

MINUTES

REGULAR MEETING OF SEPTEMBER 28, 2022

Incline Village General Improvement District

The regular meeting of the Board of Trustees of the Incline Village General Improvement District was called to order by Board Chairman Tim Callicrate on Wednesday, September 28, 2022 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 Tim Callicrate, Kendra Wong, Sara Schmitz, and Michaela Tonking. Trustee Matthew Dent joined the meeting at 6:07 p.m.

Members of Staff present were Controller Martin Williams and Director of Human Resources Erin Feore. Members of the public physically present were Joe Wolfe, Dr. Myles Riner, Ryan Mitchell, Dave Noble, Kerrie Tonking, Kathleen Watty, Gwendolyn Paul, Gail Krolick, Mary Kleingartner, Carolyn Usinger, Yolanda Knaak, Stan Herschberg, Diane Becker, Lauren Hill, Scott Stranzl, William Carr, Linda Carr, Sherrie Kratca, Lisa Nelson, Tim Kelley, Janet Pahl, Peter Morris, Anthony Walker, Axel Morris and Aloe Pitts, Ray Tulloch, Cliff Dobler, Frank Wright, Joe Schultz, Holly Raysic, Nicolas Saadi, Melissa Fleaming, Tony Robinson, Sabrina and Leo Dukes, Tia Rancort, Bradley Mindlin, JP Kelley, Jim Lyon, and others.

C. INITIAL PUBLIC COMMENTS*

Joe Wolfe complimented and thanked Trustee Kendra Wong for her service. He commented that he has come to express his disapproval with Trustee Schmitz. He stated that Trustee Schmitz has lied more than twice to her fellow Board Members and public. He continued that she has denied voting against a gift by the Duffield Foundation of 26 million dollars for the improvement of the Recreation Center. She can paint any picture she likes and deny anything she wants to but it is in the minutes of the meeting; the fact is she voted against it. He commented that she lied to the Board when she said she did not grade the District General Manager at a 2 and that she graded him at a 5 when in fact there are emails that exist showing she did grade him at a 2; she denied this publicly. He stated this is the wrong kind of attitude, atmosphere and is improper. He stated he has friends whom have asked if he would asked for her resignation immediately. Otherwise, she will face

a recall because she is not representing the community. He stated she is one sided and both sides of her mouth go at the same time; it is horrible.

Dr. Myles Riner read from a prepared statement which is attached hereto.

Ryan Mitchell commented that this donor has done nothing but good for this community and he does not see this as any different in that regard and to vote no from one of our elected officials, he sees as a breach of duty and is calling for resignation.

Dave Noble, IVGID Trustee candidate 2022, commented that over the last few months while he has been campaigning for the IVGID Board of Trustees position, people have asked him why he is running. He stated the September vote on the Recreation Center expansion is exactly why he is running. He stated he is sick and tired of this Board getting to the one-yard line and not carrying projects through to completion. He stated he is tired of this Board kowtowing to the minority of naysayers in this community. He stated that Trustee Schmitz's no vote resulted in a loss of 25+ million dollars; this will go down as the most outrageous nonsensical vote in the history of IVGID and that is a hard thing to accomplish. He stated she has talked about her fiduciary duty to the community, but he is not sure how losing a 25 million dollar donation upholds that duty. He stated that she has shown she is firmly in line with Aaron Katz and the other minority of naysayers in this community. He stated Ray Tulloch, who is also running for the Board, was in full support of the no vote based on his public comments at the meeting which were memorialized in the meeting minutes. He implores everyone to get out and vote this fall and vote for Dave Noble.

Kerrie Tonking read from a prepared statement which is attached hereto.

Kathleen Watty commented she has lived in the community since 1974; she is a retired educator. She stated she was very heartbroken when she saw the 4-1 vote denying the 26 million dollars that would go for the youth of this community because she has worked to make sure that we have all of the amenities possible for this entire community. She stated we are a small group of individuals; this gift of 26 million dollars cannot be looked at and denied. She commented it's disconcerting to think that our youth are going to lose out on this and she wishes there was a solution to it, that the vote can be taken back and start over again as many of the elementary students think, do we have a do over here or not. She stated obviously we do not but 26 million dollars is something you cannot deny and refuse to help the programs that would enhance and take care of our entire community. She stated she wishes there was a better solution because as an educator you always look at a problem and try to come up with a solution. She

stated obviously right now, she does not know that there is a solution but she does hope that everyone does vote and make sure there are some changes and continue to support the Trustees as we have. She stated she is concerned because this program would take care of the needs of many of the students here.

Gwendolyn Paul commented that she is here to show her support for the Recreation Center expansion project. She stated the Duffield Foundation's offer to fund 26 million dollars is a gift that we are very fortunate to have. She would like to thank them for their offer and everything else that they have done for the community; the list is far too long to be able to fit into this comment. She stated as someone who was also born and raised here, she has a unique perspective on this project. She has been a teen in the community. She understands what it is like to walk away from the middle school and go to Starbucks or sit at the Raley's café with nothing to do. She stated she witnessed her peers start drinking in sixth grade because they did not have an option. The Recreation Center expansion project changes that; it gives an opportunity to those youth who do not necessarily have it; it can change lives. She stated that by Trustee Schmitz choosing to do it "right", she has taken that option away from the youth and shown them how she feels about their future. Ms. Paul continued that we owe the future of this community more. She stated she has done a disservice to this community by letting this generous opportunity pass; own it, apologize, and fix it.

Gail Krolick, IVGID Trustee candidate 2022, read from a prepared statement which is attached hereto.

Mary Kleingartner thanked the Duffield Foundation for offering the incredible donation and stated that everything they have done for the community is extraordinary. She stated to the Trustee who voted no, you should be ashamed and embarrassed; you put your personal agenda ahead of this community and the people you are supposed to represent. We demand you resign effective immediately.

Carolyn Usinger commented that she is the person that has picked up over 150,000 pieces of trash along the Tahoe roads in the last 3 years. She stated as a thank you from Nevada Department of Transportation (NDOT) and the Sherriff's Department, they have given her two misdemeanors that are permanently on her record because she put trash in NDOT's trash can without a permission and NDOT has a system so that you can't get permission. She stated she was going to say thank you to IVGID for providing 7 day a week trash access for her but mentioned the bins have been removed so she has a car full of trash that she picked up today, about 750 pieces of trash. She has no place to put the trash because there are no trash bins at Public Works anymore. She stated she would go put the trash in

NDOT's bin because it came from NDOT's road, but if she did that, she might be in jail tomorrow. She commented she is starting a program with IVGID where racks are going to be in the Recreation Center, library and Visitor's Center. She stated people would be able to borrow trash grabber sticks to pick up trash; they have a bag connected to them. She noted they could be picked up anytime from one of these three locations; she asked that they be returned when finished. She stated there are also trash related stickers that people can have, as well as HERO bags. She commented she has a program that she is going to start with businesses shortly and she hopes to come back and tell everyone about. She stated IVGID will be paying for the trash grabber sticks but she has paid for other items herself as she has a passion for getting rid of trash from the Tahoe basin. She mentioned if one sees trash, she would appreciate if it were picked up.

Yolanda Knaak, IVGID Trustee candidate 2022, commented that she had a misunderstanding at the last meeting as she thought it had passed and the Recreation Center expansion was going to move forward. She stated she has not seen anything official about not getting the grant; the only thing she has seen is an email from Trustee Kendra Wong and she hopes it is not true. She stated she hopes the community can get the grant. She asked everyone to vote for her because she is all about bringing people together through positive and respectful communication. She stated no one is perfect but everyone has to work as hard as they can, and she is hopeful to get the grant.

Stan Herschberg read from a prepared statement which is attached hereto.

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

Lauren Hill thanked the Duffield Foundation for offering to give such a significant donation; she stated the community appreciates them. She mentioned that the Trustees have assumed a role that in all likelihood is sometimes considered thankless but they decided to take that role. She stated to the Trustee who voted against this significant donation, she is not here to berate her; she simply and respectfully asks that she resign.

Scott Stranzl read from a prepared statement which is attached hereto.

William Carr read from a prepared statement which is attached hereto.

Linda Carr read from a prepared statement which is attached hereto.

Sherrie Kratca commented that she loves that we all can sit in judgment. She asked do we really know what happened. She agreed with some other people who

said they did not see all the discussion that was going on about what was good or bad. She stated she loves the Duffield's; they have done so many wonderful things for the community. She provided an analogy of a parent giving their child a car and asked if it is understood that the car requires insurance, gas, and maintenance. She stated if there is a gift from Duffield, she does not know if that includes insurance, maintenance and staffing so she might say as a Trustee, what are all of the other expenses included in the budget. If they are not included, the public needs to understand that maybe there is another \$200,000 a year that is needed for maintaining the additional youth facilities. She stated this might be fine if everyone agrees to pay the additional money. She stated that there is a lack of information about the project and what it is going to impact. She asked, do you want to give up something else and do you want your golf fees to go up. She stated please have better information. She stated she went to a meeting the other day about the potential of becoming a city and they talked about transparency and information that all can make a unique decision on. She stated she hates the fact that people are blasting things that we do not know anything about. She asked everyone to think about if you are a parent and you want to give your kid a car, do they have the funds to pay for their insurance and gas.

Lisa Nelson stated she has lived here since 1986 and she grew up in town and is currently raising a family here. She stated she also owns a business and does not get to come to many meetings because she works full time. She stated she felt it was important to come express her absolute disgust for someone to vote no against a gift to the community. She stated that the kids absolute need this. As a teenager growing up here, she referenced the trouble kids could get into without having somewhere to go. She stated the kids are pretty much forced to go to Starbucks and Raley's which provides nothing for them. She stated she could not believe a gift would be turned down and she does not care what the cost is; if the fees have to go up, then they go up. She stated this is an important thing and everyone needs to think about their decision, and by voting no, it is saying no to every child in town.

Tim Kelley commented he was raised in Incline Village since 1985 and went to all three schools. He stated everyone needs to understand that the multi-generational facility truly was going to be a multi-generational facility. He referenced the rooms that were going to go upstairs which were going to replace the offices that were going to have more space for spin bikes, aerobics and yoga classes. He also referenced the new gymnastics facility that was going to serve so many young people from the ninja program to the gymnastic program to the youth teen center that could be used by so many residents all day. He stated that every Board member knew what their vote was going to do. He stated the Duffield Foundation made it extremely clear they wanted a 5-0 vote and everyone knew that. This has

taken away so many things for so many residents in the community that could have helped. He stated to move all the gymnastic equipment out of the Recreation Center gym into a new gymnastics facility would have opened up so much space for the community. He mentioned that he is not a negative person and he is not going to look at anybody but so many answers were so clear. He stated the facility was going to be so amazing for the community; not just the youth but also the idea of what it would have done for the amazing seniors that want to do the amazing programs during the day to the youth center that could have been used by all the seniors when the kids are at school. He commented the no vote was damaging in a big way and the no vote needs to be thought of.

Janet Pahl commented that she has been a resident since 1979. She thanked the Board of Trustees for all they do. She mentioned that District General Manager Winqwest appointed 5 community members, two of which are in the room, to find a dedicated dog park and Trustee Schmitz even has her nose stuck in that. She commented that Trustee Schmitz needs to back off and do what is best for the community. She stated she thinks she needs to apologize to her fellow Board members and to the Duffield's. She stated that the Recreation Center and the 26 million dollars needs to get back on track and she would hope that before she is recalled, she tries to put this together and then maybe just resign.

Peter Morris read from a prepared statement which is attached hereto.

Anthony Walker commented that he just recently heard about how this vote happened and what it actually means to the community. It is a community that has soccer fields, tennis centers, pickle ball courts, beach access, and a bike path to sand harbor; why are we not supporting kids? He stated the kids are the community and the reality is with everything else that is a luxury and recreation, kids need this.

Axel Morris (and Aloe Pitts) asked Trustee Schmitz where she wants him to hang out after school; then stated, well then maybe you should have signed the donation.

Ray Tulloch, IVGID Trustee candidate 2022, commented he was standing outside listening to everything and he is somewhat confused. He is hearing all of these stories, innuendos, complaints and allegations. He stated he was at the meeting two weeks ago and he listened to everything and he is now hearing completely different reports. He stated he also heard some of his fellow candidates who have been struggling in the polls casting all sorts of assertions that Ray Tulloch is against everything. He stated if people care to look at his comments two weeks ago, he made the point that other candidates were sitting on their hands and were not prepared to go public with what to say. He mentioned the he made the

comment he supported the expansion, and supported a further expansion if there are funds. He stated his campaign is based on transparency and accountability; he will be transparent and not just sit back at meetings and say nothing. He stated he heard the Duffield's have cancelled the grant and he has seen nothing, but has seen a second hand copy of an email circulated by a Trustee. He has heard rumors that people were notified on Friday of the Duffield's desire to stop the gift; he has seen nothing about that. He stated he is not sure where all of these stories are coming from. He has heard other Trustee candidates standing up threatening that if people disagree with her they should leave town. He asked is that what we call civility and looking out for the community, if you do not agree with something, you should just leave town and let her sell your house, is that the type of community we are, is that transparency and is that accountability? He stated for the record, he strongly supports the donation from the Duffield's and strongly supports the additional expansion if it can be done. He stated he thinks it is owed to the community and that there has been many misrepresentations; people are politicking and creating on emotion rather than facts. He thinks facts are very important. He stated he is not aware of anything from the meeting two weeks ago, that said if option D was not accepted exactly as is and all 5 Trustees vote in support, it would be cancelled. He mentioned that the Board papers presented 4 options and that is what the general public was aware of.

Cliff Dobler commented that a gentleman spoke earlier that he was kicked off the Audit Committee, which is an absolute lie. He stated he served his two-year term and he thinks he contributed quite a bit. He stated he tries to base things on facts, so when Board packets are prepared, he puts together the information in the Board packet because if it's in writing, it's probably pretty much what's going on. He stated he followed the project from January and nowhere in the 5 meetings had it ever said there was a maximum amount that the Duffield's were going to pay. He stated that slowly, as the design was being developed, it crept up from 29 million to 33 million dollars and then at the last minute, it was shrunk down to 25 million and the square footage shrunk to meet the Duffield requirement which was never disclosed for over 6 months. He commented that he just made the simple statement that it is a shame that there was not an opportunity to talk to the Duffield's and see if IVGID could have contributed 4-6 million dollars to build the gymnasium as part of the overall project. He stated if for some reason that offends people, he does not know what to say. At the end of the day, he was just throwing an idea out that if the Board had gotten together when it got up to 33 million dollars, and they were aware that 25 million dollars was the max, there might have been some discussion because something had to be cut out. He stated he, as a resident, did not know anything because it was not in the documents. He asked why he would not assume that Duffield was going to pay everything, as there was nothing saying he had a maximum amount. He stated sometimes he thinks things get a little out of control

and he will speak again at the end of the meeting. It was voted in at a 4-1 vote and everyone agreed to unanimously accept the letter; he thought the deal was over. He stated he does not like to be portrayed by people as Trustee Schmitz's lynch person or anything else as he was just making an observation.

Frank Wright commented that coming before the Board for the last 12 or 14 years, serving on the Ordinance 7 Committee, dealing with people like Peter Morris, Tim Callicrate, Kendra Wong has been a real treat. He stated for Peter Morris to get up here and insult the IQ of a Board member whose probably one of the smartest Board members we have ever had, who has taken the time to dig into things and find out about contracts, liabilities and future costs to this District, is responsible. He commented for a guy who ran a business, Mr. Morris, and cheated 46 people out of their salary and their wages and to call people stupid is embarrassing to him as a community member and embarrassing to the community; it's pathetic. He commented if the people outside payed half attention to what is going on here, they would be appalled too but they showed up because they are getting something for free, maybe, from Mr. Duffield, maybe, but they did not see the long term effects of it. He stated the long-term costs are excessive. The contract is not even written. There is nothing on paper that shares what we will be paying as a community and what is going to happen to a property that we purchased as a community and is owned by the community and we are giving it to a nonprofit, just like the Parasol building. He stated he is not against going forward with this but wants to do it the right way. He wants contracts to be signed, wants to see numbers and wants to see Mr. Duffield's commitment. He stated that there is nothing that Mr. Duffield has put in writing; there is no contract. He commented that Trustee Schmitz should not be attacked for voting, as she is a Trustee and has a right to her own mind. He commented that the people, who are asking for her resignation, should think twice about the terms and conditions of a Trustee serving this community. You do what is right, you look at contract and what is behind it all and you do what is right. For doing what is right, there are bunch of people in the parking lot that want her head; it is insane. Those same people in the parking lot have no clue that their beaches are being given away to people that are living in Reno and they could care less. He stated he served on the Ordinance 7 Committee; he listened to enough garbage on that thing to last a lifetime. He stated he tried to protect what belongs to us. He stated he is here to speak to the community and asked them to get the contract and information and pay attention to what's going on. He stated do not just show up out of anger or because you think you were cheated out of something. He stated he respects the Board and the people who vote, when they do it the way it should be done.

Joe Schultz commented that as he was listening to a number of speakers, it seemed to him that this was a semi-organized lynch mob against Trustee Schmitz.

He stated he was appalled and embarrassed that this was allowed to go on. He stated Trustee Schmitz has his confidence, as do most of the Board members. He commented that he was also taken back by some of the candidates who are up for office for IVGID Trustee in the future. He commented if the rhetoric they spewed this evening is the way they are going to govern then we are in a world of hurt. He stated the situation that has led to this is complicated. He thinks the Board can collectively take blame for not putting out specific information instead of allowing rumors to run the way people are thinking that the negotiations are going. He stated it is almost difficult to believe that a professional organization like the Duffield's would just take their ball and go home. The offer they presented to the community was wonderful and seems it could have been more wonderful with a little negotiation. He stated that he thinks they can be approached and he cannot believe that they are so small that they would just take the offer off the table. He stated keep working at it and he has confidence that it can be done.

Holly Raysic commented that wishes the voices of the children were present so everyone could hear how excited her 5 children were when they heard the news of the great opportunity that was presented or they thought was going to be presented to them to have access to a teen center where they could go. She stated they unanimously said they wish they could be there to experience what their little brother and sister could experience which is to have a teen center where they could go to on an ongoing basis, because her older 3 children are in college. She commented she looks around the room and she sees the parents who have donated countless hours of time, treasures and talent for the mental and physical health of the children. She commented that people like the Duffield's invest in people before the actual organization. The leadership of District General Manager Winquest and his team are excellent and have been very instrumental to create a safe location and a place for the children to be involved in healthy activities. She stated she hopes there can be a revote on this although she does not know all of the logistics behind that, as she has not been involved before this other than being very excited about the opportunity for a great safe place for teens and seniors.

Nicolas Saadi commented he has been a part of the community for 16 years or more, he has taught tennis in the community for more than 10 years, he has been skiing/snowboarding for over 10 years and he supports IVGID. He stated he is now raising a family and has two young girls. He stated when he heard about the opportunity for his kids to be able to stay in town and go to gymnastics or dance or other opportunities, it was god sent. He commented this opportunity has passed and he has to continue to drive down the hill to Carson, Reno and other communities to get these same services, instead of down the street in his own community. He stated his kids do not get to enjoy building relationships with their community members and the kids in their classes, and that is a disservice. He

stated he understands this opportunity has passed and it may not come again, and he feels this is another opportunity, similar to years past, where the tennis center had an opportunity to build a dome and indoor courts, which was going to be funded by the Prim family. He stated the Board at the time chose to pass on that opportunity over 15 years ago and here he is today, leaving this community to go to another community for the same service he cannot get here. There was also an opportunity for an ice skating rink to be built in the community as well, and here he is, driving down to Reno, every weekend to go to Reno Ice, when he could have been doing it here. He stated the amount of services that he has to leave the community for is taxing and a shame because he likes this community, he supports it, he has worked in it, and he has met the community members and now it is just adding more difficulty to his family that they have to drive this far. He stated he implores the Board of Trustees to find a way to keep the family and services here.

Melissa Fleming commented she is here for these faces right here and to say that this was a loss. She stated she is sad. She has heard the stories, read the emails and she is sad that some folks have chosen to say no on an opportunity that could only help these youngsters. Tell me that these young folks do not deserve this opportunity; take a look at them. This is for these young folks to have a positive place to grow, to learn, to better themselves and to better the community. She stated she is so appreciative of what the Duffield's have brought to this community and she hopes that somehow, this is heard, and we can do better and make better choices. She stated look at all the young faces around you and tell her, that you do not want to do better for them and tell her it is not worthwhile to do.

Tony Robinson commented that he appreciates all that the Board of Trustees does. He stated he has been to so many meetings and it is cool to be in the old school building. He has seen many people come and go. He stated he would hope that the Board of Trustees would support this and that Trustee Schmitz would change her mind. He stated there are not many opportunities that people give that kind of money. He understands that a lot of people are upset, but at the end of the day, there's not many people like Duffield that are going to come along and give us that kind of support. He commented that as a group, he hopes this will be revisited because there will not be this chance again.

Sabrina Dukes (and Leo Dukes) thanked the Duffield's for their generosity and thanked the Board members who voted in favor of the expansion. She commented that the children are in crisis; pressures of social media, lack of in person relationships, to mention a few. She stated given the current temperature of our society, how could we say no to expanding basketball, yoga, spin classes, pickle ball, sportsmanship and bonding? She stated happy and healthy children promote a healthy community, which goes way beyond tourism. She commented she is

hopeful that the Duffield's will reconsider tonight after the magnitude of support shown here this evening for the expansion.

Tia Rancourt commented she has lived in the community since 1988; she has watched it grow and change. She raised two daughters here with her husband. She asked the Board of Trustees to reconsider the decision and support the expansion of the Recreation Center. She stated she thinks this is an amazing opportunity to grow and expand. She stated it is important to keep a visionary outlook when talking about the community and what is going on, with the mindset of what it will be like for our children and grandchildren in years to come. She stated this is unfortunately a missed opportunity that she is asking be reconsidered.

Bradley Mindlin mentioned he has been away for a while and he listens to most of the meetings online; unfortunately, he was on a plane last week and he missed last week. He commented he only recently heard what happened and that he does not know all the facts, or any of the facts, other than listening to people today. He stated the Duffield's became very successful and made a lot of money. It is their money; they do not have to give the money to anybody and it is all up to them. He mentioned that he is in the business of buying apartment buildings and bringing new life to them. He stated there is a problem from 2 p.m. to 6 p.m. in every apartment building, which they call the witching hours, when the kids get out of school. He stated when you get 6-10 youngsters together, just the nature of being young, they get into mischief; they need mentorship, leadership and experiences. The Recreation Center is the perfect place for that in this community. He commented he does not know what happened, maybe it was a misunderstanding or maybe it was not. He stated somehow we have embarrassed the Duffield's and if it was a mistake, as leaders, the whole Board should work together and correct this. He stated in politics today, people are trying to get exactly what they want; they want perfection and will vote against something if it is 90% of what they want, and then get nothing. He stated this might not be perfect, but if it is pretty close to what we want, let us go hat in hand and somehow bring the Duffield's back and thank them. He commented that as part of this community, he has heard some things, on both sides, that he is ashamed of and he wants to personally apologize to the Duffield's if there was anything that was said today that would embarrass them. They have been good to the community. He stated he did run for IVGID and was not fortunate enough to make it out of the primaries, but he will continue being involved in the community.

JP Kelley commented if Trustee Schmitz was worried about contracts and legalities, he feels like she should have done her due diligence and asked the right questions. He stated she said no to something the kids need; they need a place for them, and not somewhere, where they need to go on weekends where the

gyms/pools are booked because the senior citizens are using the pool for Pilates and water stuff. He stated he feels like there needs a place for them to hang out.

Jim Lyon commented he has known Trustee Schmitz around the same time they moved here. He has been impressed, since the very beginning that she does the due diligence and digs into stuff which ticks a lot of people off because she gets her nose in, and finds out that things are not what they are purported to be. He stated she is not against anything necessarily but let us look at the facts and find out what is really going on. He stated he does not know all the details and he thinks he learned a lot from Mr. Becker and some of the others tonight; it sounds like maybe the negotiations and talking with the Duffield's could have made a big difference. He commented that he thinks you have to stand up for principles and do your job as a Trustee member.

Andrew Minor commented he has lived in the community for almost 10 years and he has 3 young daughters. He stated he is surprised listening to this; when there is an opportunity for that significant amount of money to be donated, people should have been moving heaven and earth to figure out how to make it work. He stated he does not know the details of why this is falling apart, and to him it does not matter because it is not communicated to the community to have a better understanding so people can come to the meeting armed with better information. He stated that whatever the reason, everyone should grind a lot harder to figure out how to do this. He referenced a dog park and spending 3 million dollars to fence in land in the middle of the national forest with tons of public access, but when we are gifted 26 million, everyone should have been working 24/7 to figure out how to make that happen. He commented that anyone that has ever been in private business for a deal that is as significant as this; everyone should have all hands on deck to get it done. He is stunned that something as significant as this is being wasted and he expects more out of the elected officials. He commented this is very disappointing and everyone deserves a better explanation on why it is happening.

Rob Valli commented that this is not just an issue for the young people but it is also an issue for the more mature adults. He stated something of this nature and a gift that is this rare is something that needs to be contemplated. He is glad that people are looking into it as much as possible but you cannot just walk away from a gift like this. He stated you accept the gift and you work around the gift. He stated the community has a lot of blessings; he is grateful to live here and this would make the community that much better. He stated that for everyone, whether on one side or another, this is a win-win situation. He stated the Duffield's have been great people for the community and he hopes they are listening as they will hear loud and clear how much we need this and want this.

Charley Miller commented he is disappointed in Trustee Schmitz and how she voted on this; very predictable. He stated she is listening to constituents that are not in favor of the community. He thanked the Duffield Foundation and stated hopefully the ship can be steered around. He commented this is not just about the children because it also frees up so much for all senior citizens and community members. He thanked all other Trustees, especially Trustee Dent for getting onboard on this generous donation.

D. APPROVAL OF AGENDA (for possible action)

Board Chairman Callicrate asked for any changes to the agenda and requested a flexible agenda. Trustee Dent asked to move Report Item E.4 to the next meeting; there was a brief explanation and discussion. Trustee Tonking asked to move item Consent Calendar Item G.3 to General Business and Trustee Schmitz asked to remove item Consent Calendar Item G.3 from the agenda in its entirety; Consent Calendar Item G.3. was removed from the agenda in its entirety. Board Chairman Callicrate said the agenda is accepted as revised.

INITIAL PUBLIC COMMENTS (continued)

Board Chairman Callicrate was made aware that the Board of Trustee members did not have the opportunity to make public comments at the very beginning of the meeting and as such, allowed the following:

Trustee Wong read from a prepared statement which is attached hereto. Board Chairman Callicrate stated that the character of individual Trustees cannot be discussed unless there is a special meeting scheduled for this purpose. He asked that the comments be more generalized to avoid open meeting law violations. District General Counsel Melissa Crosthwaite mentioned that discussion is permitted but not deliberation and if there were a desire to deliberate on any item, it would need to be on an agenda for a future meeting.

Trustee Tonking stated the Board of Trustees received 51 emails from people in support of the project; a lot of them spoke about the youth in the community. She stated she was once a youth in the community and she's hopes that we can do better and that the community will be better than it was when she grew up in here. She stated she thinks the Board of Trustees has let down the community. She stated that the original motion she made combined the two agenda items, which included the design and approval of the letter; Trustee Schmitz asked to separate the items into two parts and then it became a two-part vote.

Board Chairman Callicrate stated he spoke with Jim Dugdale, who is the Executive Director of the David and Cheryl Duffield Foundation, and he asked him to clarify why the Duffield's are pulling their support for the Recreation Center expansion. He then read aloud what was said by Jim Dugdale during their conversation; "*while there were several missteps in the project, the Foundation was on board to proceed forward with option D, provided that the Board unanimously support the amended scope of the project with the intent of showing the Foundation and Community of its full support. Unfortunately by a 4-1 vote that did not happen so the Foundation terminated its grant.*" Board Chairman Callicrate reiterated that this came directly from Mr. Dugdale. Board Chairman Callicrate asked him if there might be any opportunities in the future and Mr. Dugdale responded that at this time, the Duffield's have no interest in moving forward with the project, so the project is done. He stated that this does not mean the next Board(s) and the Community cannot reach out to the Duffield Foundation but as of yesterday, Mr. Dugdale was definitive that the Duffield's are not going to move forward with the project. He commented it is very unfortunate but it is their money and their decision and they had their stipulation about unanimous on both; this did not happen so the community has to deal with the fall out of that. He thanked the Duffield's and Mr. Dugdale for working diligently over the last 4 years since they became aware that the community wanted to expand the Recreation Center. He stated they have been beyond generous and with a community of this size, to have received millions of dollars anonymously and upfront over the last few years, speaks volumes about the character of these individuals. He stated it is their money and they have a right to make their decision. The Board apparently did not do their due diligence, and that is unfortunate, but at this point, this is not going to move forward and this discussion is over.

Trustee Schmitz commented she is very grateful and appreciative of the Duffield's generous offer to move forward with the Recreation Center expansion project, to be a partner with the District. She stated she is also very disappointed with the decision that Board Chairman Callicrate just mentioned. She stated she was not informed that the design had a requirement for unanimous support. She stated others may have been informed differently; she was informed there was a unanimous letter of support that was required for the project which is why it was an agenda item at the last meeting. She stated the design did not include a significant component that had been discussed by the Board of Trustees with the community since January, which was the multi-use gym. She stated she had expressed her feelings and belief that the addition of the multi-use gym was needed to properly serve the youth of the community and to allow for additional capacity. She stated she felt the exclusion of the multi-use gym was something that was truly needed for the community and the youth of the community. She stated she did not vote against the project; she clearly stated the grant agreement

and MOU had included the multi-use gym. She mentioned if the Board of Trustees would have had an opportunity to have discussion before it got too far down the road to be able to figure out how the District can help contribute financially if the Duffield's had a limitation that was not permitting the building of the multi-use gym. She stated she is very disappointed that because she expressed a desire to have delivered for the community the entire scope of the project that had been discussed since January, which had been quickly and expeditiously removed from the scope of the project. She stated she really wanted that to happen for the community and she is disappointed that the Board of Trustees and the Duffield's did not have an opportunity to negotiate and truly be partners for one another. She stated the Duffield's were extremely generous and everyone has a limit; if that limit did not financially deliver everything needed for the project, then her statement was we needed to step up and the District needed to discuss appropriating funds so the multi-use gym could be incorporated in. She stated that when a Board makes a vote on something, it is the responsibility of the other Board Members to get on board, aligned and support the decision of the Board. The Board makes the decision and when the Board votes to make a decision on something, it is all of the Board members responsibility, to align with that. She stated the reason why she voted in support of the unanimous support letter is because the Board made a decision to move ahead with option D; therefore she signed on and signed up because that is what the Board decided to do. She stated she is very disappointed that the Duffield's made this decision; it is not her decision, and they have the right to do what they choose with their funds. She hopes that the Duffield's will come back and have further conversation and perhaps the District can financially contribute to the project so that it can be delivered in the entirety of its scope.

Board Chairman Callicrate responded that there will not be a skeleton to deal with and the Board of Trustees will hold a future meeting for further discussion on this item and the necessary information will be sent out to the community.

E. REPORTS TO THE BOARD*

E.1. District General Manager's Report

District General Manager Winquest reviewed the submitted report. He thanked Carolyn Usinger who discussed her efforts all over the community of picking up trash. He stated on behalf of IVGID, he will guarantee her that an opportunity will be provided for her to dispose of any amount of trash that she can find. He stated he sees her all over and thanked her for her efforts. He explained that when the material was published in the District General Manager's Report, they had not received all of the information regarding the Recreation Center expansion. He mentioned that it is too emotional for him

to be able to talk a lot about this so he will not be able to do that this evening. He stated the IVGID staff, including himself, worked hard to cultivate the relationship with the Duffield Foundation; he referenced the ball field project, gymnastic equipment and other things. He thanked the Duffield's and apologized to them for what happened. He commented that they are wonderful human beings and very private people. He also thanked Jim Dugdale and the Foundation. He stated the District Staff, including himself, did everything that they possibly could to keep the project moving. There were negotiations and significant discussion and he is sorry that the Foundation was not willing to speak to the Board of Trustees, but they have that right. He stated that he too was disappointed when he found out that the additional gym space was going to be dropped out of the modified scope, but that is the decision and expectation that the Duffield's and the Foundation had. He reiterated that they did everything they could to keep the project moving and he did everything he could over the last several years to make this project and opportunity a reality for the community. He stated he is sickened and saddened. He stated that he is not bitter and angry, he is sad. He stated the night he found out, he did not sleep and there were tears in his eyes looking at his children thinking about all the kids he has coached in the community and supported. He stated he thinks everyone knows how passionate he is about the youth. He mentioned he wants to make sure that the Duffield's know how supported and how important this project could have been to the community.

He mentioned that on page 9 of the District General Manager's report, there is some information on a Washoe County noncompetitive grant. He mentioned that the District did submit for ARPA funding from Washoe County; as a GID, the District does not receive direct ARPA funding like cities, towns and counties. He stated the information has been received from the County staff. The District had expressed concerns about how the District was not receiving any funds. He stated he has had several conversations with the Washoe County Manager's office and the District is being offered a \$250,000 noncompetitive grant. He noted there are specific criteria and guidelines for the types of projects that would qualify. He mentioned that Staff has looked through the Capital Plan. He stated that Staff will be recommending to the Board of Trustees at a future meeting that the renovation of the skate park, which was identified by the Board of Trustees as a priority project, be the project to utilize the funds for as there was supposed to be a phase 2 of the project after it was built in 2000/2001. He thanked the Director of Administrative Services for working on this. He stated the Board of Trustees will have an opportunity to discuss and

evaluate this and if there are other projects that the Board may be interested in, it will be entertained.

E.2. Treasurer's Report– Requesting Trustee: Treasurer Michaela Tonking

- A. *Payment of Bills (For District payments exceeding \$10,000 or any item of capital expenditure, in the aggregate in any one transaction, a summary of payments made shall be presented to the Board at a public meeting for review. The Board hereby authorizes payment of any and all obligations aggregating less than \$10,000 provided they are budgeted and the expenditure is approved according to District signing authority policy)*

Treasurer Tonking went over the submitted materials. She mentioned that the July check run is included again because there were some checks that were flagged previously for the month of July, but they were actually for the month of May, due to an error in pulling the information from the new system. She noted that there are some payments that are high which include payments to Mike Menath Insurance for all of the insurance policy premiums combined. She noted the Brycon Corporation payment on the August check run is for the Recreation Center locker room remodel. She also noted the Rapid Construction payment on the July check run which is for the watermain project

E.3. Fiscal Year 2021/2022 Fourth Quarter Budget Update – Unaudited Results through June 30, 2022: (Requesting Staff Member: Director of Finance Paul Navazio)

- A. District Financial Results (Unaudited) Through June 30, 2022**

Controller Martin Williams was present to provide an overview. He stated that the 4th quarter unaudited financial reports reflect that the District is doing great. He noted there was 45.5 million dollars in revenue which is 98% of what was budgeted for the year. The expenses were 41.6 million dollars, which was 73%. He stated the District had a great net profit for the year. He noted there was 3.9 million dollars of expenditures in the 4th quarter that went over budget. Trustee Schmitz mentioned that in reviewing the material, all of the debt service principle is being charged to the Championship Golf Course and none of the principle of debt is being shared with the Mountain Golf Course, which can have an impact on what the financial bottom line

looks like. She asked if the principle of the debt could be further allocated to the Mountain Golf Course. Controller Martin Williams responded that this could be done and mentioned that because both of the courses are within the subfund for golf, it comes to a net effect of the same. He stated the principle does not show up on the financial reporting because it hits the balance sheet. He is not sure why it was set up this way as he was not involved in the beginning. He noted that as of this fiscal year, the bond will be fully paid off and it will go away, but they will make the adjustment. Trustee Schmitz mentioned because of how small the Recreation Fee was this past year, the Facility Fee was not allocated across the venues and therefore, the P&L can be seen more clearly for each of the venues because the Facility Fee is not in the charges for services, which she likes.

B. Fourth Quarter Popular CIP Status Report Through June 30, 2022

Controller Martin Williams gave an overview of the submitted materials. He noted that overall a couple budget expenditures for the year were 7.5 million dollars or 40% of the budget; however, there was 3.5 million dollars that was encumbered bringing it up to 11.1 million dollars or 59.5% of the budget. There was an additional 9.7 million dollars that was carried over into the current fiscal year to continue to fund ongoing projects. Trustee Schmitz referenced the Recreation Center expansion project and the \$101,000 and noted that it was not included in the budget due to a timing issue. She asked how this would all play out as it was not in last year's budget and was not budgeted for this year because the decision by the Board of Trustees was made late and close to the time where the financial report had to be submitted. It is showing up in the reports under 2021-2022 but noted it was not actually budgeted for. Controller Martin Williams stated he would need to double check this; he does know there were expenditures but would need to double check on if it was budgeted.

E.4. Annual Audit Committee Report – Request by Trustee Dent for reconciliation to ACFR; Report by Controller Martin Williams (Requesting Trustee: Trustee Matthew Dent) *(this item was removed from this meeting agenda in its entirety)*

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

District General Manager Winquest reviewed the submitted materials. He noted that the next scheduled Board of Trustees meeting is scheduled for October 12th. He stated the Recreation Center expansion item will be removed. It was noted that

October 26th would be the next meeting date; Trustee Wong is unavailable on this date and there is currently nothing slated for the agenda on this date. He will work with Staff over the next few days to see if there is anything that needs to be added to the agenda for October 26th and if not, the Board of Trustees can make a decision on whether to move forward with a meeting on that date. Board Chairman Callicrate commented that there were two items from tonight's agenda that need to be moved to the October 12th meeting agenda. Trustee Schmitz asked if an agenda item could be added with regards to an update from the Audit Committee. District General Manager Winquest noted he will be working with Director of Finance Navazio to start populating all of the budget check-ins and potential workshop dates. He asked that if the Board of Trustees have any items they would like added to an agenda to let Staff know. Trustee Schmitz asked that the ACFR item could be added onto an agenda to be properly aligned with the Audit Committee's work? She inquired about the status of item F on the parking lot item list pertaining to special legal counsel for construction contracts. Director of Administrative Services Susan Herron responded that a contract has been executed with Silver State Law; this is the firm that District General Counsel recommended to do the overview of the construction contracts. She noted this is within the District General Manager's authority and Silver State Law has started the work. She noted the Director of Public Works would likely be adding updates in the next District General Manager's Report and that this item will be removed from the parking lot item list. Trustee Schmitz mentioned there had been some discussion about potentially wanting to make a statement relative to something we do not have jurisdiction over, but it was the location of the mobility hub at the old elementary school. She noted that was something that was contemplated and she was curious as to whether or not the Board of Trustees was interested in making a statement from the Board. She stated that based on some conversations she has had with District General Manager Winquest, there are a number of situations where agencies have not been communicating with the District. She stated that TTD and TRPA in some cases have not been communicating with the District General Manager about what they are planning and what is on their agendas. She inquired about potentially drafting a letter to these agencies requesting that in the future they provide more interaction and more communication; she asked if this were something the Board of Trustees would like to put on an agenda? Trustee Tonking stated she is fine with sending letters to TTD and TRPA but she worries about sending one regarding the first item mentioned. Trustee Dent stated he does not think the Board of Trustees has done this enough and he would be in favor of sending the letters if the Board of Trustees was united for both items. Trustee Wong asked District Manager Winquest if any of the budget workshops are going to be scheduled before the election and towards the end of the year, if he could include the four candidates for Trustee.

G. CONSENT CALENDAR (for possible action)

- G.1. SUBJECT: Review, discuss, and possibly approve a payment of \$18,293.87 to Erickson, Thorpe & Swainston, Ltd. for Mark E. Smith v. IVGID, Case No. CV18-01564 (Requesting Staff Member: District General Counsel Joshua Nelson)**
- G.2. SUBJECT: Authorization to Transact Under Blanket Purchase Orders for Fiscal Year 2022/2023, Pursuant to NRS 332.115 and Board Policy 20.1.0 (Requesting Staff Member: Director of Finance Paul Navazio)**
- G.3. SUBJECT: Review, discuss and possibly approve Board Policy 15.1.0 – Accounting, Auditing, and Financial Reports – Audit Committee Charter (Requesting Trustee: Trustee Sara Schmitz) *(this item was removed from this meeting agenda in its entirety)***

Trustee Dent made a motion to approve the Consent Calendar as revised; Trustee Tonking seconded the motion. Board Chairman Callicrate called the question and the motion passed unanimously.

Board Chairman Callicrate introduced and welcomed Melissa Robertson as the new District Clerk.

H. GENERAL BUSINESS (for possible action)

- H.1. SUBJECT: Review, discuss, and possibly approve the District General Manager Goals for Fiscal Year 2022-2023 and set a date for the District General Manager's Performance Evaluation (Requesting Staff Member: Director of Human Resources Erin Feore)**

Director of Human Resources Erin Feore noted she has sent information to the Trustees and asked if they had any questions for her. Trustee Tonking thanked her for her work on this item. She asked District General Manager Winquest if he feels like the proposed goals are something that sets himself up for success and if it is manageable between now and the end of the year? District General Manager Winquest stated he is fine with what is there. He did want to acknowledge that every Trustee has a different expectation. He stated that as long as the Board of Trustees is aware of that and understands that things will change through the year. He will work very closely with

the Director of Administrative Services to ensure Staff is on track in terms of meeting the expectations and goals. He stated he is fine moving forward with it and wanted to validate that everyone has a different expectation. He noted that if something were to change, Staff would bring it up right away so the Board of Trustees is aware the goal may not be achieved for any reason. He will be delegating many items to Staff and will be managing them to ensure the expectations of the Board of Trustees are being met. He noted that it is 3 months into the year and many items are in progress and some items are new. Trustee Tonking asked Director of Human Resources Feore when doing the evaluation at the end, is there a way to come up with a method where each of their preferences will be included but it is more systematic? Director of Human Resources Feore noted aside from the outline and information, there will be some changes forthcoming. She stated with this Board of Trustees having managed District General Manager Winqest for the bulk of the evaluation period, some questions to think about are will there be feedback allowed from prior Trustees and will the incoming Trustees have enough time. She stated her biggest concern is that since it is 3 months into the evaluation period, is there enough time for District General Manager to complete the goals successfully. She inquired if there will be enough understanding when there are new Trustees. She stated there would be coordination needed. She is happy to work with anyone on developing a way of determining the success of meeting the goals and she will take her direction from the Board of Trustees. Board Chairman Callicrate mentioned that he and Trustee Wong will be off the Board and there will be two new Trustees. He stated it is imperative that whoever is involved in the evaluation process is able to look at his past performance or current performance and not only on 2-3 months, so that he is judged fairly. Director of Human Resources Feore mentioned that with the District, if there is one employee who moved from one department to another mid period, there will be 360 conversations with the former manager and asked if there are opportunities to do that here. She asked that a date be set up for the evaluation and asked who she should work with on to develop the evaluation questions and process. She noted when she worked with the Board of Trustees on the 2020-2021 evaluation process; she received feedback that they were not satisfied so she will need to work with someone on how to proceed. Trustee Dent suggested having a future agenda item to discuss the process. He stated this is uncharted territory for this Board of Trustees. He stated he does not know if the input from outgoing Trustees is needed as

many of the goals appear to be measureable and can be tracked regardless of who is on the Board of Trustees. He stated it might be beneficial to sit down and discuss this as a Board before the evaluation; that way the Board of Trustees have already made a decision as to how the District General Manager met his goals, which are really the Board of Trustees goals. He stated that actually having goals for the District General Manager is a huge step in the right direction. District General Manager Winquest stated that item E under number 3 can be removed from the goals as it pertains to the Recreation Center expansion project. It was determined that Director of Human Resources Feore will work with Trustee Tonking on a systematic tool. Trustee Schmitz volunteered to assist with developing the evaluation questions and process. She referenced the different categories and stated the Board of Trustees should decide if they are equally weighted, how it is used to complete the evaluation, etc. She stated if there were clarity, it would help to have a more consistent review process. Director of Human Resources Feore agreed and mentioned there are some robust goals and she is seeking direction from the Board of Trustees on how to prioritize them. Trustee Tonking stated she likes the idea of having this topic on a future agenda to discuss the process further. There was brief discussion regarding selecting a date for the evaluation. District General Manager Winquest asked that in the future the goals be approved by the end of July. It was determined that the date for the evaluation would be June 7, 2023. Director of Human Resources Feore stated that prior to June 7, 2023, there will be a conversation about how to setup a measurement system pertaining to the goals and she will work with Trustee Schmitz on developing an evaluation system.

Trustee Tonking made a motion to approve the General Manager's proposed goals for Fiscal Year 2022-2023 with the date of June 7, 2023 for the District General Manager's Performance Evaluation. Trustee Schmitz made a motion to amend the motion to reflect that item 3E is removed. Trustee Dent seconded the motion and amendment. Board Chairman Callicrate asked for further comments, receiving none, he called the question and the motion was passed unanimously.

- H.2. SUBJECT: Review, discuss, and possibly approve a Code of Conduct for Elected and Appointed Officials (Requesting Staff Members: Director of Human Resources Erin Feore and District General Counsel Joshua Nelson)**

District General Counsel Crosthwaite stated the work done on the Code of Conduct for Elected and Appointment Officials was a collaborative effort with Director of Human Resources Feore and General Counsel Joshua Nelson. She stated the Board is welcome to review, make changes and/or ask any questions they may have. Board Chairman Callicrate stated that an email was received from a community member wherein he accused the Board of trying to remove a fellow Board of Trustee Member. Board Chairman Callicrate noted that would be illegal and that the Nevada Revised Statutes does not allow it, so it is a moot point. He stated that a Trustee can resign, be recalled or the Washoe County Commission could step in if needed. He noted the Board of Trustees sets the policy and can do whatever the Board of feels appropriate; this is not only for the Board of Trustees, but also for Commissions or sub Boards. Trustee Schmitz stated there are inconsistencies on the redlined version. She noted that on some areas the words “appointed officials” was replaced with “Members” but it was missed in some other areas. She stated that because the District runs golf resorts and ski resorts, some people have different normal working hours. She suggested that it be stated that there is no expectation/obligation/ requirement that someone respond (if it is outside someone’s normal working hours). She noted an area that read “Commission” and it should be “Trustee”. She suggested replacing “attend all meetings” with “must be visibly present”. Regarding the sentence that reads, “Trustees who do not follow proper conduct may be reprimanded or formally censured by the Board”, Trustee Schmitz recommended the sentence end here and remove “or other sanctions as deemed appropriate by Board of Trustees.”

Trustee Tonking made a motion to approve the Code of Conduct for Elected and Appointed Officials with the edits noted by Trustee Schmitz. Trustee Dent seconded the motion. Board Chairman Callicrate asked for further comments, receiving none, he called the question and the motion was passed unanimously.

H.3. SUBJECT: Review, discuss and possibly approve Board Policy 3.1.0 – Conduct Meetings of the Board of Trustees (Requesting Trustee: Trustee Michaela Tonking)

Trustee Tonking provided an overview of some of the changes in the redline version of the proposed policy. She noted two areas within the

policy that pertain to contracts whereas the policy itself would be stated instead of having to change it each time. She noted some wording changes in one section pertaining to a recommendation that the officers of the Board rotate on a reasonable basis. She noted a change that states one Board Member can serve on each Advisory Committee. She noted she increased the payment of the bills from \$10,000 to \$50,000. She noted she added "Board of Trustees Updates" to the agenda template section. It was noted there would also be an "Audit Committee Update" on the agenda. Trustee Schmitz mentioned the policy states that contracts shall be signed by two officers and asked if this topic had been discussed with District General Counsel? Trustee Tonking responded that it was not discussed with District General Counsel and it was changed so that it would not just be the Chair or Secretary. She stated this could be changed to reflect just one officer of the Board of Trustees signing. Trustee Schmitz suggested clarifying this item with District General Counsel as some of the contracts do not require Trustees to sign it. There was a brief discussion and it was determined that District General Counsel would review and make changes to this section as appropriate and to make it correct.

Trustee Schmitz made a motion to approve Board Policy 3.1.0 – Conduct Meetings of the Board of Trustees with the referenced changes and authorization for District General Counsel to make the necessary revisions as it relates to signatures on contracts. Trustee Tonking seconded the motion. Board Chairman Callicrate asked for further comments, receiving none, he called the question and the motion was passed unanimously.

H.4. SUBJECT: Discussion and possible action on revising the District's Gold and Silver Card Program for Employees and past Trustees to no longer allow access to District restricted-access beaches

District General Manager Winqest referenced the last 18 months spent on working on the Ordinance 7 recommended revisions in which the Board of Trustees adopted. As part of the process, it was recommended by the GM's Ordinance 7 Committee to review the District gold and silver cards. He stated that either the Board of Trustees or the GM's Ordinance 7 Committee had asked counsel to provide a Dillion's Rule review to understand whether or not gold and silver cards are allowed. He stated he was given direction to bring this

item to the Board to discuss potentially removing access to the beaches as part of the privileges for gold and silver cardholders. He stated this was part of the discussion and evaluation of the language in the beach deed and ensuring compliance with the beach deed. He noted there are 131 silver and/or gold cardholders that are currently active; 29 of which are current employees. He noted there have been 1,146 total visits over the course of 5 years. He referenced a draft letter that would be sent to the cardholders should the Board of Trustees approve removing access to the beaches for these cardholders. Trustee Wong asked if there has been a legal opinion from a Human Resources specialist concerning changing benefits after the fact, for current and former employees. District General Manager Winqest responded no. Trustee Wong asked if anyone knows what the potential repercussions could be in making changes to benefits, especially for some of the very long-standing employees? She stated that she is against this idea. Trustee Dent mentioned he believes the question was posed to legal counsel and the discussion was just because a benefit was provided at one time does not mean that the Board of Trustees cannot revoke that benefit. There was some discussion on moving this item to the next meeting agenda and asking legal counsel for their opinion on the repercussion question posed by Trustee Wong. District General Manager Winqest stated that the District does reserve the right to change privileges. As to what the potential repercussions might be, he would find out when the privilege is revoked, and there will be repercussions. Trustee Schmitz stated her recollection was that the issue at hand was the non-resident gold and silver cardholders and that was what the legal discussion was about. She stated the beach deed needs to be protected and this was identified as a concern from legal counsel. Board Chairman Callicrate stated he remembers it being a concern, but per the beach deed, whoever the sitting Board of Trustees is, they can determine who guests of the District are or are not. He stated that the previous Boards felt that the people who were long-term employees of the District were able to get the gold and silver cards with the access to the beaches without it harming the beach deed. District General Manager Winqest mentioned he does not think it would be appropriate to bifurcate the privilege when it comes to non-resident versus resident cardholders. He stated that if the Board of Trustees decides to revoke the privilege, the beach access is removed as a privilege from the gold and silver program. Trustee Dent suggested having another meeting with legal regarding this topic. Trustee Wong stated she would vote no on this item no matter what.

Trustee Schmitz stated she thinks it would be wise to review this topic and ensure the Board of Trustees understands what the legal counsel's advice was. Board Chairman Callicrate agreed and asked if it was possible to have a meeting the District General Counsel Nelson sometime in the next week? District General Manager Winqest mentioned he will be out of the office, but a meeting with District General Counsel Nelson is possible. Trustee Tonking stated she is fine with another legal meeting; she is opposed to removing benefits from people. No action was taken on this item agenda.

I. MEETING MINUTES (for possible action)

1. Notice of Correction to Meeting Minutes of June 29, 2022

Board Chairman Callicrate asked for any changes; none were received. Board Chairman Callicrate said that the meeting minutes were approved as submitted.

2. Meeting Minutes of August 31, 2022

Board Chairman Callicrate asked for any changes; none were received. Board Chairman Callicrate said that the meeting minutes were approved as submitted.

3. Meeting Minutes of September 14, 2022

Board Chairman Callicrate asked for any changes; none were received. Board Chairman Callicrate said that the meeting minutes were approved as submitted.

J. **FINAL PUBLIC COMMENTS***

Peter Morris commented that Trustee Schmitz was speaking out of both sides of her mouth. He stated she attempted to deflect blame and claim she did not understand and that is ludicrous. He stated having been a Trustee himself; he knows the door of the District General Manager and Senior Staff is always open. He stated she had plenty of time prior to the last meeting to be acquainted with all of the details. He commented that she leaves it to the last minute to bring things up; she was correcting commas, dashes, and things in a contract. He stated he understand that she was the one that pulled apart the agenda item for the vote the was requested for a unanimous decision, so it was up to her to understand the

implications of separating what was on the agenda and what she would be voting on each time. He stated she sits behind her comment that she did not know and it was not clear, but she keeps saying she is the most informed and most active. He stated that people were commenting earlier about how involved she is, but she continually demonstrates that she is not and she does not have a grasp of the details. He stated we can't have that as a Trustee. He stated that if Mr. Wright wants to pay for an IQ test to see if Trustee Schmitz or him have a better IQ, he is happy to do that; he does not know if she was ever a member of mensa or if he was. He stated he wants to understand how she is going to do with the current ethics investigation, which is ongoing with the state about her and her lies on the Board of Trustees.

Yolanda Knaak, IVGID Trustee candidate 2022, commented she was upset when she heard Board Chairman Callicrate say that it was a done deal; she stated it was upsetting. She thanked the Duffield's for the offer. She also thanked District General Manager Winquest and Staff for their work on the project. She commented that as a Trustee, she is making a commitment to work on the Recreation Center expansion because she would like to see it happen. She does not know how that would work out but she would be in favor of working for a Recreation Center expansion. She stated she was looking at the numbers for the gold and silver cardholder program for employees. She stated she knows there has been trouble with getting lifeguards, and asked if this would be affected by taking away this benefit.

Jim Lyon commented that Trustee Schmitz's attention to detail was proven tonight. He stated it sounded like when the negotiations were going on with the Duffield Foundation, the Board of Trustees was not involved and legal was not involved. He stated if that is true, he is surprised because negotiating is a fine art, and someone can't just go up, negotiate, and not know exactly how to do it and come out ahead. He stated he finds it hard to believe that the Foundation would not have accommodated or worked to give them the big gym they wanted to let us supplement it with our own additions.

Ray Tulloch, IVGID Trustee candidate 2022, commented that everyone disappeared immediately after making comments, and this is why it is relevant that people listen to all of the meeting and not just listen to emails that are sent out. He stated an email was sent out by a Trustee who just signed on to a code of conduct that would prohibit that; he finds that hypocritical. He stated he also finds it interesting that it is claimed that Trustee Schmitz and the Board of Trustees had all the details. He stated details have been revealed since the last meeting that were not contained in the Board packet. His understanding is a Board packet should be made available to the public; it should have all information. He stated

open meeting law should not allow several Trustees having access to information before others do. He stated that is not his understanding of open meeting law and he does not feel that is a transparent way to run the District. He stated his platform is about transparency and accountability. He stated the public must know all the facts. He commented it is contingent on the rest of the Board of Trustees to be responsible and not try to gang up on one Trustee. He stated he's heard the Board Chairman and the Trustees calling for decency in public comment, yet they allow ex-Trustee's to make accusations; he does not think this is a way to bring the community together. He stated he think all the Trustee's need to look at their own behavior. He stated he is disappointed that the Duffield's have withdrawn and that it happens in negotiations. He remembers a 4 billion dollar deal where the buyer walked away two days before signing and then came back. He stated if you do not discuss things, these things can happen and if negotiations are being carried out by an intermediary, there can be different versions going to the Board and different things happening. He stated he understands District General Manager Winquest put every effort into it and he commends him for that. He stated it is important that the community have all of the information to be able to make reasoned decisions and not make decisions based on emotions or emails that do not contain all of the facts. He stated if he is elected by the community, he will stick to his commitment to be transparent, open and honest with the community.

K. ADJOURNMENT (for possible action)

The meeting was adjourned at 8:56 p.m.

Respectfully submitted,

Melissa N. Robertson
District Clerk

Attachments*:

*In accordance with NRS 241.035.1(d), the following attachments are included but have neither been fact checked or verified by the District and are solely the thoughts, opinions, statements, etc. of the author as identified below.

Submitted by Dr. Myles Riner

Submitted by Kerrie Tonking

Submitted by Gail Krolick

Submitted by Stan Herschberg

Submitted by Diane Becker

Submitted by Scott Stranzl

Submitted by William Carr

Submitted by Linda Carr

Submitted by Peter Morris

Submitted by Trustee Wong

Dr. Myles Riner 411 Valerie Court, Incline 928/2022

It appears we have now lost the Duffield Foundations' offer to donate \$26 Million towards the update and expansion of the Rec Center. How did this happen? First, there was the approval of Option A, AND the tight timeline, by the entire Board. Then the construction estimate came back at \$32M. A smaller Option D was put forward, and approved by the Donor. Then came the mischaracterizations and insults by Mr. Dobler and Mr. Katz and others. Finally, there was the confusing and contradictory votes by Trustee Schmitz AGAINST Option D and Rec Center expansion and FOR the unanimous letter in support of Option D.

Sara and the other Board members all were aware that a single no vote would jeopardize the entire project. Was she was just trying to hedge her bets hoping the Duffields would ignore her rejection of the project while placating demands to vote against it? Or did she really not support the project at all and was hoping to deflect the blame for this disaster on to the Duffields themselves.

I suspect that the Duffields withdrew their offer because they were not willing to take the risk that Sara would subsequently find a way to delay or kill the project as payback for being, as she said, 'backed into a corner'. If I were the Duffields, I might not want to take this risk either. Sometimes, Trustees have to make decisions they might prefer not to have to make, and consider the needs of the entire community and not just the opinions of their most vocal constituents. THAT is what taking fiduciary responsibility is really about.

Trustee Schmitz had some other options. She could have committed to support the project, while expressing regret that the Board did not have more time to consider contributing IVGID funds to support the original plan. She could then have said she would like to consider a second phase to the project in a couple of years. This would give IVGID time to get experience with the expanded center, do an updated needs assessment, plan for further expansion when inflation was under control and construction costs were more reasonable, and find or allocate additional funds to pay for Phase II.

Alternatively, she could have indicated with unequivocal NO votes that she did not support the project as recommended by IVGID staff, explain why, and take full responsibility for potentially jeopardizing the donation. Now I suspect she will just deflect, evade, and blame someone else for this debacle. We have lost a Youth and Teen Center, another gym, and a lot of other improvements, and perhaps future donations from the Duffields, and for what?

Kerrie Tonking

I was born and raised in Incline Village- Go highlanders. I am also an ex employee of the District as of March. I resigned after serving three years as a supervisor in the Recreation department.

When putting this public comment together, I didn't know exactly how to go about it because there is so much I want to say and different people I want to say it to.

So I'll start with the Duffield's, I want to thank them for their unprecedented, beyond generous and obviously underappreciated offer to expand the Recreation Center – a much needed endeavor. Growing up here and now getting to see the positive change that this foundation is looking to create, is inspiring to say the least. Thank you so much for everything you have done and continue to do.

To the IVGID staff. I know first handedly that working in an organization where decisions and micromanagement from the board as well as the constant stream of negative comments from a minority group can make you feel devalued, underappreciated, and quite frankly angry. I just want to make it clear that tonight, people are here to support you and thank you for all the hard work you are doing.

To Trustee Schmitz. You weren't the reason I resigned from IVGID. But I can say with certainty that you are the primary reason we have lost some phenomenal staff members which is an absolute shame. Something that I have found to be so important in my life, and I respect tremendously when I see it. It is being able to put my ego aside, take responsibility when I am wrong, and figure out how to fix it and move forward. And it absolutely SUCKS to do. I am confident that every person in this room can relate to your current position to some extent, because we are all human. What we are asking of you, is to take responsibility, and to recognize that to fix this and move forward, unfortunately for you, probably means resigning.

To the rest of the Board. You have a really tough job. You must listen differently than you ever have before. You must recognize that silence is okay, it usually means that people are generally happy about what is happening. Don't let the FEW and I'll say it again the FEW obnoxiously loud people who do not represent this community steer your decision making, because if you do, nights like tonight will happen again and again.

To my fellow busy, happy, community members. Yay us! We showed up. And as much as I want to say we should get together and do this every week, I know that is just not possible, and probably nobody really wants to. I get it. However, since we aren't going to be here every week, I cannot stress enough how important it is that we show up to vote in November. That we elect the two candidates for IVGID Trustee that are community focused, support our staff, and that will make the right decisions so we don't have to be here every meeting. I'll be there voting for Dave Noble and Gail Krolick and I hope you do to.

Good evening, trustees. Gail Krolick IVGID Candidate 2022.

Since, September 14th our community has been like I have not ever witnessed during my last 31 years. Our community was presented with a “gift of a lifetime” that would have served our entire community. To express how extremely disappointed and saddened I am is simply understated. For the life of me I cannot understand how ^{any} ~~some~~ one can turn down such a gift.

The Duffield Foundation has been so incredibly generous to our community. Pet Network, the new Theater at the high school and countless other projects the Foundation has always been there to help. But one gift that truly resonates with me is when they donated \$300,000 to the Parasol Foundation to ensure our friends and neighbors / children did not miss a rent payment or go hungry during the COVID 19 pandemic. *Let that sink in a moment.*

When the vote of September 14th happened, my gut told me this “gift” was gone. Unfortunately, as we all know the gift is no longer.

I apologize to the Duffield Foundation, and more importantly to our children of this community. Please know Trustee Schmitz does not represent me nor my family nor the majority of this community.

To quote Martin Luther King Jr. ^{I was told to resign} “The time is always right to do what is right.” Trustee Schmitz please do what is right and resign. ^{Please}

Thank you.

Gail L Krolick

To quote Martin Luther King, Jr. “The time is always right to do what is right.” The majority of the community has spoken, Trustee Schmidt resign.

Stan Heirshberg
857 Lake Country Dr.
Incline Village, NV

PUBLIC COMMENTS FOR SEPT. 28 2022 IVGID BOARD OF TRUSTEES MEETING

My name is Stan Heirshberg and I am a full-time resident here in Incline Village.

If it is true that the Duffield Foundation pulled out of the Rec Center Expansion Project due to Trustee Schmitz's comments at the September 14th Board meeting then they did not understand her comments and overlooked that she fully supported the Project and unanimously signed a letter to this effect. Ms. Schmitz's comments and no vote for the change of design reflected her very deep desire to try to do what is best for the community. Her comments centered around two major issues.

The first had to do with process, which has long been a common theme of hers to urge IVGID to be transparent, orderly and accountable. In this case, the Board had previously approved a Memorandum of Understanding on Feb. 9th and then in subsequent meetings approved contracts for, and design of, the Project, all of which included a multi-use gym and a dedicated gymnastics center. Not until August 29 was the Board informed that the Foundation wished to fund a smaller project that meant the loss of the multi-use gym, a feature included in IVGID's 5-year plan that Ms. Schmitz felt was important to the community. As this was a deviation from the Board approved MOU and design a Board meeting, urged by Ms. Schmitz at the time, should have been immediately called to discuss alternatives. Instead, IVGID staff and consultants forged ahead for the next several weeks with a redesign of a Project contrary to Board approvals. This was improper as Ms. Schmitz pointed out in her comments.

Ms. Schmitz's second point was the desire for the Board to fully consider IVGID funding or pursuing other options to include the multi-use gym so that the original Board approved project could be delivered to the community. Regretfully, she was unable to secure support for this sensible approach, at least in part because the Board and staff felt there were time constraints in moving the Project forward. Had proper procedure and process been followed, a meeting held and other options been discussed and explored just maybe the community could have had a more complete project. I believe that Ms. Schmitz voted her conscience on the design change because she believed that with a little creative thought and due consideration the community could have it all. Nevertheless, she showed and voiced her full support of the Board approved Project even if sadly it excluded the much-needed multi-use gym. I am proud to have Trustee Schmitz on the Board and I fully support her actions in this matter and I condemn Ms. Wong's shameful personal attacks and ridiculous calls for Ms. Schmitz to resign and respectfully suggest that she issue a public apology.

In closing, I would like to thank the Duffield Foundation for their generous offer for the Project and I along with the vast majority of Incline residents hope that the Project will go forward with or without the multi-use gym. Hopefully with. Thank you

Good Evening Trustees,
1061 Tiller Dr.

I am Scott Stranzl, a 15-year resident of Incline Village. My wife and I have been fortunate to raise our 3 kids here. We, like many other families, realize the importance of having activities and programming available for the youth of our community.

Admittedly, I have never commented to the IVGID Board in my 15 years here. This topic is so important, I feel compelled to speak out.

There is a well-known vocal minority that consistently opposes initiatives that the vast majority of Incline Village Residents view as positive.

Unfortunately, IVGID Trustee Sara Schmitz has aligned herself with this notorious group. She is not representing the best interest of the broader community. We have an incredible unique opportunity to partner with the Duffield Foundation to provide our community with expanded resources for all ages. Those of us who live here and, who have, or are raising kids here know well and appreciate this ability to partner with the Duffield Foundation.

To the detriment of our kids and the youth of our community, I believe you are about to make an enormous mistake. This decision is about the youth of Incline. The youth is our community.

Sara – you have the opportunity to do the right thing for this community. In fact, you are the only person standing in the way of this community receiving a \$26 mm benefit.

I ask that you request a revote and vote in favor as a passionate ambassador of the Project and Design with the Duffield Foundations sponsorship.

Lastly, perhaps you would like to explain to the young representatives of Incline Village, ~~which families with children you spoke with to reach your opinion, they are not deserving of an expanded Recreation Center?~~ *Why in*

*Here tonight
and watching
at home*

Thank you.

9-28-22 6 PM 893 SW
IVGID Trustee Meeting

Residents: Wm
needs to

→ Fully understands the reasons why the gym proj
did not go through. Until now ~~the~~ information
has been hearsay.

- The prior public comments have been helpful
- However the residents need accurate information
as to how the Trustees gave up the
donation for funding the gym.
- I'd like the trustees to correct the ~~error~~ ^{omission.}
OR advise the residents as to how ~~to~~ we can
~~our votes~~ can change the future
outcome for the gym project.

William Carr

New member of community & learned about Diffie's Fund. & their generosity to the community, as soon as we moved here.

~~These Diff~~ ~~do not make decisions based on one~~

Trustee job is to represent the community & not their self serving personal interests or vendettas. Sara Schmidt ~~is a need~~ to do the right thing & recall her title. She should

As a trustee

For trustee Schmidt to be responsible for this travesty to the children & families & residents

of McLine Village, she must resign immediately or face a recall.

I understand that

All of the trustees were aware that voting against option D ~~put the donation~~ would put the donation on jeopardy

Linda Carr

Email SchmitzBeGone@gmail.com for the petition for resignation.

Sara, I don't know your education level, but your IQ cannot amount to a hill of beans - certainly below three digits.

Do yourself favor - and this community a big one - resign. You've singlehandedly cost this community not just \$26 million, you've cost it its heart and soul. The families, the children, the seniors. People see through your *'I'm on your side'* attitude. And they will never forgive you.

I heard you're worried about your mental health. I fear you're in for worse if you don't resign.

Why are you always 'busy' learning everything about IVGID and talking up your "knowledge," yet for **every single** board topic you begin with *"I don't understand."* You **never** understand. You're incapable of understanding.

You're so active 'investigating,' **please:** don't ever confuse 'activity' for ability.

The usual malcontents will voice support and say what a 'wonderful,' 'engaged,' person you are. You know: people like Cliff Dobbler - kicked off the Audit Committee. Judith Miller - soundly defeated in every IVGID election. Frank Wright - the "FBI is investigating" man. Aaron Katz - the Judge-labelled vexatious litigant. You know - those who can't even manage their own egos, let alone show an ounce of empathy for the community they say they love.

But apart from the Nasty Nine, the whole town cannot stand you or your incompetence.

And stop acting narcissistically, sending out canned deflections and blaming anyone but yourself. Indra didn't do this, fellow Trustees didn't, IVGID staff didn't. You did it. All alone. All the information was there. Through your inability to act at the level of a Trustee you did it all.

All you had to do was your job, Sara. Talk to the GM, to senior staff. Get educated. I know being prepared is beyond you, but you could have tried this once.

You have cost this community everything. For what? Not for reason, not better times, not anything but your own stupidity.

Because of you, the most amazing community-minded, caring, committed, philanthropic benefactor this community has ever known has understandably withdrawn a **\$26 Million** gift. Because *'you don't understand.'* What absolute incompetence.

Do yourself a favor, Sara. Resign. You're going to get nothing but heartache and misery from this community.

Resign Sara, before the wrath of this community drives you off.

I wish I could be there in person, but like many of you, I am balancing parental responsibilities and work obligations. Thank you to everyone who has come tonight, written emails, and called. When I got the news we lost the Duffield donation on Monday night, I was devastated...then angry and many of you share these sentiments. Our staff, especially Indra, worked tirelessly to bring this project to fruition and work with the Duffield Foundation. Any rumors you hear to the contrary, are just that...rumors.

As a community member and, more importantly, as a parent, I am extremely disappointed we have lost the Rec Center expansion. The Rec Center expansion would have allowed IVGID to create a true community center serving everyone: youth, teens, adults, and seniors. I understand reducing the scope of the project was not ideal, but losing the entire project is a huge disappointment and a short-sided decision. The Duffield Foundation had one request in that the IVGID Board unanimously support the project and we all knew that going into the vote. Sara Schmitz is the lone trustee who voted no against the project and has shown me she is not working for the good of the community. Sara, I am calling for your immediate resignation.