee@ivgid.org>, Tonking Michaela <tonking\_trustee@ivgid.org>, Tulloch Ray <tulloch\_trustee@ivgid.org>  
**Subject:** RE: Public Records Request - Line Item Specification of All Services and Supplies Amounts Included in Current FY 2022-23 Budget

Thank you.

Why are you ccing Ms. Herron on this?

Your response is not in accord with the NPRA. Furthermore, I don't want to unnecessarily wait another 17+ days for records that are available now. And furthermore still, I do not believe that what I have asked to examine is going to be in the next Board meeting packet. And furthermore still, I asked for my materials in M/S Excel format. I have NEVER seen a Board packet in that format. So I don't expect what I requested will be in that format if and when. And furthermore still, I fully expect that what I have asked to examine is going to consist of many hundreds of printed 8-1/2" x 11" paper. Since I cannot conceive of this large a packet of materials, all you're accomplishing now is making me wait for another three weeks to tell you that what's in the Board packet is NOT what I have asked to examine.

I want to examine what I requested, not what Trustee, e Schmitz requested, now.

Board members. As long as Ms Herron's dirty hands remain on responses such as this one to NPRA requests, the outcome will be no different. Concealment. Please intervene now to compel staff to produce the records I have requested to examine with the NPRA specified time required therefore.

Thank you for your cooperation. Aaron Katz

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

From: Melissa N. Robertson <mnr@ivgid.org>

Sent: Feb 1, 2023 3:01 PM

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

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

Subject: RE: Public Records Request - Line Item Specification of All Services and Supplies Amounts Included in Current FY 2022-23 Budget

Hi Mr. Katz,

Staff has advised that they will be presenting the budget in the form requested by Trustee Schmitz that you reference below at the 2/22/2023 Budget Workshop. As such, you will receive this material in your printed packet on or about 2/17/2023. Thank you for your patience.

**Melissa Robertson**

District Clerk

Incline Village General Improvement District

893 Southwood Boulevard

Incline Village Nevada 89451

P: 775-832-1268

[mnr@ivgid.org](mailto:mnr@ivgid.org)

<http://yourtahoeplace.com>

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

**Sent:** Monday, January 30, 2023 12:38 AM

**To:** Melissa N. Robertson <mnr@ivgid.org>; Melissa N. Robertson <mnr@ivgid.org>

**Subject:** Public Records Request - Line Item Specification of All Services and Supplies Amounts Included in Current FY 2022-23 Budget

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

Hi Melissa -

As you know, at the last IVGID Board meeting Mr. Navazio represented to Trustee Schmitz that staff had an internal, line by line breakdown, of each and every expenditure included in the current budget under the "services and supplies" moniker, and that he would make it available for Trustee Schmitz's review.

Well I want to examine the same as well. And that's for each of the District's funds and sub-funds where "services and supplies" are identified as an expense. I want records which disclose the name of each and every expenditure, the amount budgeted, and the chart of account number assigned.

And if these records exist in M/S Excel format, that's the format I would like to examine them in. You will note that NRS 239.010(5)(a) makes it clear that the custodian of records "shall not refuse to provide a copy of that public record in the medium that is requested because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium."

Thank you for your cooperation. Aaron Katz

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN  
MINUTES OF THE IVGID BOARD'S REGULAR FEBRUARY 8, 2023 MEETING –  
AGENDA ITEM C – PUBLIC COMMENTS – LOOK HOW OUR GM IS DISIN-  
GENUOUSLY CREATING UNNECESSARY DIRECTORSHIPS TO JUSTIFY  
PAYOFFS TO EXISTING EMPLOYEES WHO SUPPORT HIM**

**Introduction:** Well “here’s another one” according to my friend DJ Khaled<sup>1</sup>! I keep telling the IVGID Board and the public that the District is not being properly managed<sup>2</sup> and as a consequence, the facilities and services it furnishes can be more effectively provided by another district<sup>3</sup> or Washoe County. Or more preferably, IVGID should simply be dissolved<sup>3</sup>. However in the interim, and in order to provide evidence in support of dissolution, let’s examine the waste the District engages in which ends up costing local parcel/dwelling unit owners even though this waste has nothing to do with their availability to recreation facilities and programs. it’s the same old, same old. Secret payoffs to loyal employees hidden by promotions to new higher paying directorship positions which have never before existed. And that’s the purpose of this written statement.

**My E-Mail of February 4 2023:** On February 4, 2023, after reading the packet of materials prepared by staff in anticipation of this evening’s meeting<sup>4</sup> (“the 2/8/2023 Board packet”), I sent the Board an e-mail<sup>5</sup> informing members of the alarming trend of creating new directorship positions to justify unwarranted compensation increases in exchange for past GM support. I am not going to

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<sup>1</sup> Go to <https://www.djkhaledofficial.com/>.

<sup>2</sup> NRS 318.515(1)(a) and 318.515(3)(a)-(d) instruct that “upon notification by the Department of Taxation or upon receipt of a petition signed by 20 percent of the qualified electors of the district, that...a district of which the board of county commissioners is not the board of trustees is not being properly managed...the board of county commissioners of the county in which the district is located shall hold a hearing to consider...(a) adopt(ion of) an ordinance constituting the board of county commissioners, *ex officio*, as the board of trustees of the district; (b) adopt(ion of) an ordinance providing for the merger, consolidation or dissolution of the district...(c) fil(ing) a petition in...district court for the...appointment of a receiver for the district; or, (d) determin(ing) by resolution that management and organization of the district...remain unchanged.”

<sup>3</sup> NRS 318.490(1)-(2) instruct that “whenever a majority of the members of the board of county commissioners...deem it to be in the best interests of the county and of the district that the district be merged, consolidated or dissolved, or if the board of trustees of a district, by resolution...agrees to such a merger, consolidation or dissolution, the board of county commissioners shall so determine by ordinance, (that)...(b) the services of the district are no longer needed or can be more effectively performed by an existing unit of government (or)...that the district should be dissolved, merged or consolidated.”

<sup>4</sup> Go to [https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT\\_Agenda\\_-\\_020823.pdf](https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT_Agenda_-_020823.pdf).

<sup>5</sup> This e-mail is attached as Exhibit “A” to this written statement.

repeat the many reasons for my outrage to this boondoggle, but rather refer the reader to the attached e-mail.

**Conclusion:** At the Board's May 26, 2022 meeting our GM snuck into the Board packet that "the FY22/23 budget reflect(ed) an increase in full-time equivalent positions related to... reclassification of the District Clerk position to (the) new Director of Administrative Services" position<sup>6</sup>. Was this position advertised to the general public? Is the pay range some 60% or greater compared to Ms. Herron's old position as District Clerk? And instead, was it quietly offered as a plum to Ms. Herron as a "pay off" for her past loyalty and GM support?

Well if this wasn't bad enough, it turns out our GM has created two more "directorships"<sup>7</sup> and quietly awarded them to other employees for their past loyalty and GM support. And again, these positions have neither been approved by the Board, nor publicized to the public as a whole!

So how many "directorships" so far? Including Indra, at least eleven (11): Admin Services, Golf Ops/Community Services, Food and Beverage, Human Resources, Parks and Recreation, Public Works, Finance, Information Technology, Skier Services and Ski Patrol. And if we include the General Manager of Diamond Peak, Mike Bandelin, we have twelve (12). The range of annual salaries for these directorship positions is between \$95.4K and \$235K! And if we total up these key employees' compensation for the year, it exceeds \$2M!

**And You Wonder Why the Recreation ("RFF") and Beach ("BFF") Facility Fees and Water/Sewer Utility Rates and Charges Which Pay For This and Other Similar Waste Which Local Parcel/Dwelling Unit Owners Are Forced to Involuntarily Pay is Out of Control?** I've now provided more answers.

**Prologue:** To those of you who are regular readers of my written statements attached to the minutes of Board and Audit Committee meetings. I've come to the conclusion that it doesn't matter what it is insofar as the District and our staff are concerned. Everything is out of control and as a practical matter, there is no fix. We have more than fifty (50) years' experience. Whether it's the pond liner project; or Phase II of the effluent pipeline project; or trying to secure Army Corps of Engineers 595 funding which will never, never, never be secured even though staff continuously hold out false hope; or paying Marcus Faust \$60K or more annually for NOTHING, and then lying to us Brad Underwood about his successes; or the Mtn Golf cart pathway re-pavement project; or the RFID lift pass reading system at Diamond Peak; or \$6M (or \$8M or more according to me) for a new cafeteria at Incline Beach; or \$5M for a new pool at Burnt Cedar Beach; or new golf carts at the Champ Course which were supposed to have saved us tens of thousands of dollars in existing cart battery exchanges,

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<sup>6</sup> See page 113 of the packet of materials prepared by staff in anticipation of the Board's May 26, 2022 meeting ["the 5/26/2022 Board packet" ([https://www.yourtahoeplace.com/uploads/pdf-ivgid/05-26\\_-\\_Rev\\_1-1.pdf](https://www.yourtahoeplace.com/uploads/pdf-ivgid/05-26_-_Rev_1-1.pdf))].

<sup>7</sup> The Director of Parks and Recreation, and the Director of Food and Beverage.

but did not; or the dog park; or the failed Rec Center expansion project and blaming Trustee Schmidt for its failure; or the Ordinance 7 committee; or the \$50,000 of legal fees with the Balkenbush law firm for recommendations and advice concerning violations of the beach deed; or the Mark Smith litigation fiasco; or the Kevin Lyons/Flashvote litigation fiasco; or the Tyler/Muis software system which isn't integrated with OpenGov; or our utility rates which subsidize staff's money losing businesses to local residents' prejudice; or spending \$1M or more annually of our RFF on marketing; or the propaganda rag we know as the IVGID Quarterly; or use of our private beaches for baptisms and circumcisions (in other words, purposes other than recreation for the benefit of local parcel owners with beach access); or pool furniture for GOD's sake; or opening up our private beaches to the public under the guise of a "public safety pier;" etc., etc., etc...Don't you people get it? It's EVERYTHING!

And I'm the problem?

From my favorite movie, "wake up and smell the coffee Mrs. Bueller!"<sup>8</sup>

And to those of you who think ANY of this can be fixed, I have a couple of bridges in Incline Village I'd like to sell you. The fact of the matter is THERE IS NO FIX!

A wise man many moons ago stated that the fastest way to get out of a hole is to STOP DIGGING. STOP DIGGING!

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

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<sup>8</sup> Go to <https://getyarn.io/yarn-clip/8ecff1be-781e-4e32-9203-b49c12b251bd>.



## **EXHIBIT "A"**

## Did You Realize That in Addition to Ms Herron, Indra Has Elevated Bill Vandenburg and Sheila Lejion to Director Positions With a Commensurate Increase in Salaries and Benefits

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**From:** <s4s@ix.netcom.com>  
**To:** Dent Matthew <dent\_trustee@ivgid.org>  
**Cc:** Schmitz Sara <schmitz\_trustee@ivgid.org>, Tonking Michaela <tonking\_trustee@ivgid.org>, <noble\_trustee@ivgid.org>, Tulloch Ray <tulloch\_trustee@ivgid.org>, <sellingtahoe@sbcglobal.net>, <ISW@ivgid.org>  
**Subject:** Did You Realize That in Addition to Ms Herron, Indra Has Elevated Bill Vandenburg and Sheila Lejion to Director Positions With a Commensurate Increase in Salaries and Benefits  
**Date:** Feb 4, 2023 10:15 AM

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Chairperson Dent and Other Honorable Members of the IVGID Board -

Sneaky, sneaky, dirty Indra! Again!

I wanted to let the Board know how many staff "Directors" were working on Indra's dog park committee. And in the course of my research I learned that there were at least three. And one of them was Sheila Lejion. How can this be? If I examine the Board packet for its upcoming February 8, 2023 meeting I see where Sheila is identified as the "Superintendent" of Parks and Recreation and NOT the "Director" (see page 179 of the 2/8/2023 Board packet). When was Sheila's position elevated to "Director?" This revelation prompted me to learn of the hidden disclosures included in the Board packet for the last (January 25, 2023) Board meeting. And here's what I discovered.

1. As we know, Susan Herron is the Director of Admin Services (see page 069 of the 1/25/2023 Board packet and go to <https://www.yourtahoeplace.com/ivgid/departments/senior-management-team>).
2. Darren Howard is the Director of Golf Ops/Community Services (see page 98 of the 1/25/2023 Board packet).
3. Bill Vandenburg is apparently the Director of Food and Beverage (see page 116 of the 1/25/2023 Board packet).
4. Erin Feore is the Director of Human Resources (go to <https://www.yourtahoeplace.com/ivgid/departments/senior-management-team>).
5. As aforesaid, Sheila Lejion is apparently the Director of Parks and Recreation (go to <https://www.yourtahoeplace.com/ivgid/departments/senior-management-team>) [although interestingly, as aforesaid, this disclosure does not appear at page 149 of the 1/25/2023 Board packet or 179 of the 2/8/2023 Board packet].
6. Brad Underwood is the Director of Public Works (see page 083 of the 1/25/2023 Board packet and go to <https://www.yourtahoeplace.com/ivgid/departments/senior-management-team>).
7. Some unidentified person is Director of Skier Services. And someone else is an Ass't Director of Skier Services (see page 125 of the 1/25/2023 Board packet for both).
9. Some unidentified person is "Ass't Ski Patrol Director (see page 126 of the 1/25/2023 Board packet). Don't know who is the "Director" but interestingly, Mike Bandelin isn't a "director" even though his venue is the only one which is arguably profitable. Regardless, every time one of these employees is elevated to a "Director" or "Ass't Director," his/her compensation/benefits are increased commensurately. And is it any surprise that staff costs continue to rise and are out of control?

How much of an increase? We can't tell without knowing the page range assigned to such positions. However I can tell you that insofar as Ms. Herron is concerned, her salary range increased from the low \$90Ks to between \$160K-\$190K. So do the math.

Let's look at staff's January 25, 2023 disclosures. For the General Fund staff disclosed that there was an increase in FTEs due to: 1) Susan Herron's new "directorship" position; 2) increasing the deputy district clerk position from part time to full time; 3) the addition of a new purchasing and contracts administrator position; 4) the addition of .4 positions in IT; 5) the reassignment of revenue manager position costs to the General Fund; and, 6) the reassignment of a portion of engineering position costs to the General Fund (see page 067 of the 1/25/2023 Board packet).

For Public Works, in FY 2022-23 (i.e., baseline) two new positions were added (Admin Services Supervisor and Senior Electrician). For FY 2023-24 staff propose adding another position (Compliance Inspector). Although FTEs remain the same at 40.2 (see page 078 of the 1/25/2023 Board packet), budgeted personnel costs are up a MINIMUM of 7.9% (from \$5,653,680 to \$6,100,940) - remember, this is merely the "baseline" figure going forward. Staff is proposing some increase on top of this baseline. And on top of this, staff are proposing the addition of another FTE (see page 080 of the 1/25/2023 Board packet) which means personnel costs will be up far more than 8%!

For Champ Golf, staff are proposing the same number of FTEs (see page 095 of the 1/25/2023 Board packet). Yet personnel costs are up nearly 8% (from \$1,992,829 to \$2,151,120) [see page 096 of the 1/25/2023 Board packet]. And remember, this is merely the "baseline" figure going forward. Staff is proposing some increase on top of this baseline.

For Mountain Golf, staff are proposing the same number of FTEs (see page 104 of the 1/25/2023 Board packet). Yet personnel costs are up over 7.8% (from \$663,122 to \$715,020) [see page 105 of the 1/25/2023 Board packet]. And remember, this is merely the "baseline" figure going forward. Staff is proposing some increase on top of this baseline.

For Facilities, staff are proposing the same number of FTEs (see page 112 of the 1/25/2023 Board packet). Yet personnel costs are up over 7.9% (from \$773,006 to \$834,240) [see page 114 of the 1/25/2023 Board packet]. And remember, this is merely the "baseline" figure going forward. Staff is proposing some increase on top of this baseline.

For Diamond Peak, staff are proposing the same number of FTEs (see page 122 of the 1/25/2023 Board packet). Yet personnel costs are up nearly 8% (from \$5,235,732 to \$5,652,020) [see page 123 of the 1/25/2023 Board packet]. And remember, this is merely the "baseline" figure going forward. Staff is proposing some increase on top of this baseline.

For the Recreation Center and Recreation Programming, staff are proposing the same number of FTEs (see page 130 of the 1/25/2023 Board packet). Yet personnel costs are up nearly 6.7% (from \$1,696,676 to \$1,810,280) [see page 132 of the 1/25/2023 Board packet]. And remember, this is merely the "baseline" figure going forward. Staff is proposing some increase on top of this baseline.

For Recreation Admin, staff are proposing the same number of FTEs (see page 139 of the 1/25/2023 Board packet). Yet personnel costs are up nearly 8% (from \$287,961 to \$310,840) [see page 140 of the 1/25/2023 Board packet]. And remember, this is merely the "baseline" figure going forward. Staff is proposing some increase on top of this baseline. And on top of this, staff are proposing the addition of another FTE (see page 139 of the 1/25/2023 Board packet) which means personnel costs will be up far more than 8%!

For Parks, staff are proposing the same number of FTEs (see page 146 of the 1/25/2023 Board packet). Yet personnel costs are up nearly 8% (from \$532,171 to \$574,470) [see page 147 of the 1/25/2023 Board packet]. And remember, this is merely the "baseline" figure going forward. Staff is proposing some increase on top of this baseline. And on top of this, staff are proposing the addition of another FTE (see page 146 of the 1/25/2023 Board packet) which means personnel costs will be up far more than 8%!

For the Tennis/Pickleball Center, staff are proposing the same number of FTEs (see page 154 of the 1/25/2023 Board packet). Yet personnel costs are up nearly 8% (from \$163,471 to \$176,480) [see page 155 of the 1/25/2023 Board packet]. And remember, this is merely the "baseline" figure going forward. Staff is proposing some increase on top of this baseline.

For the Beaches, staff are proposing the same number of FTEs (see page 163 of the 1/25/2023 Board packet). Yet personnel costs are up nearly 8% (from \$1,219,505 to \$1,316,460) [see page 164 of the 1/25/2023 Board packet]. And remember, this is merely the "baseline" figure going forward. Staff is proposing some increase on top of this baseline. And on top of this, staff are proposing the addition of another FTE (see page 163 of the 1/25/2023 Board packet) which means personnel costs will be up far more than 8%!

So District wide, staff are proposing that personnel costs increase over 7.8% (from and UNBELIEVABLE \$24,938,041 to \$26,893,020) [see page 060 of the 1/25/2023 Board packet]. And remember, this is merely the "baseline" figure going forward. Staff is proposing some increase on top of this baseline. Now could the reason be because a number of our existing employees have been upgraded to "directors" or "ass't directors?"

I'm sorry. These people are out of their minds. You as a Board need to rescind or severely modify Resolution 1480 so staff DON'T have the power to police themselves, at least compensation and benefit wise. And this is exactly what NRS 318.185 instructs: "The board shall have the power to prescribe the duties of officers, agents, employees and servants, and fix their compensation." \$27M of employee compensation and benefits? For a limited purpose special district? It's time for you people to get real!

Respectfully, Aaron Katz

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN  
MINUTES OF THE IVGID BOARD'S REGULAR FEBRUARY 8, 2023 MEETING –  
AGENDA ITEM E(8) – PAYING \$660,000 NOW AND ANOTHER \$5.5 MILLION  
GENUOUSLY CREATING UNNECESSARY DIRECTORSHIPS TO JUSTIFY  
LATER FOR A “BEACH HOUSE” CAFETERIA AT INCLINE BEACH**

**Introduction:** Well “here’s another one” according to my friend DJ Khaled<sup>1</sup>! I keep telling the IVGID Board and the public that the District is not being properly managed<sup>2</sup> and as a consequence, the facilities and services it furnishes can be more effectively provided by another district<sup>3</sup> or Washoe County. Or more preferably, IVGID should simply be dissolved<sup>3</sup>. However in the interim, and in order to provide evidence in support of dissolution, let’s examine the waste the District engages in which ends up costing local parcel/dwelling unit owners even though this waste has nothing to do with their availability to recreation facilities and programs. it’s the same old, same old. Secret payoffs to loyal employees hidden by promotions to new higher paying directorship positions which have never before existed. And that’s the purpose of this written statement.

**My E-Mail of February 4 2023:** On February 4, 2023, after reading the packet of materials prepared by staff in anticipation of this evening’s meeting<sup>4</sup> (“the 2/8/2023 Board packet”), I sent the Board an e-mail<sup>5</sup> sharing my views insofar as spending \$6M or more on a wasteful beach cafeteria which would never, never, ever, recoup its costs. And for what? Such intangibles as an “enhanced

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<sup>1</sup> Go to <https://www.djkhaledofficial.com/>.

<sup>2</sup> NRS 318.515(1)(a) and 318.515(3)(a)-(d) instruct that “upon notification by the Department of Taxation or upon receipt of a petition signed by 20 percent of the qualified electors of the district, that...a district of which the board of county commissioners is not the board of trustees is not being properly managed...the board of county commissioners of the county in which the district is located shall hold a hearing to consider...(a) adopt(ion of) an ordinance constituting the board of county commissioners, *ex officio*, as the board of trustees of the district; (b) adopt(ion of) an ordinance providing for the merger, consolidation or dissolution of the district...(c) fil(ing) a petition in...district court for the...appointment of a receiver for the district; or, (d) determin(ing) by resolution that management and organization of the district...remain unchanged.”

<sup>3</sup> NRS 318.490(1)-(2) instruct that “whenever a majority of the members of the board of county commissioners...deem it to be in the best interests of the county and of the district that the district be merged, consolidated or dissolved, or if the board of trustees of a district, by resolution...agrees to such a merger, consolidation or dissolution, the board of county commissioners shall so determine by ordinance, (that)...(b) the services of the district are no longer needed or can be more effectively performed by an existing unit of government (or)...that the district should be dissolved, merged or consolidated.”

<sup>4</sup> Go to [https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT\\_Agenda\\_-\\_020823.pdf](https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT_Agenda_-_020823.pdf).

<sup>5</sup> This e-mail is attached as Exhibit “A” to this written statement.

user experience?" An "increased level of service?" I am not going to repeat the many reasons for my opposition to this boondoggle, but rather refer the reader to the attached e-mail.

**Conclusion:** Just because this is a pet project of former trustees Callicrate and Wong doesn't mean it is insofar as the rest of us are concerned. And before spending this kind of money, why don't you survey the ones who will be required to pay for this endeavor? After all you want to survey local residents (not just parcel owners) over whether there should be a dog park and if so, where, yet you want survey parcel owners over a \$6M+ cafeteria? What's wrong with you people?

**And You Wonder Why the Recreation ("RFF") and Beach ("BFF") Facility Fees and Water/Sewer Utility Rates and Charges Which Pay For This and Other Similar Waste Which Local Parcel/Dwelling Unit Owners Are Forced to Involuntarily Pay is Out of Control?** I've now provided more answers.

**Prologue:** To those of you who are regular readers of my written statements attached to the minutes of Board and Audit Committee meetings. I've come to the conclusion that it doesn't matter what it is insofar as the District and our staff are concerned. Everything is out of control and as a practical matter, there is no fix. We have more than fifty (50) years' experience. Whether it's the pond liner project; or Phase II of the effluent pipeline project; or trying to secure Army Corps of Engineers 595 funding which will never, never, never be secured even though staff continuously hold out false hope; or paying Marcus Faust \$60K or more annually for NOTHING, and then lying to us Brad Underwood about his successes; or the Mtn Golf cart pathway re-pavement project; or the RFID lift pass reading system at Diamond Peak; or \$6M (or \$8M or more according to me) for a new cafeteria at Incline Beach; or \$5M for a new pool at Burnt Cedar Beach; or new golf carts at the Champ Course which were supposed to have saved us tens of thousands of dollars in existing cart battery exchanges, but did not; or the dog park; or the failed Rec Center expansion project and blaming Trustee Schmidt for its failure; or the Ordinance 7 committee; or the \$50,000 of legal fees with the Balkenbush law firm for recommendations and advice concerning violations of the beach deed; or the Mark Smith litigation fiasco; or the Kevin Lyons/Flashvote litigation fiasco; or the Tyler/Muis software system which isn't integrated with OpenGov; or our utility rates which subsidize staff's money losing businesses to local residents' prejudice; or spending \$1M or more annually of our RFF on marketing; or the propaganda rag we know as the IVGID Quarterly; or use of our private beaches for baptisms and circumcisions (in other words, purposes other than recreation for the benefit of local parcel owners with beach access); or pool furniture for GOD's sake; or opening up our private beaches to the public under the guise of a "public safety pier;" etc., etc., etc...Don't you people get it? It's EVERYTHING!

And I'm the problem?

From my favorite movie, "wake up and smell the coffee Mrs. Bueller!"<sup>6</sup>

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<sup>6</sup> Go to <https://getyarn.io/yarn-clip/8ecff1be-781e-4e32-9203-b49c12b251bd>.

And to those of you who think ANY of this can be fixed, I have a couple of bridges in Incline Village I'd like to sell you. The fact of the matter is THERE IS NO FIX!

A wise man many moons ago stated that the fastest way to get out of a hole is to STOP DIGGING. STOP DIGGING!

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

## EXHIBIT "A"



## Feb 8, 2023 Board Meeting - Agenda Item E(8) - Spending Monies Towards Design/Construction of a \$6.06M or Greater Incline Beach House Cafeteria Few Local Parcel Owners Want if They Have to Pay the \$6M+

**From:** <s4s@ix.netcom.com>  
**To:** Dent Matthew <dent\_trustee@ivgid.org>  
**Cc:** Schmitz Sara <schmitz\_trustee@ivgid.org>, Tonking Michaela <tonking\_trustee@ivgid.org>, <noble\_trustee@ivgid.org>, Tulloch Ray <tulloch\_trustee@ivgid.org>, <sellingtahoe@sbcglobal.net>, <ISW@ivgid.org>  
**Subject:** Feb 8, 2023 Board Meeting - Agenda Item E(8) - Spending Monies Towards Design/Construction of a \$6.06M or Greater Incline Beach House Cafeteria Few Local Parcel Owners Want if They Have to Pay the \$6M+  
**Date:** Feb 4, 2023 11:11 AM

Chairperson Dent and Other Honorable Members of the IVGID Board -

So here your staff want you to start down the road of spending many millions of dollars [and here an estimated \$514,958 on just design & permitting, and an additional \$145,905 on CMAR pre-construction services (see page 272 of the 2/8/2023 Board packet)] to construct a Beach House Cafeteria at Incline Beach. And because they're so incompetent, they're unwilling to manage the project or design in house themselves. So instead, they insist upon hiring a CMAR at an added pre-design cost of \$145,905 (see page 272 of the 2/8/2023 Board packet) who is guaranteed to cost the District the MAXIMUM (rather than the minimum) price possible! Which again supports my request that the Board ELIMINATE our Internal Services Dep't altogether because if we're going to outsource, why do we have to pay in excess of \$4M annually for a worthless internal services department?

Local parcel owners DON'T want to pay for this project. They're perfectly willing to take their own food/drink to Incline Beach. If there's going to be food and beverage offered for sale, they'd much prefer a series of food trucks offering quality and variety staff are unable to provide in house. And this way local parcel owners would not get stuck with major capital expenditures (do you realize the cost of a commercial kitchen for instance?). Or through a concessionaire. Don't believe me? Well how about formally surveying us? If it's important enough to survey parcel owners over their wants and needs insofar as a dog park is concerned, why isn't it important enough when it comes to a \$6.06M Beach House Cafeteria? Besides. Isn't that exactly what the Board supposedly was doing when it voted to retain Flashvote to conduct a series of surveys?

And let's get real. Time and time again your in house estimates of various construction costs have been out to lunch. So if anyone thinks this project is going to cost \$6.06M, I've got some bridges you might want to purchase in Incline Village. Unabashedly staff admit that the estimated cost of this project has increased in less than a year from \$3.433M to \$6.06M (see page 269 of the 2/8/2023 Board packet). Well my prediction is that when all is finally said and done, the cost will be in excess of \$8M! That means more than \$1,000 for each parcel with beach access. And please don't take issue with me over my \$8M+ estimate. The last time this project was estimated, the price tag came in at \$3.433M. And that was without the services of a higher priced CMAR. And that was before our current inflation squeeze. And massive construction cost increases. And before the District spent close to \$5M on the Burnt Cedar Pool. So don't kid yourself. Where is the \$8M going to come from trustee Noble? And if this much money is sucked out of current and future Rec Fees, there's going to be essentially nothing left over for our other vital recreational CIPs.

And where's the money going to come from. Staff suggest that the lion's share has already been budgeted this fiscal year: "the current budget for the project between fiscal years...2023 through 2024 is \$3.34M...If the Board approves proceeding in the current fiscal year with Design...and...Pre-construction Services...staff estimates a budget augmentation in the amount of \$635K will be required" (see page 269 of the Board packet). Now why is this? Because NONE of the project costs are included in this fiscal year's budget.

Don't believe me? Take a look at the current year's CIP budget. For the beaches the amount budgeted is \$485,000 and this sum is broken down as: \$55K for flatscape and retaining wall work, \$100K towards the Ski Beach boat ramp, \$120K for the Ski Beach bridge replacement, \$10K for beach furnishings, and \$200K for beach access improvements. Where are the budgeted funds for a Beach House? Bueller? Bueller? Bueller? NOWHERE! And given \$514,958 is estimated for Beach House design & permitting costs, and \$145,905 is estimated for CMAR pre-construction services (see page 272 of the 2/8/2023 Board packet), for a total of \$660,683, now you understand why "a budget augmentation in the amount of \$635K will be required" (see page 269 of the 2/8/2023 Board packet) if this agenda item is approved. And where is the \$635K going to come from Trustee Noble? And what about the remaining \$7.3M or more Trustee Noble?

Finally, here's the one that gets me. Staff's estimated ROI tells us "return on investment is not part of the engineering review of this project (because)...completion of the project will provide an increased level of service and an enhanced user experience for attendees at Incline Beach" (see page 270 of the 2/8/2023 Board packet).

This was a pet project of former trustees Callicrate and Wong; two financially IRRESPONSIBLE individuals. Now that they're gone, please don't think you're obligated to move forward with their un-budgeted visions. At the very least without a parcel owner survey! Ask responders if they're in favor of spending \$1,000 or more levied against their individual Incline Beach parcels/dwelling units for this OVER PRICED increased level of service or "enhanced user experience?" I predict the answer will be a resounding NO. Then what are you going 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 FEBRUARY 8, 2023 MEETING –  
AGENDA ITEM F(7) – WHY ARE WE INCURRING THE COST AND WASTING  
THE STAFF TIME TO CONDUCT PUBLIC HEARINGS TO MODIFY ORDIN-  
ANCE NO. 7 WHEN SUCH HEARINGS ARE NOT REQUIRED?**

**Introduction:** Well “here’s another one” according to my friend DJ Khaled<sup>1</sup>! And it’s the same old, same old. Incurring unnecessary and wasteful expenses associated with public hearings which are not required by NRS 318. And that’s the purpose of this written statement.

**My E-Mail of February 4 2023:** On February 4, 2023, after reading the packet of materials prepared by staff in anticipation of this evening’s meeting<sup>2</sup> (“the 2/8/2023 Board packet”), I sent the Board an e-mail<sup>3</sup> sharing my views insofar as wasteful and unnecessary public hearings; this time for possible modifications to Ordinance No. 7. I am not going to repeat the many reasons but rather refer the reader to the attached e-mail.

**Conclusion:** Where in NRS 318 does it state that public hearings are required for modifications to resolutions such as Ordinance No. 7 which have nothing to do with sewer or water rates? The answer is NOWHERE. So why are we about to incur the costs of publishing notice, and reimbursing our staff to coordinate a future public hearing? It’s almost as if we knew what we are doing when in truth and in fact, we don’t. So let’s understand what’s required and what’s not so we can evaluate the professionalism of our staff.

**And You Wonder Why the Recreation (“RFF”) and Beach (“BFF”) Facility Fees and Water/Sewer Utility Rates and Charges Which Pay For This and Other Similar Waste Which Local Parcel/Dwelling Unit Owners Are Forced to Involuntarily Pay is Out of Control?** I’ve now provided more answers.

**Prologue:** To those of you who are regular readers of my written statements attached to the minutes of Board and Audit Committee meetings. I’ve come to the conclusion that it doesn’t matter what it is insofar as the District and our staff are concerned. Everything is out of control and as a practical matter, there is no fix. We have more than fifty (50) years’ experience. Whether it’s the pond liner project; or Phase II of the effluent pipeline project; or trying to secure Army Corps of Engineers 595 funding which will never, never, never be secured even though staff continuously hold out false hope; or paying Marcus Faust \$60K or more annually for NOTHING, and then lying to us Brad Underwood about his successes; or the Mtn Golf cart pathway re-pavement project; or the RFID lift pass reading system at Diamond Peak; or \$6M (or \$8M or more according to me) for a new cafeteria at Incline Beach; or \$5M for a new pool at Burnt Cedar Beach; or new golf carts at the Champ Course

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<sup>1</sup> Go to <https://www.djkhaleofficial.com/>.

<sup>2</sup> Go to [https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT\\_Agenda\\_-\\_020823.pdf](https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT_Agenda_-_020823.pdf).

<sup>3</sup> This e-mail is attached as Exhibit “A” to this written statement.

which were supposed to have saved us tens of thousands of dollars in existing cart battery exchanges, but did not; or the dog park; or the failed Rec Center expansion project and blaming Trustee Schmidt for its failure; or the Ordinance 7 committee; or the \$50,000 of legal fees with the Balkenbush law firm for recommendations and advice concerning violations of the beach deed; or the Mark Smith litigation fiasco; or the Kevin Lyons/Flashvote litigation fiasco; or the Tyler/Muis software system which isn't integrated with OpenGov; or our utility rates which subsidize staff's money losing businesses to local residents' prejudice; or spending \$1M or more annually of our RFF on marketing; or the propaganda rag we know as the IVGID Quarterly; or use of our private beaches for baptisms and circumcisions (in other words, purposes other than recreation for the benefit of local parcel owners with beach access); or pool furniture for GOD's sake; or opening up our private beaches to the public under the guise of a "public safety pier;" etc., etc., etc...Don't you people get it? It's EVERYTHING!

And I'm the problem?

From my favorite movie, "wake up and smell the coffee Mrs. Bueller!"<sup>4</sup>

And to those of you who think ANY of this can be fixed, I have a couple of bridges in Incline Village I'd like to sell you. The fact of the matter is THERE IS NO FIX!

A wise man many moons ago stated that the fastest way to get out of a hole is to STOP DIGGING. STOP DIGGING!

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

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<sup>4</sup> Go to <https://getyarn.io/yarn-clip/8ecff1be-781e-4e32-9203-b49c12b251bd>.

**EXHIBIT "A"**

## Feb 2023 Board Meeting - Agenda Item F(7) - Setting a Public Hearing Date and Incurring Publication/Other Expenses Associated Therewith For Proposed Revisions to Ordinance No. 7

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**From:** <s4s@ix.netcom.com>  
**To:** Dent Matthew <dent\_trustee@ivgid.org>  
**Cc:** Schmitz Sara <schmitz\_trustee@ivgid.org>, Tonking Michaela <tonking\_trustee@ivgid.org>, <noble\_trustee@ivgid.org>, Tulloch Ray <tulloch\_trustee@ivgid.org>, <sellingtahoe@sbcglobal.net>, <ISW@ivgid.org>  
**Subject:** Feb 2023 Board Meeting - Agenda Item F(7) - Setting a Public Hearing Date and Incurring Publication/Other Expenses Associated Therewith For Proposed Revisions to Ordinance No. 7  
**Date:** Feb 4, 2023 12:25 PM

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Chairperson Dent and Other Honorable Members of the IVGID Board -

As my friend DJ Khaled (go to <https://www.djkhaledofficial.com/>) says over and over and over again. Here's another one.

Why is staff proposing there be a public hearing before revisions can be made to Ordinance No. 7? We've had this discussion before. But apparently no one is listening. Is the current Board going to listen?

Where does NRS 318 state that a public hearing is required before revised provisions can be made to a recreation punch card/picture pass ordinance or resolution or policy? Bueller? Bueller? Bueller? If nowhere, then why are we going through this wasteful and expensive effort?

Yes we go through the public hearing process when proposing amendments to our sewer and water ordinances. And why is that? Because NRS 318.199(2) states that "whenever the board of trustees proposes to change any individual or joint...sanitary sewer...or...water....rate, toll, charge, service or product, or any individual or joint practice which will affect any rate, toll, charge, service or product, the board of trustees shall hold public hearings "

Okay. What about when we're changing the RFF/BFF or any individual or joint practice which affects the RFF/BFF? The answer is No, No! Why not?

What about our solid waste disposal ordinance? No, No, even though we do. Well why do we do? Is it simply because staff have disingenuously labeled the resolution of support an "ordinance" rather than "resolution?"

And what about our Ordinance No. 7? The answer should be No, No, even though we do.

I'm all for more public notice and public comment and that would extend to revisions to Ordinance No. 7. But there is no requirement we go through the public notice and hearing procedures spelled out in NRS 318.199(2). Don't believe me? ASK JOSH! Let's see what he tells you.

And if you choose to ignore me and go through this wasteful process, how about we go through it whenever there is ANY change to any individual or joint rate, toll, charge, service or product, or any individual or joint practice which will affect any rate, toll, charge? Or whenever we change user fees at each of our recreational venues? Or our restaurants/bars? Or whenever we change the RFF/BFF? Etc., etc.

Understand what you're doing, become consistent, and stop wasting staff time and out of pocket expenses on matters you're not required to do.

Respectively, Aaron Katz

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN  
MINUTES OF THE IVGID BOARD'S REGULAR FEBRUARY 8, 2023 MEETING –  
AGENDA ITEM E(2) – PAYING TO INTEGRATE OPEN.GOV INTO OUR  
NEW TYLER/MUNIS FINANCIAL SOFTWARE AT A \$16,650 COST**

**Introduction:** Well “here’s another one” according to my friend DJ Khaled<sup>1</sup>! And it’s the same old, same old. Making stupid shortsighted decisions re: the newest/greatest whatever for Incline Village, without considering the collateral consequences. And that’s the purpose of this written statement.

**My E-Mail of February 5 2023:** On February 5, 2023, after reading the packet of materials prepared by staff in anticipation of this evening’s meeting<sup>2</sup> (“the 2/8/2023 Board packet”), I sent the Board an e-mail<sup>3</sup> sharing my views insofar as spending more to integrate our OpenGov software into staff’s newest and greatest Tyler/Munis financial software. I am not going to repeat the many reasons but rather refer the reader to the attached e-mail.

**Conclusion:** When are there consequences to our wonderful staff who aren’t capable of integrating our other forms of existing software into the latest and greatest? Here we’ve wasted nearly \$25,754 by not utilizing our OpenGov software, yet paying service fees as if we were. And now paying an additional \$16,650 to integrate OpenGov into Tyler/Munis. Another smart decisions...NOT!

**And You Wonder Why the Recreation (“RFF”) and Beach (“BFF”) Facility Fees and Water/Sewer Utility Rates and Charges Which Pay For This and Other Similar Waste Which Local Parcel/Dwelling Unit Owners Are Forced to Involuntarily Pay is Out of Control?** I’ve now provided more answers.

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<sup>1</sup> Go to <https://www.djkhaledofficial.com/>.

<sup>2</sup> Go to [https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT\\_Agenda\\_-\\_020823.pdf](https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT_Agenda_-_020823.pdf).

<sup>3</sup> This e-mail is attached as Exhibit “A” to this written statement.

for its failure; or the Ordinance 7 committee; or the \$50,000 of legal fees with the Balkenbush law firm for recommendations and advice concerning violations of the beach deed; or the Mark Smith litigation fiasco; or the Kevin Lyons/Flashvote litigation fiasco; or the Tyler/Muis software system which isn't integrated with OpenGov; or our utility rates which subsidize staff's money losing businesses to local residents' prejudice; or spending \$1M or more annually of our RFF on marketing; or the propaganda rag we know as the IVGID Quarterly; or use of our private beaches for baptisms and circumcisions (in other words, purposes other than recreation for the benefit of local parcel owners with beach access); or pool furniture for GOD's sake; or opening up our private beaches to the public under the guise of a "public safety pier;" etc., etc., etc...Don't you people get it? It's EVERYTHING!

And I'm the problem?

From my favorite movie, "wake up and smell the coffee Mrs. Bueller!"<sup>4</sup>

And to those of you who think ANY of this can be fixed, I have a couple of bridges in Incline Village I'd like to sell you. The fact of the matter is THERE IS NO FIX!

A wise man many moons ago stated that the fastest way to get out of a hole is to STOP DIGGING. STOP DIGGING!

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

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## **EXHIBIT "A"**

## Feb 8,, 2023 Board Meeting - Agenda Item E(2) - Another Wasteful Expenditure to Integrate Open Gov Into Tyler Munis Software

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**From:** <s4s@ix.netcom.com>  
**To:** Dent Matthew <dent\_trustee@ivgid.org>  
**Cc:** Schmitz Sara <schmitz\_trustee@ivgid.org>, Tonking Michaela <tonking\_trustee@ivgid.org>, <noble\_trustee@ivgid.org>, Tulloch Ray <tulloch\_trustee@ivgid.org>, <sellingtahoe@sbcglobal.net>, <ISW@ivgid.org>  
**Subject:** Feb 8,, 2023 Board Meeting - Agenda Item E(2) - Another Wasteful Expenditure to Integrate Open Gov Into Tyler Munis Software  
**Date:** Feb 5, 2023 2:33 PM

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Chairperson Dent and Other Honorable Members of the IVGID Board -

As my friend DJ Khaled (go to <https://www.djkhaledofficial.com/>) says over and over and over again. Here's another one.

And it's our basic, repetitive problem. Incompetent and over compensated employees! Got that one Gail?

Why did we switch over to Tyler/Munis financial accounting software? Wasn't this another initiative of Mr. Navazio? And what exactly does he know about IT? And how much did it cost? Did staff know that existing data in our previous Innoprise financial system needed to be migrated into the new software? Was integrating that migration included in the purchase price we paid for the Tyler/Munis software?

Page of the Board packet tells us that when we contracted for the purchase of Tyler/Munis, part of the purchase price "included...the conversion of five years of historical data imported from the (old) Innoprise financial system." Well didn't our crack staff ask about our Open Gov software working with Tyler/Munis? If not, why not?

Well it turns out Open Gov was NOT integrated. Instead we've relied upon our in-house staff to do the integration and we've relied for the last eight (8) or greater months because the staff memo tells us that the new Tyler/Munis system was implemented "starting July 1, 2022." Over this eight month period Open Gov has not been operational. And Judy and others have been asking staff why? And the answer has been "we're working on it."

And let's not forget that according to the staff memo, our annual service fee with Open Gov is \$25,754. Which means that for the last eight (8) months although we've been paying the pro-rata \$2,164.17 per month, we've gotten ZERO service! Good job staff!

But wait. There's more. Who was warning the Board and the public of this looming disaster BEFORE the purchase of Tyler/Munis was authorized? Judy! And who listened to her? If part of the Tyler/Munis purchase INCLUDED "conversion of five years of historical data imported from the (old) legacy Innoprise financial system," then why didn't it also include integration of Open Gov? When the Board approved an additional three-year extension of our Open Gov software at a cost of \$25,754/year, why wasn't the subject of integration into Tyler/Munis addressed. Who thought our existing staff was so knowledgeable, so competent and so equipped to do the migration in house? And now it turns out we learn our in-house staff were and are UNknowledgeable and INcompetent.

And who gets to pay for this lack of knowledge and incompetence...again?

So what is staff's alternative to the \$16,650 expenditure. If you read between the lines, it's basically that we can Open Gov altogether which "would effectively render th(is) financial reporting and transparency tool obsolete," because only "a relatively few members of the IVGID community access the OpenGov fiscal transparency tool." In other words, although staff feed the public

propaganda about how "transparent" they are, they want to continue the propaganda but delete the transparency tool.

If staff can't police themselves, and obviously they cannot, I say get rid of the whole bunch of bums. If we have to use sophisticated software that our staff don't know how to use, maybe whatever it is we want to use it on is something we shouldn't be doing? If new software will not work with our existing other software programs, then why are we making the purchase?

In any event, I am tired of overpaying for things that are supposedly the best of the best only to learn that they don't work on the applications we ask they work on. And then we're stuck with a problem like this one. And after wasting tens of thousands of dollars in unreimbursed staff time only to get to the point where we can't solve the basic problem, we need to spend tens of thousands of dollars with someone else who does have the knowledge and skills to do what staff told us they had the knowledge and skills to perform even though they didn't.

And guess what? In the end we don't end up fixing the problem. Or it works so crappy that we would have been better off not trying to fix the problem. Or maybe we should have never, never spent the hundreds of thousands of dollars on Tyler/Munis software in the first place?

Let's put an end to this once and for all. And BTW, on the consent calendar no less? Is staff's intent to prevent a public discussion of this matter because it will be embarrassing to staff? And if this is the reason for it being buried on the consent calendar, I ask at least one trustee to request it be removed from the consent calendar so we can have a discussion. And then let's have a discussion of consequences for this disaster. When does there become a consequence? Gail?

Respectfully, Aaron Katz

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN  
MINUTES OF THE IVGID BOARD'S REGULAR FEBRUARY 8, 2023 MEETING –  
AGENDA ITEM C – PUBLIC COMMENTS – HOW MANY “DIRECTORS”  
DOES IT TAKE TO SCREW LOCAL PARCEL OWNERS?**

**Introduction:** Well “here’s another one” according to my friend DJ Khaled<sup>1</sup>! And it’s the same old, same old. Parsing out unwarranted promotions and pay increases by creating new positions that have never before existed as a means of demonstrating staffs’ thanks. And that’s the purpose of this written statement.

**My E-Mail of February 8 2023:** On February 8, 2023, after reading the packet of materials prepared by staff in anticipation of this evening’s meeting<sup>2</sup> (“the 2/8/2023 Board packet”), I sent the Board an e-mail<sup>3</sup> sharing my views insofar as the number of “directors” required to supervise a citizens dog park committee meeting. I am not going to repeat the many reasons but rather refer the reader to the attached e-mail.

**Conclusion:** At the Board’s May 26, 2022 meeting staff informed us that “the FY22/23 budget (would) reflect..an increase in full-time equivalent positions related to: Reclassification of the District Clerk position to new Director of Administrative Services.”<sup>4</sup> And over night, Susan Herron became that director with a commensurate nearly doubling of her compensation. Just our way of saying thanks.

Well did you realize Sheila Leijon, former Superintendent of Parks and Recreation benefited from this same “reclassification”<sup>5</sup> and increase in her compensation?

And Bill Vandenburg, former executive chef, benefited from this same “reclassification”<sup>6</sup> and increase in his compensation?

And where was the Board and the public informed that these reclassifications were about to occur?

Do you understand how many of these “directors” are employed by the District, and at what cost? Including our GM, a whopping eleven (11): Admin Services, Golf Ops/Community Services, Food

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<sup>1</sup> Go to <https://www.djkhaledofficial.com/>.

<sup>2</sup> Go to [https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT\\_Agenda\\_-\\_020823.pdf](https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT_Agenda_-_020823.pdf).

<sup>3</sup> This e-mail is attached as Exhibit “A” to this written statement.

<sup>4</sup> See page 113 of the packet of materials prepared by staff in anticipation of the Board’s May 26, 2022 meeting [“the 5/26/2022 Board packet” ([https://www.yourtahoeplace.com/uploads/pdf-ivgid/05-26\\_-\\_Rev\\_1-1.pdf](https://www.yourtahoeplace.com/uploads/pdf-ivgid/05-26_-_Rev_1-1.pdf))].

<sup>5</sup> To Director of Parks and Recreation.

<sup>6</sup> To Director of Food and Beverage.

and Beverage, Human Resources, Parks and Recreation, Public Works, Finance, Information Technology, Skier Services, and Ski Patrol. And if we include the General Manager of Diamond Peak who is compensated as if he were a director, that's twelve (12). Now how much do you think the District pays in compensation to just these directors? It's in excess of \$2M annually!

And what managerial level jobs are these directors performing? Well Susan Herron is taking minutes of dog park committee meetings. And Sheila Leijon is assisting the GM in preparing for each of these meetings.

**And You Wonder Why the Recreation ("RFF") and Beach ("BFF") Facility Fees and Water/Sewer Utility Rates and Charges Which Pay For This and Other Similar Waste Which Local Parcel/Dwelling Unit Owners Are Forced to Involuntarily Pay is Out of Control? I've now provided more answers.**

**Prologue:** To those of you who are regular readers of my written statements attached to the minutes of Board and Audit Committee meetings. I've come to the conclusion that it doesn't matter what it is insofar as the District and our staff are concerned. Everything is out of control and as a practical matter, there is no fix. We have more than fifty (50) years' experience. Whether it's the pond liner project; or Phase II of the effluent pipeline project; or trying to secure Army Corps of Engineers 595 funding which will never, never, never be secured even though staff continuously hold out false hope; or paying Marcus Faust \$60K or more annually for NOTHING, and then lying to us Brad Underwood about his successes; or the Mtn Golf cart pathway re-pavement project; or the RFID lift pass reading system at Diamond Peak; or \$6M (or \$8M or more according to me) for a new cafeteria at Incline Beach; or \$5M for a new pool at Burnt Cedar Beach; or new golf carts at the Champ Course which were supposed to have saved us tens of thousands of dollars in existing cart battery exchanges, but did not; or the dog park; or the failed Rec Center expansion project and blaming Trustee Schmidt for its failure; or the Ordinance 7 committee; or the \$50,000 of legal fees with the Balkenbush law firm for recommendations and advice concerning violations of the beach deed; or the Mark Smith litigation fiasco; or the Kevin Lyons/Flashvote litigation fiasco; or the Tyler/Muis software system which isn't integrated with OpenGov; or our utility rates which subsidize staff's money losing businesses to local residents' prejudice; or spending \$1M or more annually of our RFF on marketing; or the propaganda rag we know as the IVGID Quarterly; or use of our private beaches for baptisms and circumcisions (in other words, purposes other than recreation for the benefit of local parcel owners with beach access); or pool furniture for GOD's sake; or opening up our private beaches to the public under the guise of a "public safety pier;" etc., etc., etc...Don't you people get it? It's EVERYTHING!

And I'm the problem?

From my favorite movie, "wake up and smell the coffee Mrs. Bueller!"<sup>7</sup>

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<sup>7</sup> Go to <https://getyarn.io/yarn-clip/8ecff1be-781e-4e32-9203-b49c12b251bd>.

And to those of you who think ANY of this can be fixed, I have a couple of bridges in Incline Village I'd like to sell you. The fact of the matter is THERE IS NO FIX!

A wise man many moons ago stated that the fastest way to get out of a hole is to STOP DIGGING. STOP DIGGING!

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

## **EXHIBIT "A"**

## How Many IVGID Directors Does it Take to Screw Local Parcel Owners? Example One - Our GM's Dog Park Committee

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**From:** <s4s@ix.netcom.com>  
**To:** "Dent Matthew" <dent\_trustee@ivgid.org>  
**Cc:** "Schmitz Sara" <schmitz\_trustee@ivgid.org>, "Tonking Michaela" <tonking\_trustee@ivgid.org>, <noble\_trustee@ivgid.org>, "Tulloch Ray" <tulloch\_trustee@ivgid.org>, <ISW@ivgid.org>  
**Subject:** How Many IVGID Directors Does it Take to Screw Local Parcel Owners? Example One - Our GM's Dog Park Committee  
**Date:** Feb 5, 2023 2:35 PM

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Chairperson Dent and Other Honorable Members of the IVGID Board -

As my friend DJ Khaled (go to <https://www.djkhaledoofficial.com/>) says over and over and over again. Here's another one.

So how many IVGID Director employees does it take to spend their IVGID day working to some degree on our GM's dog park committee? It appears at least THREE.

Don't believe (go to <https://www.yourtahoeplace.com/ivgid/departments/senior-management-team/>)? First there's GM Winquest. Then there is his Director of Parks and Recreation, Sheila Lejon. Finally, there's, there is his Director of Admin Services.

Can you calculate the ENORMOUS financial waste we're talking about? And BTW, I got a copy of Ms Herron's newly promoted job description (Director of Admin Services). I don't see anywhere where her duties extend to taking minutes of this committee's meetings. Do you? And instead of \$160K-\$190K in annual salary plus benefits, don't you think Indra could have found a less expensive taker of minutes?

But of course it's the same old, same old, staff just DOESN'T CARE! Are you reading Gail? THEY DON'T CARE!

Gail says she never met an IVGID employee who wasn't the most courteous, conscientious, and who went out of his/her way to look out for the financial interests of local parcel owners. Well how about these three BOZOs Gail? Or should I call them the three stooges instead?

This would all be incredibly funny if it weren't for the fact that local parcel owners have to involuntarily pay for this arrogance and incompetence. And then you wonder why we have to pay a Rec Fee.

So is this new Board going to put an end to this incredible waste? Maybe it's time to take away the unbridled authority you've given our GM to pull stunts such as this one. And since he will point to Resolution 1480, I've got a better idea. Take Ms. Lejoin's and Herron's salaries and benefits (I'm guessing \$450K) OUT OF the personnel budget for 2023-24. If we're not going to give Indra the money to waste on expenditures such as these, he's going to have to either: change his ways; terminate Ms. Lejoin and Herron; or, terminate other employees because he needs the money for Ms. Lejoin and Herron.

So do you guys have the guts to make the statement you need to make?

I doubt it. But let's see. Respectfully, Aaron Katz



**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN  
MINUTES OF THE IVGID BOARD'S REGULAR FEBRUARY 8, 2023 MEETING –  
AGENDA ITEM E(1) – POSSIBLE OUTSOURCING OF BASIC POOL  
SERVICING (CHEMICALS) AND MAINTENANCE**

**Introduction:** Well “here’s another one” according to my friend DJ Khaled<sup>1</sup>! And it’s the same old, same old. Actually, it may be different. Instead of hiring more and more personnel and inflated compensation and benefits, here we’re forced to outsource basis swimming pool servicing. Because we just can’t seem to find possible employees. And that’s the purpose of this written statement.

**My E-Mail of February 8 2023:** On February 8, 2023, after reading the packet of materials prepared by staff in anticipation of this evening’s meeting<sup>2</sup> (“the 2/8/2023 Board packet”), I sent the Board an e-mail<sup>3</sup> sharing my views regarding outsourcing in general, and this particular outsource specifically. Basically I had and have a problem paying travel time on top of labor time, and at \$110 per hour. And I have a problem paying our wasteful and worthless internal services staff to manage our outsourced pool service travel time, and at \$110 per hour. Other than that, I am not going to repeat the many reasons but rather refer the reader to the attached e-mail.

**Conclusion:** Please address the fundamental problems presented by this agenda item. And ask yourself. If we had a longtime employee in building maintenance to attend to this servicing, and we knew he was retiring months if not a year beforehand, why didn’t we initiate a continuity plan so that when our pool maintenance employee retired, there was a replacement on staff? Bueller? Bueller? Bueller? Anyone?<sup>4</sup>

**And You Wonder Why the Recreation (“RFF”) and Beach (“BFF”) Facility Fees and Water/ Sewer Utility Rates and Charges Which Pay For This and Other Similar Waste Which Local Parcel/ Dwelling Unit Owners Are Forced to Involuntarily Pay is Out of Control?** I’ve now provided more answers.

**Prologue:** To those of you who are regular readers of my written statements attached to the minutes of Board and Audit Committee meetings. I’ve come to the conclusion that it doesn’t matter what it is insofar as the District and our staff are concerned. Everything is out of control and as a practical matter, there is no fix. We have more than fifty (50) years’ experience. Whether it’s the pond liner project; or Phase II of the effluent pipeline project; or trying to secure Army Corps of Engineers 595 funding which will never, never, never be secured even though staff continuously hold out false hope; or paying Marcus Faust \$60K or more annually for NOTHING, and then lying to us Brad

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<sup>1</sup> Go to <https://www.djkhaledofficial.com/>.

<sup>2</sup> Go to [https://www.yourtahoepace.com/uploads/pdf-ivgid/BOT\\_Agenda\\_-\\_020823.pdf](https://www.yourtahoepace.com/uploads/pdf-ivgid/BOT_Agenda_-_020823.pdf).

<sup>3</sup> This e-mail is attached as Exhibit “A” to this written statement.

<sup>4</sup> Go to <https://www.youtube.com/watch?v=f4zyjLyBp64>.

Underwood about his successes; or the Mtn Golf cart pathway re-pavement project; or the RFID lift pass reading system at Diamond Peak; or \$6M (or \$8M or more according to me) for a new cafeteria at Incline Beach; or \$5M for a new pool at Burnt Cedar Beach; or new golf carts at the Champ Course which were supposed to have saved us tens of thousands of dollars in existing cart battery exchanges, but did not; or the dog park; or the failed Rec Center expansion project and blaming Trustee Schmidt for its failure; or the Ordinance 7 committee; or the \$50,000 of legal fees with the Balkenbush law firm for recommendations and advice concerning violations of the beach deed; or the Mark Smith litigation fiasco; or the Kevin Lyons/Flashvote litigation fiasco; or the Tyler/Muis software system which isn't integrated with OpenGov; or our utility rates which subsidize staff's money losing businesses to local residents' prejudice; or spending \$1M or more annually of our RFF on marketing; or the propaganda rag we know as the IVGID Quarterly; or use of our private beaches for baptisms and circumcisions (in other words, purposes other than recreation for the benefit of local parcel owners with beach access); or pool furniture for GOD's sake; or opening up our private beaches to the public under the guise of a "public safety pier;" etc., etc., etc...Don't you people get it? It's EVERYTHING!

And I'm the problem?

From my favorite movie, "wake up and smell the coffee Mrs. Bueller!"<sup>5</sup>

And to those of you who think ANY of this can be fixed, I have a couple of bridges in Incline Village I'd like to sell you. The fact of the matter is THERE IS NO FIX!

A wise man many moons ago stated that the fastest way to get out of a hole is to STOP DIGGING. STOP DIGGING! Want to go swimming? Go to the Truckee-Donner Recreation Center indoor swimming pool<sup>6</sup>. It's even less expensive<sup>7</sup> than paying to go to our Rec Center pool!

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

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<sup>5</sup> Go to <https://getyarn.io/yarn-clip/8ecff1be-781e-4e32-9203-b49c12b251bd>.

<sup>6</sup> Go to <https://www.tdrpd.org/157/Community-Swimming-Pool>.

<sup>7</sup> \$11 for non-residents (\$9 for non-resident seniors).

## **EXHIBIT "A"**

## Feb 8,, 2023 Board Meeting - Agenda Item E(1) - Outsourcing Pool Maintenance

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**From:** <s4s@ix.netcom.com>  
**To:** Dent Matthew <dent\_trustee@ivgid.org>  
**Cc:** Schmitz Sara <schmitz\_trustee@ivgid.org>, Tonking Michaela <tonking\_trustee@ivgid.org>, <noble\_trustee@ivgid.org>, Tulloch Ray <tulloch\_trustee@ivgid.org>, <sellingtahoe@sbcglobal.net>, <ISW@ivgid.org>  
**Subject:** Feb 8,, 2023 Board Meeting - Agenda Item E(1) - Outsourcing Pool Maintenance  
**Date:** Feb 5, 2023 9:41 PM

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Chairperson Dent and Other Honorable Members of the IVGID Board -

As my friend DJ Khaled (go to <https://www.djkhaledofficial.com/>) says over and over and over again. Here's another one.

And it's our basic, repetitive problem. Incompetent and over compensated employees who just don't care! Except here I guess we can't even get one to service our pools. But lucky for us we can get one to administer the lack of service. Lots of supervision but next to nothing when it comes to actually doing work. Are you reading Gail? And I guess Sheila's doing such an exemplary job, it's time to promote her to a directorship (see below).

Initially note that the author of the staff memo is Shelia Leijon and she's identified as a mere "superintendent." But on the web site under senior management, she's identified as the "director" of parks and rec. Now continuing, there are two lessons to be learned from this episode. The first is that if we can outsource pool service and maintenance, we can outsource EVERYTHING! And we should. Because time after time after time we learn that third party sources can do the work we require more professionally and for less money (\$89,624.45 in salary plus benefits for an in house employee? Are you out of your mind?). The second is now that we're going to outsource, why do we need staff to manage that outsourcing? And at \$110/hour? Is this another one of staff's stupid Internal Services functions (the former buildings superintendent who performed these functions by definition was an employee assigned to internal services) where personnel bill out their time at some outrageous amount because we don't have adequate revenue sources to pay for their salaries and benefits? You know, the Kate Nelsons at \$135/hour. Or the Brad Underwoods at \$165/hour? Or fleet at \$95/hour. It's time to be done with all of these people and defer to the expertise of the private sector.

Look at the cost breakdown at page 7 of the Board packet. We can't negotiate something more reasonable in compensation or find someone in the Lake Tahoe basin? \$7,920 for Burnt Cedar Pool maintenance and then a 156% surcharge for travel? \$5,720 for the Rec Center maintenance and then a 157% surcharge for travel? And travel billed at \$110/hour? Are you crazy? And if these weren't sufficient surcharges, let's add an additional \$5,720 surcharge for staff (mis) management we call admin overhead.

Find someone local who won't charge nearly \$2k/month just for travel. Who maintains the pool(s) at the Hyatt? What about Stillwater Cove? Who used to maintain the pool at the Cal Neva? What about the several pools at the motels along Highway 89 heading towards Tahoe Vista? Is there a pool in Third Creek? Who maintains it? Do I have to do staff's job of finding a reasonably priced alternative? Do n RFP. Remove staff's intervention with this process which just like a CMAR, guarantees we pay the maximum price. I guaranty each of you that if you were looking for pool maintenance for the pool at your personal residence, you WOULDNT be paying what Sheila Leijon has qualms about paying. And with someone else's money!

And you wonder why staff overspend when it comes to essentially EVERYTHING they do? You wonder what your RFF/BFF are really spent on? And you're not disgusted by what you see?

Respectfully, Aaron Katz

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN  
MINUTES OF THE IVGID BOARD'S REGULAR FEBRUARY 8, 2023 MEETING –  
AGENDA ITEM F(3) – INCREASING OUR WATER/SEWER RATES AGAIN  
WITHOUT ADDRESSING THE FUNDAMENTAL PROBLEM; PREFER-  
ENTIAL AND DISCRIMINATORY RATES AND TERMS TO IVGID  
AND ITS FAVORED COLLABORATORS TO THE DETRIMENT  
OF LOCAL PARCEL/DWELLING UNIT OWNERS**

**Introduction:** Well “here’s another one” according to my friend DJ Khaled<sup>1</sup>! And it’s the same old, same old. Granting discriminatory and preferential water/sewer rates to the District’s commercial business enterprises and it favored collaborators to the detriment of the residential user. And that’s the purpose of this written statement.

**My E-Mail of February 6 2023:** On February 6, 2023, after reading the packet of materials prepared by staff in anticipation of this evening’s meeting<sup>2</sup> (“the 2/8/2023 Board packet”), I sent the Board an e-mail<sup>3</sup> sharing my views insofar as further water/sewer utility rate increases unduly prejudicing the residential parcel/dwelling unit owner. I am not going to repeat the many reasons but rather refer the reader to the attached e-mail.

**Conclusion:** Please address the fundamental problems with our utility rate making process. I have laid out all you need to do. But of course you won’t because you’re more committed to staff’s money losing commercial business enterprises than we local parcel owners you rely upon to subsidize our one-thousand (1,000) or more employees’<sup>4</sup> salaries and benefits. And that’s because you embrace the fact that our employees are the District’s most important asset. When they’re not!

**And You Wonder Why the Recreation (“RFF”) and Beach (“BFF”) Facility Fees and Water/Sewer Utility Rates and Charges Which Pay For This and Other Similar Waste Which Local Parcel/Dwelling Unit Owners Are Forced to Involuntarily Pay is Out of Control?** I’ve now provided more answers.

**Prologue:** To those of you who are regular readers of my written statements attached to the minutes of Board and Audit Committee meetings. I’ve come to the conclusion that it doesn’t matter what it is insofar as the District and our staff are concerned. Everything is out of control and as a practical matter, there is no fix. We have more than fifty (50) years’ experience. Whether it’s the pond liner project; or Phase II of the effluent pipeline project; or trying to secure Army Corps of Engineers 595 funding which will never, never, never be secured even though staff continuously hold out false

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<sup>1</sup> Go to <https://www.djkhaledofficial.com/>.

<sup>2</sup> Go to [https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT\\_Agenda\\_-\\_020823.pdf](https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT_Agenda_-_020823.pdf).

<sup>3</sup> This e-mail is attached as Exhibit “A” to this written statement.

<sup>4</sup> Go to <https://transparentnevada.com/salaries/2019/incline-village-general-improvement-district/>.

hope; or paying Marcus Faust \$60K or more annually for NOTHING, and then lying to us Brad Underwood about his successes; or the Mtn Golf cart pathway re-pavement project; or the RFID lift pass reading system at Diamond Peak; or \$6M (or \$8M or more according to me) for a new cafeteria at Incline Beach; or \$5M for a new pool at Burnt Cedar Beach; or new golf carts at the Champ Course which were supposed to have saved us tens of thousands of dollars in existing cart battery exchanges, but did not; or the dog park; or the failed Rec Center expansion project and blaming Trustee Schmidt for its failure; or the Ordinance 7 committee; or the \$50,000 of legal fees with the Balkenbush law firm for recommendations and advice concerning violations of the beach deed; or the Mark Smith litigation fiasco; or the Kevin Lyons/Flashvote litigation fiasco; or the Tyler/Muis software system which isn't integrated with OpenGov; or our utility rates which subsidize staff's money losing businesses to local residents' prejudice; or spending \$1M or more annually of our RFF on marketing; or the propaganda rag we know as the IVGID Quarterly; or use of our private beaches for baptisms and circumcisions (in other words, purposes other than recreation for the benefit of local parcel owners with beach access); or pool furniture for GOD's sake; or opening up our private beaches to the public under the guise of a "public safety pier;" etc., etc., etc...Don't you people get it? It's EVERYTHING!

And I'm the problem?

From my favorite movie, "wake up and smell the coffee Mrs. Bueller!"<sup>5</sup>

And to those of you who think ANY of this can be fixed, I have a couple of bridges in Incline Village I'd like to sell you. The fact of the matter is THERE IS NO FIX!

A wise man many moons ago stated that the fastest way to get out of a hole is to STOP DIGGING. STOP DIGGING!

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

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<sup>5</sup> Go to <https://getyarn.io/yarn-clip/8ecff1be-781e-4e32-9203-b49c12b251bd>.

## Feb 8,, 2023 Board Meeting - Agenda Item F(3) - Increasing Our Utility Rates Again WITHOUT Addressing the Basic Problem! Granting Preferences to the District's Money Losing Commercial Business Enterprises, and Similar Preferences to Their Favored Commercial Collaborators

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From: <s4s@ix.netcom.com>  
 To: Dent Matthew <dent\_trustee@ivgid.org>  
 Cc: Schmitz Sara <schmitz\_trustee@ivgid.org>, Tonking Michaela <tonking\_trustee@ivgid.org>, <noble\_trustee@ivgid.org>, Tulloch Ray <tulloch\_trustee@ivgid.org>, <sellingtahoe@sbcglobal.net>, <ISW@ivgid.org>  
 Subject: Feb 8,, 2023 Board Meeting - Agenda Item F(3) - Increasing Our Utility Rates Again WITHOUT Addressing the Basic Problem! Granting Preferences to the District's Money Losing Commercial Business Enterprises, and Similar Preferences to Their Favored Commercial Collaborators  
 Date: Feb 6, 2023 9:33 AM

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Chairperson Dent and Other Honorable Members of the IVGID Board -

As my friend DJ Khaled (go to <https://www.djkhaledofficial.com/>) says over and over and over again. Here's another one.

And it's our basic, repetitive problem. Incompetent and over compensated employees who just don't care! Notwithstanding the fact they try to make us believe they do (are you listening Gail?).

So here we hired a consultant to develop a utility rate study for the public. But then you allowed our staff to exclusively interact with those who are supposed to be impartial and independent, and then our staff end up CORRUPTING the process because their agenda is not aligned with that of the public. And that's exactly what has happened here. I went through the process when HDR did its initial utility rate study. Don't you remember? HDR wouldn't talk to me because they were instructed by Brad Underwood and Company to NOT? Because staff was the client and I was an outsider. And look at the end result?

I addressed this subject at the Board's November 9, 2022 meeting. Go take a look at the minutes if you don't remember. There I attached a written statement to the minutes of that meeting where I attempted to make the case that although the typical District median residential water customer (as opposed to account) consumes approximately 3,000 gallons of water/month and incurs a monthly water bill of roughly \$36.75, in contrast, the District consumes over 15.4 million gallons of water/month and incurs monthly water bills totaling roughly \$30,810. In other words, on average the District consumes 5,134 times the water the median residential water customer consumes on a monthly basis, yet pays only 838 times what the median residential water customer pays. Now does that sound fair? Shouldn't the District be paying 5,134, or even more times the amount the median residential water customer pays so that everyone is paying his/her/its fair share? Shouldn't the District be paying roughly \$188,674/month in water charges? Or approximately \$2.264 million/year? And this doesn't even address sewer charges.

Continuing, I then asked the Board to assume that "70% of annual water use for Incline Village and Crystal Bay is for "irrigation." After all, that's what staff represented in writing



in a monthly newsletter attached as an exhibit to my written statement attached to the minutes of that meeting. Given total annual Incline Village and Crystal Bay water use is 1.0688 billion gallons according to our Utility Rate Consultant, HDR, it means that nearly 750 million gallons are used for annual irrigation and snowmaking. And given 78.2% of District water is used for District irrigation purposes, this translates into approximately 586 million gallons of use annually. In other words, nearly fifty-five percent (55%) of all Incline Village and Crystal Bay annual water use! And given proposed annual District water revenues total \$5,128,528, to be fair, the District should be paying fifty-five percent (55%) of this number or approximately \$2.82 million/annually (pay for what you use)! But according to our Utility Rate Consultant, the District is only paying \$369,671 for its annual use of water. **Only approximately \$2.45 million short!** Which coincidentally, is pretty close to my \$2.264 million/year calculation in the above paragraph.

And think about it. Are the infrastructure requirements for a customer using in excess of a million gallons/month different than one using 3,000 gallons/month? So why isn't the former contributing more to the infrastructure capital and maintenance costs? Here the District, at best, is only paying 76.64 times the CIP costs that the residential customer pays. Is that fair?

If the Board made the District's commercial business enterprises pay their fair share, these businesses would report even more losses than those they currently report. And then staff would be looking to local parcel/dwelling unit owners for an even larger RFF/BFF subsidy because of the larger losses. So in their minds, why make our water and sewer rates fair, non-discriminatory and non-preferential? But that's our basic problem. And if you want to solve the problem, it's time to eliminate the preferential and discriminatory mechanics of our rates which benefit the District's commercial business enterprises to the detriment of local parcel owners. In other words, PAY YOUR FAIR SHARE Diamond Peak! And our golf courses! And if this means you can't operate your commercial business enterprises which provide over compensated and benefited employment to the same persons who are directing HDR insofar as our utility rate structure is concerned, then I say so be it! Go out of business! I'm tired of hearing how we have to involuntarily prop up these money losing businesses because our employees are the District's most important asset.

Think about it. First local parcel/dwelling unit owners are forced to financially subsidize the District's money losing beach operations with the BFF.

Then we are forced to financially subsidize the District's money losing community services operations with the RFF.

Then we are forced to financially subsidize the District's intentional overspending assigned to the General Fund, with disingenuous central services cost transfers from our RFF, BFF and the utility rates we pay.

And since these subsidies not sufficient, the District needs to exempt themselves and their favored collaborators from paying the RFF/BFF.

And since that's not sufficient, staff demand local parcel/dwelling unit owners financially subsidize the District's/its favored collaborators' water/sewer rates.

And since that's still not sufficient, let's select a trash collector who agrees to pay IVGID a 10% tax on gross receipts and then pass on this surcharge to guess who? Local parcel/dwelling unit owners.

Don't you get it that according to staff, local stakeholders are nothing more than fresh meat to be fed to the lions whenever they're hungry? And you as Board members are being used by staff for this purpose!

Isn't it time we made our utility rates truly just and reasonable? Isn't it time Diamond Peak and our golf courses pay their fair share? If you agree, here's what you need to do:

1. Charge all District water users excess water fees (not just the 120 or so residential customers who have landscaping to irrigate). Eliminate the recreation service exemption which saves Diamond Peak, our two golf courses, and our athletic fields hundreds of thousands of dollars in manmade snow and irrigation water each season.
2. Base the District's capacity adjustment factor ("CAP") on something fairer than the mere diameter of a user's water meter. Since when is it fair to compare the hypothetical volume of water the commercial user is able to force through his/her/its water meter to the hypothetical maximum volume of water the typical residential customer can force through his/her/its water meter if he/she/it were occupying his/her/its home (remember that according to staff 60% of local parcel owners only rarely occupy their homes as vacation/second homes) and demanding water 24/7 like our commercial water users demand?
3. Listen to our consultant: "For water rates...preliminary cost of service results (for high use irrigation customers) CONTINUE to show that...irrigation revenue can be increased...due to the significant peak demand that irrigation puts on the capacity needs of the water system and the resulting costs associated with providing this level of service." So why aren't you increasing high volume irrigation customers' rates at a higher level than the typical residential customer?
4. "For sewer rates the prior cost of service analysis showed that...commercial class revenue could be increased greater than residential." First, effluent volume is so much greater for commercial customers (and remember, we have no means of measuring that volume). Think about it for a moment. How many times are toilets flushed during a weekend day at the Diamond Peak base lodge? Now compare this number to the number of times in a day the toilets in your vacant residence are flushed.  
  
Second, the effluent at commercial restaurant/other users is far more difficult to break down (due to oil and chemicals) compared to the typical vacant residence.
5. Whatever our actual costs are, make everyone pay his/her/its fair share on a percentage basis. In other words, if the District is using 50% of all District water, it should pay 50% of all District water costs. If the infrastructure costs to handle the effluent needs of the District's commercial customers are "x" times those of the typical vacant residence, then the District should pay that percentage of all District sewerage costs.
6. Stop charging "accounts" admin charges. Charge actual "users" instead. Approximately 4,000 condo users are escaping admin charges altogether because the bill is sent to an HOA. And this is supposed to be fair?
7. Start charging the 200 or more unimproved parcels in town SOMETHING for the availability to connect to the public's water and sewer systems if and when it's convenient to the owners of those parcels. And this is supposed to be fair? What should be charged is called a "standby service charge!" Staff knows this doesn't it? After all, isn't that what the RFF/BFF allegedly are even though the occupants of 85% of all assessed parcels/dwelling units never frequent our public recreational venues where user fees are charged?
8. Do you realize that the owners of the 200 or more unimproved parcels in town don't pay defensible space fees like the rest of us? That's because they're not water service customers, and defensible space fees are billed on water bills. Now that's supposed to be fair?

And do you realize that non-resident users of our wastewater (Clear Creek for instance) aren't paying their fair share because your staff entered into written agreements with those users which are voidable because they were never authorized nor approved by the Board? Why do they deserve a break? And where's this in HDR's study? Bueller? Bueller? Bueller?

And you wonder why staff screw us over when it comes to essentially EVERYTHING they do? You wonder what your RFF/BFF are really spent on? You wonder why your water and sewer rates go higher and higher? You wonder why a \$23M effluent pipeline replacement project turns into a \$100M one when everything is said and done? You wonder why a \$1M Burnt Cedar Pool ends up costing nearly \$5M? You wonder why what was originally supposed to be a \$1.5M Beach House Cafeteria is now going to cost over \$6M according to staff and \$8M according to me? You wonder why we're paying nearly \$90K annually for swimming pool maintenance? You wonder why a glorified secretary is being paid over \$160K annually because someone gave her the title of Admin Director? And you're not disgusted by what you see?

It's the same problem and it's rearing its ugly head again. So DO SOMETHING FOR GOD'S SAKE to make this picture right!

Just consider staff's response disingenuous response: "there are no comments associated with this Memorandum" (see page 69 of the Board packet).

Respectfully, Aaron Katz

Topic: Incline needs a park just for dogs THE SILENCE YOU HEAR IS FROM THE PUBLIC AND SENATOR'S TRUST.

Trustees:

Issues with Village Green

Call it what you like, the proposed 3<sup>rd</sup> survey is an attempt to backslide away from the community's voice for a new dog park away from Village Green.

In a rare bipartisan moment, our lobbyist persuaded three of Nevada's U S Senators to create a rider-attachment for a U.S. Military spending bill on behalf of Incline Village General Improvement District Trustees: Senator Amedei wrote it, and Senators Rosen, and Cortez-Masto co-sponsored it. I doubt embarrassing the senators, whom you lobbied to write the attachment with Mr. Faust will appreciate the backsliding.

The attachment to that bill was specifically intended to mitigate our community's growing need for a fenced and managed dog park and specifically to get the dogs away from Village Green adjacent to the two Lake Tahoe streams—determined to be the most important in the lake's watershed.

- 2011; For the restoration of these two streams and the land at, a people's park, Village Green, US Army Corp of Engineers spent over \$11,000,000.00. Our specific community added to that budget with non-profit donations, while citizens contributed millions more. Included in this Village Green restoration is another perennial creek known as Rosewood Creek. It is not adjacent to the ball fields, but is also a spawning ground for the lake's trout and Kokanee Salmon.
- 2019; Dr. Lanie Galland, PhD geneticist, University Nevada, Reno, determined that, " Of the 63 streams on Lake Tahoe, Third Creek and Incline creek are Lake Tahoe's two most genetically important streams."
- 2015-23; The state of Nevada NDOW has been studying these two creeks in the preparation of the return of the, designated by the EPA as "Threatened", Lahontan Cutthroat Trout (LCT)—for the past two years their return to Third and Incline creeks has been expected.
- 2020; For the past three years, with these senators' encouragement, USDA-FS, LTBMU took pivotal actions and made major concessions with NDOW for the reintroduction of the LCT into Lake Tahoe's East Shore, Nevada, and has been continuing to do so.
- 2022; LTBMU US Forest Service hydrologist, Craig Oehrli, stated, "It is official, Third Creek is the only stream on Lake Tahoe formally registered as Lahontan Cutthroat Trout "habitat"... "this is based on First Nation, Washoe Tribe records from the 1800s." This species is the only "Native" Lake Tahoe trout, and was decimated by the fishing industry, and disappeared from the lake by the 1930s.

- This knowledge comes from my 30 years of full-time residency in Incline, environmental activism as a citizen; with a home on Rosewood Creek—my interaction with the US Corps of Engineers, as well as 8 years as Lead-volunteer on the above mentioned NDOW study.

To follow your current path nullifying or reducing the importance of a dog park move, you are skating on thin ice. I'm sure Mr. Faust's credibility will be impugned, and the senators will think thrice about working on behalf of IVGID Board of Trustees. Our interface continues!

### **Brief-incomplete history.**

Petition to create a "Park just for dogs" 396 Incline resident signers: 47% dog owners, 53% non-dog owners.

First IVGID survey; ~5 years ago, 72% of our community in favor of "a park just for dogs" off of Village Green.

Subsequent Second survey; At Chairman Dent's request and sponsorship(?), circa 3-4 years ago, with a less informed audience, still had 63% of the surveyed people in favor of a park just for dogs.

Sports fields sharing with dogs became "multi-use," which is absolutely NOT recommended and against the law in some states. They've become unusable for: youth soccer, college sports, dryland training ski team, fire department exercise (ultimate frisbee) etc.

Events have been canceled or moved due to the threat of Cryptosporidium, Giardia, and E coli polluting these two fields: children's summertime water park.

Concerts, lacrosse tournament, 4th of July celebration, many others eliminated or impacted.

The community as a whole cannot place a blanket on the field for picnics; past Trustee Horan's wife said, [she], "wouldn't go to the Village Green Park, because it's disgusting". Our current trustee said, [she] "wouldn't take her dog to the park because it's gross and stinks."

Parents cannot sit on the sidelines during games without dogs sniffing their crotch all of the coaches, referees and remaining venues must try to clean up poop even though IVGID pays staff to do it.

Poop still remains and you can't clean up urine. For five consecutive years, evidential photos of this polluted winter's melt as runoff from Village Green into Third Creek and Incline Creek have been sent to IVGID trustees; our staff engineer has verified the problem. In 2019 trustees received a poster with 47 piles of poop located in one walk-through on the west side of Third Creek—IN ITS SEZ, more urine must be considered as well. Two years ago, a similar poster with 27 piles from the SEZ of Incline Creek was also submitted. Routine, expensive, IVGID cleanup after negligent dog owners has proven to be impossible to manage. Those owners have been regularly educated and the sheriff has been called due to confrontations with aggressive owners breaking the laws guiding Village Green dog use. Seven year's effort has proven that this egregious practice will continue.

20 years of bad management: More than once the health department has been called for methane gas coming from the never constructed, improperly maintained, "temporary" dog park's fecal matter.

Tahoe Regional Conservation District inspector recommended testing swimming area after summer rains, because of polluted runoff so close to the beach.

Three years ago, as Incline Village's number one important concern, we had our lobbyist Mr Foust lobby for a bill that went to the US Congress requesting the same US Forest Service LTBMU property we are looking at now. It was written and sponsored by three US Senators—the Trump Administration removed it with line-item veto.

Because of a tiny fraction of dog owner's self-interest, now this BOT is trying to shift the ground beneath its own logic—again. This 2023 group of Trustees has not experienced this 20-year nightmare, nor have three in particular been witness to the last 7 year's many, many irate parents, coaches, referees, and event promoters pleading for a dog park away from VG. Their silence now is a combination of trust and exhaustion.

A tiny minority of people are staunch, self-serving, bullying advocates and trying to keep the freewheeling dogs on Village Green. One of these forest-service-dog-park-deniers claims that the Forest Service's property is prohibited from change through Santini-Burton Act deed restrictions, but the elementary school had(s?) the same type property designation, so that information is red-herring. As one who's watched surveys for decades, it is a common developer's tactic to repeat surveys until one gets the answer one wants; regardless of the previously active community's strong voice.

This is not about trout, not about dogs, but, as admitted by several long-past and not so long-ago former trustees; this is about the mishandling of a problem 20 years in the making, and an entire community getting back its freedom to recreate at Village Green, while creating a needed well managed dog environment. We still need the Village Green sports fields whether for sports, picnics, football tossing, youth sports, company meetings, fireman frisbee, or just a quiet stroll by the stream. This has been an affront to the many for the benefit of a very few. Please give us back Village Green in its entirety. Leashed dogs only please.

Respectfully,

Steve Dolan

Resident since 1992

Working with and for IVGID Trustees and staff for 22 years.

## Abel - Comments for 2/8/22

While I appreciate our new Trustees, I am concerned that you are on a trajectory that will not yield good results long term. If the desired result is public trust and the public's confidence that our IVGID staff is acting in our taxpayer's best interests, I am afraid that the present incremental approach is doomed. Insanity has been described as doing the same thing over and over and expecting different results. How about doing the same thing over and over with the same people and expecting different results?

I cannot imagine you Trustees fully digesting a 297 page packet every 2 weeks except if that was my full time job. Basically, it is staff's way of keeping our Trustees off balance and overwhelming them with fluff. The present 297 page packet is a classic example of management's desire to distract and divert the board's attention from the critical issues that have the public's attention. Among those issues are these 7 issues:

1. Accounting irregularities, and that IVGID has multiple incompatible software systems.
2. A bloated executive payroll which has increased from \$1.6 million to \$2.15 million?
3. Why does IVGID need an engineering department when:
  - a. They want every major project like this beach building to be handled by a CMAR contract. What happened to design, bid, build.
  - b. Why do they have to pay an outside firm (HDR) to do the Utility Rate study that was done in-house until a couple of years ago.
4. Why does IVGID need an incompetent "Aquatics supervisor" that proposes spending three times as much money buying beach furniture that is unassembled and can be obtained for 1/3 the cost elsewhere.
5. Our GM has in his discretion created several new positions with commensurate salary increases for existing employees without advertising for the positions or doing interviews. Among those are the new Director of Recreation, Director of Food and Beverage, and Director of Administrative Services. Did our Board approve any of this?
6. Why does the board maintain an attorney who does not provide useful advice. Example: Is the employee beach access debacle where Mr. Nelson did not advise the board to vote on the issue of attorney-client privilege.
7. Finally, another citizen asked for calendar 2022 payroll information on January 9<sup>th</sup> and was told that it would not be available till 2/28. Is that transparency?

2-8-2023

Public Comments: Margaret Martini

Please add these comments to the minutes of the meeting.

I concur with Mr. Katz's assessment for the charging of utility rates 100%. I have said many times in the myriad of presentations by staff who ALWAYS JUMP ON THE RATES THAT ARE CHARGED BY OTHER DISTRICTS need to realize THAT WHAT they charge is IMMATERIAL to what we charge. They run their districts like they want to run them. We need to run ours in a more responsible and fair model. Continuing to compare them with ours is a BIG WASTE OF TIME and a smoke screen for our inefficiencies. Let's just look at how to efficiently and cost effectively run OURS. Based on the waste and graft of all of the other departments run by IVGID I would be remiss to even consider that the statements coming out of the public works dept and staff and management (Directors) are still continuing to promote the overspending and try to justify by raising our "LOW" rates as compared to OTHER utility districts. Get off that bandwagon it is a dead horse that you should stop beating. If there needs to be an adjustment then lots look internally at other costs and at other income streams as pointed out. Choosing to reduce rates to other venues to keep THEIR costs down and raising the rates on the residents is just plain wrong and very bad business practices as clouds the actual cost of running the venues.

The employees need to quit whining and threatening to leave and seek employment elsewhere. NO WHERE in the last meeting was the FACT that the employees are retaining all BUT ONE recreation access perk. Yes, they are retaining ALL BUT ONE which happens to be deed restricted. If they cannot live with that then they need to seek other employment. They are here to do a job they were hired for at market or most likely above wage rate. If that is not good enough for them then by all means do not let the door bang you in the butt as you leave to seek other employment. Dissatisfied employees are a drag on the establishment not an asset.

It is imperative that all departments and special tasks have Board liaisons. That is the only way that true board oversight can be perfected. This oversight has been sadly and completely disregarded by previous boards. That is one of the reason that previous boards have so cluelessly voted in wildly expensive and inappropriate policies and expenditures. It is my opinion that this oversight should be extended to the hiring of management, er Directors. The backroom deals and procrastination tactics were the conclusion of two of the biggest debacles of last year...the rec center debacle and the employee beach access. Just those two items have given teeth to the fact that Indra has considerably overstepped his boundaries in my opinion.

Wow another enlightening fact is that Josh, the board attorney seems to have misplaced his legal acumen, in my opinion, regarding just who in the organization he is representing. That was evident many times as he consulted with board chairs and management. You would think that he had not even read his contract and understood the representation.

I am hoping that the new board of trustees is just going to be what they are charged with....being trustees for the property owners first and foremost.

A handwritten signature in black ink, reading "Margaret Martini". The signature is written in a cursive, flowing style with large loops and a prominent initial "M".



IVGID BOARD OF TRUSTEE'S  
MEETING 8 FEBRUARY 2023  
PUBLIC TESTIMONY  
Ref: UTILITY RATE STUDY

My name is Paul Smith a resident of Tyrolian Village HOA in Incline Village. I ask that my written comments tonight be placed in the minutes of this meeting.

The HOA in which I live has **ONE** incoming water meter supplying 227 homes in my HOA.  
Yet my HOA is charged by IVGID:

227 Base Rate and Customer Admin fee's for water and  
227 Base Rate and Customer Admin fee's for sewer.

WHY? Isn't my HOA **ONE** customer?

Furthermore, all water and sewer lines within the HOA are owned and maintained by the HOA. The HOA does inspections, carries out repairs, and owners pay into reserves to ensure that future replacement can be managed.

So, why should an HOA that maintains its own pipes and connections not get a discounted Capital Improvement fee instead of paying the exact same fee for each of the 227 HOA units compared to an independent customer who is metered and served directly by IVGID?

While the HOA benefits from the IVGID system (e.g. effluent pipelines, water treatment, and major water mains etc.) why also should my HOA pay a Capital Improvement fee for the maintenance of a network of piping directly to thousands of Incline homes and businesses? I suggest that my HOA should be charged a discounted Capital Improvement fee to reflect HOA owned and maintained local piping.

So, what should my HOA pay? This question should be part of the Rate Study and rate setting discussions.

Please include in the Rate Study an evaluation of the cost to serve a multi-unit HOA that maintains its own pipe systems and is served by ONE METER and pays its bills with ONE check (i.e. is the cost equal to 227 units x the Base fee plus the Customer Admin fee or is it less?).

Please also include in the Rate Study a determination of what part of the customer Development Fee relates to local service (as opposed to effluent or treatment etc.) and calculate, therefore, what discount in the Development Fee should be afforded to an HOA that has its own water delivery and billing system. Thank you.

Paul Smith  
930 Tahoe Blvd 802 557  
Incline Village, NV 89451  
[pesepts@aol.com](mailto:pesepts@aol.com) 775.688.9442

2022-23 Rate structure per user:  
Residential Water Rate (current)  
Base Rate \$15.10  
Capital Improvements \$15.10  
Customer Admin Fee \$4.23  
Defensible Space \$1.05  
Total Monthly Base Water Bill \$35.48 plus water use charges  
Residential Sewer Rate (current)  
Base Rate \$25.10  
Capital Improvements \$31.45  
Customer Admin Fee \$4.23  
Total Monthly Base Sewer Bill \$60.78 plus sewer use charges.

January 8, 2023

Public Comment - Clifford F. Dobler

This written statement must be included in the minutes of this meeting

It is truly remarkable that this current Engineering department is allowed to operate.

Eight reminders before I comment on the proposed \$6 million Incline Beach Building.

- 1) Two years ago, I suggested that two contracts be issued for the Burnt Cedar Pool, one for demo and one for construction. I was ignored. The project took an extra year to complete and probably costs an extra \$500K
- 2) Without even knowing where the effluent pipeline was to be located in SR28, the engineering department blew over \$500K designing Pond #2 only to abandon the design.
- 3) The small pump track next to the tennis courts was never fully completed. Permits expired and now there is a tangled web to get the project back on track.
- 4) Preliminary design for the original effluent storage former pond #1 was done twice by Jacobs engineering. Blew \$36K.
- 5) The bidding for the first phase of the Mountain Golf course cart paths was not done in accordance with plans and specifications, a local contractor was stiffed, and public works decided to take on the inspections in violation of the construction contract.
- 6) The effluent storage tank in the Pond #1 location has been delayed another year as no one seemed to know that an Environmental Assessment was necessary.
- 7) Now we learn that an Environmental Assessment is necessary for the effluent pipeline. A recent surprise.
- 8) No one seemed to know that over two years ago, NDOT mandated that a small portion of effluent pipeline was required to be relocated to accommodate a storm drainage culvert. That effort will be done this spring delaying any substantive production on the pipeline. Most of the 5,500 LF of purchased pipe will sit and rust for another year.

Now the Incline Beach Building. Since 2016 when \$250K was wasted designing a monster building, 6 years later Staff is at it again. Only \$6.1 million is the new estimate. Estimates for the monster building (twice the size) was between \$3 and \$4 million.

So in IVGID world we get half the building at twice the cost.

Competitive bidding is out the window. IVGID would rather stack fees upon fees with a CMAR contractor. The classic is \$275,000 estimated for IVGID staff time. That would be a full time person for three years watching over a CMAR contractor and a design team to build a 2,000 sf building. Are you kidding.

Trustees do not cow tow to this group of people providing nothing but inefficiencies and errors on this next project. Please. Get the project away from them.