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2 INCLINE VILLAGE  
3 GENERAL IMPROVEMENT DISTRICT  
4 BOARD OF TRUSTEES  
5  
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7  
8  
9 TRANSCRIPT OF HEARING  
10 SPECIAL MEETING  
11 PUBLIC MEETING  
12 Live and Via Zoom  
13  
14 Held at the Boardroom  
15 893 Southwood Boulevard  
16 Incline Village, Nevada  
17  
18 Tuesday, August 20, 2024  
19  
20  
21  
22  
23  
24 Reported by: Brandi Ann Vianney Smith  
25 Job Number: IVGID 51

1 APPEARANCES  
2  
3 **BOARD MEMBERS PRESENT**  
4 SARA SCHMITZ, CHAIR  
5 MATTHEW DENT, VICE CHAIR (via Zoom)  
6 MICHAELA TONKING, SECRETARY (via Zoom)  
7 RAY TULLOCH, TREASURER  
8 DAVE NOBLE, MEMBER  
9  
10  
11 **ALSO PRESENT**  
12 SERGIO RUDIN, LEGAL COUNSEL  
13 HEIDI WHITE, DISTRICT CLERK  
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1 Incline Village, Nevada - 8/20/2024 - 6:00 P.M.  
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3  
4  
5 CHAIR SCHMITZ: Good evening. It's 6:00  
6 p.m. on August 20th, here in Incline Village at 893  
7 Southwood Boulevard. Calling to order the Board of  
8 Trustees meeting. Let's begin with the Pledge of  
9 Allegiance.  
10 A.  
11 (Pledge of Allegiance.)  
12 B. ROLL CALL OF TRUSTEES  
13 CHAIR SCHMITZ: We will then move on to  
14 roll call of trustees.  
15 Trustee Noble?  
16 TRUSTEE NOBLE: Here.  
17 CHAIR SCHMITZ: Trustee Tulloch?  
18 TRUSTEE TULLOCH: Here.  
19 CHAIR SCHMITZ: Trustee Dent?  
20 TRUSTEE DENT: Here.  
21 CHAIR SCHMITZ: Trustee Tonking?  
22 TRUSTEE TONKING: Here.  
23 CHAIR SCHMITZ: And myself, Sara Schmitz.  
24 We're here all here. Moving on to initial public  
25 comments.

5

1 C. INITIAL PUBLIC COMMENTS

2 MR. MEYER: Gordon Meyer, 875 Overpeak

3 Road, here in Incline Village.

4 Question for the trustees: When did the

5 fir idea come up to go ahead and outsource

6 management for this town?

7 I don't know that. I haven't had time to

8 attend a lot of meetings, but I would like to know

9 the reason why. I'd like to know what the increased

10 costs will be for the residents of Incline,

11 recreation fee-wise, will those stay the same, will

12 they drop? My suspicion is that they will increase

13 because this is being outsourced.

14 And I'd like to know what the supposedly

15 cost savings are supposedly going to be. That's the

16 biggest thing I'm concerned about.

17 And I would suggest that Sara and Matthew

18 recuse themselves since they will no longer be on

19 and the Board as of this coming election. That, I

20 think, is a fair thing.

21 Thank you.

22 MR. AKFAR: Thank you, all.

23 Two weeks ago, the trustees discussed

24 outsourcing management of our community amenities.

25 Since then, I reflected deeply on this and want to

6

1 share with you some personal experiences, because I

2 think they are directly relevant to this discussion.

3 For 20 years leading up to my retirement,

4 I managed a very large investment services

5 outsourcing. We grew to 4,000 employees and a

6 billion in annual revenue. I'm intimately familiar

7 with the outsourcing sales pitch because I've

8 successfully convinced, personally, many clients to

9 choose to outsource.

10 But I want to caution you that there's a

11 practicable aspect of outsourcing that is not

12 advertised. You have to live it to know it. And

13 here's the secret: Once you outsource, it's

14 practically difficult and almost impossible to ever

15 go back. You, effectively, become captive to your

16 outsourcer.

17 The reason is very simple. Once a third

18 party takes control of managing key functions, you

19 will begin to lose staff, and with it, the core

20 operations and day-to-day management competencies

21 that we now enjoy. I'm highly confident we'd see

22 increased attrition with outsourcing. And I imagine

23 that the situation we then find ourselves in would

24 be very difficult.

25 I've believed we've had difficulty hiring

7

1 a general manager with a very attractive salary.

2 Imagine losing staff, rank-and-file kind of staff,

3 during the transition and then trying to hire

4 placements for those people.

5 The outsourcing firm will be happy to pay

6 whatever the salaries is needed to replace them

7 because these are generally cost-plus contracts. We

8 will still need to attract, hire, and retain key

9 people, even if they are employed by the outsourcer,

10 so the risk is really still ours.

11 Now, a good management company will

12 happily recommend offsetting measures to bring in

13 revenue and increase top line, they're very good at

14 this, and their proposals on the surface will sound

15 very good to you. I know, I used to do it. But do

16 we really want to convert our beach and our

17 recreational facilities from being community

18 resources into tourism products of a management

19 company? I sure hope not.

20 And even if some of the Board of Trustees

21 think this is a good idea, this really should not be

22 your decision. A decision this big, with the risks

23 to our property values and our community enjoyment,

24 is worthy of full community participation.

25 The emphatic point that I want to make

8

1 today is that the Board should not think that hiring

2 an outsourcing company is a streamlined way or a

3 modern recruitment means to an end to hiring key

4 staff. It's not. My direct experience with

5 outsourcing is it's a one-way street. Much of it is

6 very good, but once you've handed over controls to a

7 third party, you will likely never be able to get

8 them back for the reasons that I cited.

9 I ask that you focus on hiring an interim

10 general manager and take my words of caution

11 seriously into consideration. And if you want to

12 ask any other questions, I would be happy to meet

13 with you offline because I know a lot about this

14 topic.

15 Thank you.

16 MR. HOMAN: Mick Homan. Incline resident

17 and candidate for trustee.

18 I watched the Audit Committee meeting

19 earlier today, and, frankly, it was a bit of an

20 embarrassment. Not to staff, but to the Board

21 leadership that's put us in this situation.

22 The Audit Committee members were

23 rightfully alarmed at the gaps in information and

24 knowledge on both the engagement letter and the

25 RubinBrown report. But this shouldn't have been a

9

1 surprise to any of them.

2           The Audit Committee meeting was held

3 without a single member of finance and accounting

4 organization in attendance. I've got 40 years of

5 audit and audit committee experience, and this is

6 unfathomable. I found it comical that committee

7 members were asking each other questions that only

8 management would be in a position to answer.

9           So why are we in this situation? Because

10 the Board majority took their financial fix-it guy,

11 Mr. Magee, and moved him into a GM role, a role he's

12 obviously not qualified for, and at the same time,

13 you made the brilliant decision to not backfill the

14 finance manager role for at least the first six

15 months of the fiscal year. Now we find out the

16 position isn't budgeted for the entire year. And

17 this is against the backdrop of your constant

18 criticism about the sad state of our financial

19 reporting, and then you're confused and troubled

20 when you don't have answers to basic questions.

21           You did this to yourselves. And when I

22 say "you," I mean the Board majority that let the

23 finance and accounting organization (inaudible) this

24 without a leader, while at the same time moving the

25 finance manager to the general manager role, which,

10

1 again, he's not qualified to perform.

2           Anyone with any amount of leadership and

3 real-world experience could and should have seen

4 this coming, but you didn't. This on you and you

5 need to own it. I've tried to remain balanced and

6 constructive in past public comments, but this board

7 leadership continues to demonstrate a complete lack

8 of competence to do its job.

9           A common question around election time is

10 whether we're better off now than we were two years

11 ago when this leadership took control. And I think

12 the answer is clearly no. As far as I can tell, you

13 haven't solved or fixed any of our past issues. You

14 continue to look backwards to place blame.

15           Over that time frame, our financial

16 condition has deteriorated precipitously, we've

17 experienced an incredible level of staff turnover

18 and loss of institutional knowledge, and you proved

19 yourself incapable of performing your most important

20 role, to hire and develop a qualified general

21 manager.

22           And now it looks like our chair is leaving

23 town and the vice chair is close behind. At a

24 minimum, you're both leaving the Board. Given your

25 performance, the best thing you can do is step

11

1 aside, stop making one bad decision after another,

2 stop micromanaging and continuing to damage staff

3 morale. Please don't make any significant decisions

4 that will have mid- to long-term impacts to the

5 District. Just step out of way and let the new

6 board, whoever that may be, clean up your mess.

7 That board will at least be comprised of residents

8 that live here and will be steered by the long-term,

9 best interest of the community.

10           Thank you.

11           MR. KATZ: Good evening. Aaron Katz,

12 Incline Village. I have three written statements

13 here to attach to the minutes of the meeting. Thank

14 you.

15           Well, I kind of agree with what Mick just

16 told you because it fits into my narrative, which is

17 this is the most dysfunctional I've seen this

18 district in my 17-plus years here, and I've seen a

19 lot. No GM, no finance director, no golf GM. I've

20 heard no Rec Center superintendent. No food and

21 beverage director. A controller you've thrust into

22 a role she doesn't want to undertake. A Public

23 Works director who, in my opinion, is not fit for

24 the job. And two lame duck trustees. And then two

25 candidates for trustee who think they can actually

12

1 fix this shipwreck, who are ill equipped, in my

2 opinion, and delusional. But they're going to find

3 out real quickly.

4           Other than that, what a wonderful place to

5 run a business, wouldn't you say?

6           So, on your calendar, first you have an

7 RFP. What a joke. This was written by Trustee

8 Noble who wanted to take charge and show his

9 expertise. And this shows to me he shouldn't even

10 be on the Board. What does he want, a consultant to

11 tell you what is wrong here and what we need to do

12 to fix this place? Don't you already know what's

13 wrong? Don't you already know what you need to do?

14 What is a management firm going to add to that? So

15 I say good luck.

16           Then we have a separation agreement with

17 our GM of only a couple of months. We're going to

18 pay him \$24,000 to promise to only say good things

19 about IVGID and the trustees and our employees. And

20 I say: Are you guys crazy?

21           If you're going to hand out money like

22 that, I say to all of your critics, including me,

23 we'd like 24,000 a pop too, and then I promise I

24 will say good things about IVGID and the employees

25 and the trustees.

13

1 Good luck.

2 MS. JEZYCKI: Michelle Jezyski, Incline

3 resident and IVGID trustee candidate.

4 I wish I had \$25,000 for you, Aaron.

5 While the work on the RFP that the Board

6 requested be drafted is appreciated, it is also

7 unnecessary. Outsourcing the management of our

8 village to a third-party management firm is not only

9 duplicative, it's fiscally irresponsible. We are

10 not L.A. County. We have Incline Village, Crystal

11 Bay. We always managed with a GM at the helm. Let

12 us not complicate matters and waste further funds by

13 adding an additional layer.

14 I do have faith that with casting the net

15 in the necessary portals, with targeted and

16 intelligently placed postings for the GM role, we

17 will, indeed, find a qualified GM that can help us

18 get back on the rails.

19 Selecting of an internal GM is crucial.

20 Let's get that done in a responsible manner and not

21 rush the road to filling the position full time.

22 This is one position, let's take the necessary time

23 to fill it correctly, as we've seen what happens

24 otherwise.

25 Thank you and wish you a responsible and

14

1 productive meeting.

2 MR. ROSS: Good evening and thank you.

3 I have to admit, I'm a little dismayed by

4 your timeline for selecting a business management

5 firm. It seems overly aggressive to me, and it just

6 bothers me that somehow that it just ends up

7 ten days before the November election.

8 I have not heard anything about the

9 consequences of a management company to things like

10 our ski resort, which has a substantial income if

11 it's on the plus side. We're going to turn

12 that million dollars a year over to a management

13 company just let them put that in their pocket?

14 That doesn't seem reasonable to at all to me.

15 I just know that if they come in, the

16 first thing they're going to do is raise the fees

17 for skiing. They're going to raise it to all the

18 members of our community. They're going to double

19 them, and instead of 1 million, they're going to put

20 2 million their pocket. They're going to cut

21 services on anything that they think doesn't make

22 them money, and it's going to be to the disadvantage

23 of all the members of our community.

24 So I'm a little chagrined not only in the

25 timeline, which I think is hard for an RFP, I don't

15

1 think it allows you or anyone else to have an

2 appropriate amount of time to look into the pluses

3 and minuses of this potential change, and I'm

4 chagrined that it just seems the timing seems just

5 off, just before the November election. I hope that

6 if you want to consider this, that you select an

7 interim general manager, consider getting the RFP,

8 but do it in a time frame that make sense for what

9 happens in the rest of the business world in terms

10 of looking at an RFP. It just seems overly

11 aggressive.

12 Thank you.

13 MS. HUSSONG-JOHNSON: Good evening,

14 Trustees. Sarah Hussong-Johnson, 785 Mays

15 Boulevard, property owner and resident of Incline

16 Village.

17 I wanted to comment today on item E 2,

18 which is the possible employment separation

19 agreement with General Manager Bobby Magee. In

20 considering this item and reading the agenda, I

21 considered where we've been in the past year.

22 In June of 2023, the District entered into

23 a separation agreement with then-general manager

24 Indra Winquest in amount of \$270,000. There was no

25 cause identified in that agreement, and the District

16

1 paid our former general manager \$270,000, at a cost

2 to IVGID ratepayers, for no service. In November of

3 2023, the Board of Trustees -- or I should say the

4 District, placed the Director of Administrative

5 Services on administrative leave. She was on leave

6 from November of 2023 through February of 2004, at

7 which point she was reinstated in her position, with

8 no cause identified. I don't know what the cost of

9 that is to IVGID ratepayers, but I would assume,

10 based on a director salary, probably on the order of

11 \$40- to \$50,000.

12 Today, you're contemplating a separation

13 agreement with General Manager Magee, who has

14 already indicated that he plans to separate from the

15 District or resign effective October 4th. The item

16 before the trustees today is a separation agreement

17 for August 21st at a cost of \$24,000.

18 I would just like to contemplate the net

19 cost of those agreements and actions to District

20 ratepayers. Over the past year, we've paid

21 approximately \$340,000 for IVGID staff not to work

22 at a cost to the IVGID ratepayers. I think that is

23 somewhat embarrassing for our district, and I would

24 ask today that do not approve the separation

25 agreement, that we pay Mr. Magee to finish his

17

1 employment term, and that from this point forward,  
 2 Trustee Schmitz and Trustee Dent remove themselves  
 3 from any further efforts towards recruitment or  
 4 hiring or appointment of an interim GM. I would ask  
 5 that we stop this financial bleeding now.  
 6 Thank you.  
 7 CHAIR SCHMITZ: Before we go to live  
 8 stream, we have another public comment here in the  
 9 room. Then we will move to live stream.  
 10 MR. WRIGHT: Frank Wright, candidate for  
 11 the board.  
 12 The \$25,000 we're paying Mr. Magee, if the  
 13 Board approves it, is hush money. I can't believe  
 14 we'd pay anybody \$25-, \$24,000 to keep quiet. We  
 15 need to know what's going on here.  
 16 I'm going to make a suggestion: We don't  
 17 give Mr. Magee anything, but we do offer him  
 18 immunity from prosecution so he can come and talk to  
 19 us and tell us everything he's learned about this  
 20 district while he's been here, share the information  
 21 of all the things the previous lady was just talking  
 22 about. I'd like to know too.  
 23 We have employees here that have done some  
 24 pretty bad things. They walked on their own,  
 25 they've been quietly released. And people that

18

1 scream the loudest in the District about our  
 2 wonderful employees, where are they? They're all  
 3 gone. They're running scared because they have done  
 4 things that aren't legal, ethical, or right.  
 5 Don't for a minute believe that we've lost  
 6 any valuable employees. There's still a couple of  
 7 employees here that need to go. When are they going  
 8 to go? I don't know. But someone who comes up with  
 9 a memorandum, dissertation, documentation on the  
 10 audit and passes it around on social media should  
 11 have been released immediately. Still here. And  
 12 while she's still here, doing all kinds of damage to  
 13 our district.  
 14 I suggest we hire an interim general  
 15 manager. We have plenty of qualified people in this  
 16 community, me being one of them. I have a master's  
 17 degree in administration. I've run businesses.  
 18 I've written books. I meet all of the  
 19 qualifications of some of the previous candidates.  
 20 I'd do it for free just to get us through this mess.  
 21 And I'm saying we are in a mess.  
 22 We're spending more money than we are  
 23 taking in. Eventually, just like a Ponzi scheme,  
 24 it's all going to fail. We're going to be dead  
 25 broke, and then we are in a position that we have to

19

1 sell something. What will we sell in order to get  
 2 out of this mess? Mr. Homan, the golf courses could  
 3 be up for grabs. How about the ski area? We're  
 4 going to have to sell something to meet our  
 5 obligations, and I surely don't want to see our  
 6 district in that situation. But we're heading that  
 7 way. We're going to run of money.  
 8 Thank you.  
 9 CHAIR SCHMITZ: Any callers online?  
 10 MR. BELOTE: We do, Chair.  
 11 MR. NOLET: Good evening. Chris Nolet,  
 12 full-time resident, former Audit Committee chair.  
 13 I'm going to make a couple of quick  
 14 comments.  
 15 One, for those of us who listened to the  
 16 excruciatingly painful Audit Committee meeting this  
 17 afternoon, there were only a few of us, but the rest  
 18 of you have no idea how bad the circumstances are,  
 19 we don't have a full finance staff, and we haven't  
 20 budgeted for fiscal '24 for a full staff, somehow.  
 21 We'll look at that -- we'll let others investigate  
 22 how that happened.  
 23 Two, with Mr. Magee, I think you guys all  
 24 owe the community an explanation as to why we're  
 25 paying him to leave early. Given that we have no

20

1 DOF in place, our DOF is on an indeterminate LOA,  
 2 how can he not be constructive and suggestive and  
 3 helpful for some activities for the next six weeks?  
 4 And, Sara, you staked your reputation on  
 5 his capabilities in January and February of  
 6 this year, so I think we need to now hear from you  
 7 as to why he needs to go.  
 8 And then, lastly, something I rarely do, I  
 9 would agree in total with Mick Homan, the  
 10 circumstances are brutal.  
 11 To add on to the Audit Committee  
 12 discussion we had this afternoon, you need to talk  
 13 to Davis Farr about who is going to sign the rep  
 14 letter. You know, there are only certain people  
 15 they will accept to sign it. And depending on what  
 16 you do with the GM role tonight, that person may or  
 17 not be qualified or acceptable to them to sign the  
 18 rep letter. And you should probably also talk to  
 19 them about (inaudible) who has no experience in  
 20 doing such things, so make sure she's willing to  
 21 sign, able to sign, and that they are willing to  
 22 accept her signature on the rep letter.  
 23 Thank you.  
 24 MR. DOBLER: This is cliff Dobler.  
 25 I attended the Audit Committee meeting

21

1 early this afternoon, and it was found out that the  
 2 chief financial officer position was not budgeted.  
 3 That's really no big deal, because the State does  
 4 provide for augmentation in the event that you have  
 5 to change the budget. That's required by statute,  
 6 however, that you have to submit it the State, and  
 7 it's required under the NRS that you do that.  
 8 Ironically for enterprise funds, you don't have to  
 9 provide an augmentation to the State.  
 10 Now, since you have to do this  
 11 augmentation anyhow for, I guess, \$250,000,  
 12 \$260,000, you might as well go clean up the balance  
 13 of the budget that was submitted to the State.  
 14 For example, in the enterprise funds, no  
 15 depreciation was provided for, large number, maybe  
 16 \$6, \$7 million dollars. What was more interesting  
 17 is the carryovers, which always seem to be a problem  
 18 and it's not a problem at all, that it needs to be  
 19 added, because you didn't spend the money to the  
 20 current-year budget. That was not done. But,  
 21 ironically, it was done for \$4 million for the Burnt  
 22 Cedar where no money was spent. So, realistically,  
 23 your cash positions, if you were to look at the  
 24 budget, is quite out of whack.  
 25 It would seem to me that you can clean up

22

1 about a half a dozen items that I wrote you  
 2 memorandums on, and at least get the state budget in  
 3 order and we would have something to work with.  
 4 Because, right now, I think I've written about six,  
 5 eight memorandums to the Board of other mistakes  
 6 that were done, let's just go correct them because  
 7 you gotta do an augmentation anyhow.  
 8 Thank you very much.  
 9 MS. KNAAK: Oh, hi. Yolanda Knaak,  
 10 full-time resident in Incline Village.  
 11 I wanted to just recommend that Chris  
 12 Nolet come out of retirement and be our interim GM.  
 13 I think that's a great idea. I think there might be  
 14 a couple of other people in town here that might be  
 15 willing to do that, and I think that would be a  
 16 really good idea, personally.  
 17 But, anyway, also, you know, I think it  
 18 was two meetings ago, our current GM mentioned that  
 19 he had found the \$7 million, but was never -- or  
 20 least where it was spent, and we never got any kind  
 21 of documentation on that, so I'd like to see that.  
 22 Thank you very much.  
 23 MR. BELOTE: That was our last caller in  
 24 the queue, Chair.  
 25 CHAIR SCHMITZ: Thank you, Matt.

23

1 Moving on to approval of the agenda.  
 2 D. APPROVAL OF THE AGENDA  
 3 CHAIR SCHMITZ: Are there any changes to  
 4 the agenda as posted and printed?  
 5 Seeing none, I will take that as we will  
 6 move forward with general business E 1.  
 7 E. GENERAL BUSINESS  
 8 E 1. RFP for Management Services  
 9 CHAIR SCHMITZ: Review, discuss, and  
 10 approve a request for proposal for management  
 11 services, pages 3 and 4, and the additional  
 12 supplemental material that was placed out onto the  
 13 District website and can be picked up on the back  
 14 table as well.  
 15 MS. FEORE: As requested at the August 6th  
 16 meeting, working with Trustee Noble, working with  
 17 our general counsel, we have prepared an RFP for you  
 18 to look at, for you to comment on, provide feedback.  
 19 As I'd noted in an email, separate email, everything  
 20 that was posted in red were decision points, things  
 21 that you can talk about, things that you may want to  
 22 change and update.  
 23 I did my best guess in estimation on the  
 24 timeline based on what was being suggested. I think  
 25 it's, say, an ambitious timeline, but I understand

24

1 also that there is an appetite from some of the  
 2 Board to get this moving as quickly as possible.  
 3 The floor's yours.  
 4 TRUSTEE NOBLE: As Ms. Feore said, we  
 5 worked together to put this together, and I helped  
 6 Ms. Feore. She did most of the legwork.  
 7 While I did help on that, I do not support  
 8 moving forward with this RFP. I think it's an  
 9 exercise in futility, given that the General Manager  
 10 said that we don't have any contingency funds to  
 11 pursue this.  
 12 I also believe public comments from Mike  
 13 Akfar were spot-on, that outsourcing this type of  
 14 work will just make us more reliant on any type of  
 15 managing consulting company that does come in, and I  
 16 do not think that's the right direction we should be  
 17 going. That we should focus on the GM position,  
 18 righting the ship, and filling positions that we can  
 19 and move forward.  
 20 TRUSTEE TONKING: I have a question for  
 21 Director Feore, and then just a statement.  
 22 How does this timeline proposed in the RFP  
 23 align with the timeline for the job posting you put  
 24 for the GM?  
 25 MS. FEORE: The job posting, we have

25

1 extended -- or we've actually increased the number  
2 of places that we have posted the position to cast a  
3 wider net. But we did leave that position noted as  
4 open until filled, so we didn't put a hard deadline  
5 on that position, for application purposes.  
6 I would -- and I don't know if this was a  
7 question you were going to ask, but I recommend that  
8 we not extent it much past four weeks, just because  
9 that's just going to make the pool far too great to  
10 sift through. I would say at four weeks, no more  
11 than four weeks, maybe we can stop and take a look  
12 at what we've received.  
13 TRUSTEE TONKING: That answers my  
14 question.  
15 I am not in favor of hiring a management  
16 firm. I've been pretty consistent on that. That's  
17 where I am sitting. I will not be supporting this  
18 RFP.  
19 I thank you for your time and energy on  
20 it.  
21 CHAIR SCHMITZ: Any other comments or  
22 questions?  
23 TRUSTEE TULLOCH: I'm a little bit  
24 confused. I'm reading this and it's entitled "RFP  
25 for Management Services," but reading through it, to

27

1 stamped by the Board, even if that has -- may or may  
2 not been the practice in the past.  
3 To me, all this is is a request for more  
4 consulting services to tell us again what we've  
5 heard. If this is for management services, I think  
6 it still needs a lot of work.  
7 TRUSTEE DENT: I'm not in favor of this  
8 proposal that we put forward. Trustee Noble stated  
9 that he's not in favor of going in this direction,  
10 but he's the still one that was tasked with doing  
11 this.  
12 So I think if we had a trustee that would  
13 be in favor of reaching out to -- or putting an RFP  
14 together for the management firms, Trustee Tulloch,  
15 then we may have an RFP that we could approve. So  
16 given your extensive background in this area, I  
17 would suggest that you should make come corrections  
18 to it and bring it back to the Board.  
19 What are your thoughts on that?  
20 TRUSTEE TULLOCH: If that's the board  
21 desire, I'm quite happy to reevaluate this. I think  
22 it's -- if we're to look at what's available in the  
23 market, whether or not we decide to go that  
24 direction, I need to make sure at it's actually  
25 aimed at that market and it's also opened.

26

1 me, it just appears to be a request for more  
2 consulting services.  
3 I don't see anything here that proposes  
4 anything else. It's using previously provided  
5 consulting reports, provided recommended action plan  
6 again. We've been waiting years for action plans,  
7 we've had lots of consulting. We've identified a  
8 lot of things that need to be done.  
9 I mean, I'm not sure what this is. It's  
10 certainly not a request for management services,  
11 whether that's the right solution or the wrong  
12 solution, but it's not actually doing anything.  
13 I also see it outsourcing the  
14 district-wide strategic plan, which I also thought  
15 was a board responsibility, to the general manager  
16 or to the consulting services. I think, to me, the  
17 strategic plan, which was identified again in the  
18 Moss Adams report last year, the strategic plan is  
19 long overdue. Our latest strategic plan is -- I  
20 think it goes back to about 2015 or something, and,  
21 to me, that's a core responsibility of the Board  
22 that is accountable to the electorate in terms of  
23 that.  
24 It's not something that should just be  
25 outsourced and presented to the Board and rubber

28

1 It may be that we want to put our toe in  
2 the water, if it's done correctly.  
3 And I do agree with all the public  
4 comments. And that those of you that were here  
5 two weeks ago will know that I made very strong  
6 points that any management services of this nature,  
7 it needs to be very tightly controlled in terms of  
8 the contract, having also executed them, been on  
9 both sides of them, it does need to be very well  
10 written and developed.  
11 I'm quite happy if the Board wishes to  
12 update this to reflect what we're actually looking  
13 for, because, at the moment, this is just another --  
14 I can't vote in favor of this particular document  
15 because it's just another consulting service, again,  
16 telling us the things that we've been told.  
17 TRUSTEE DENT: I mean, I'm fine moving  
18 forward with that, Trustee Tulloch. And that was  
19 the intent of bringing this to us.  
20 The concerns by colleagues, including  
21 yourself, that was brought forward was that we  
22 needed to seek other proposals so we can compare it  
23 to the Troon proposal to see if that is even a  
24 direction we were going. It was a direction of the  
25 last meeting.

29

1 And then haven't heard, other than Trustee  
 2 Tonking and Trustee Noble, that they don't want to  
 3 consider that, so just stating where I'm at on it.  
 4 TRUSTEE TONKING: Trustee Tulloch, when  
 5 you think about this, when you're working on it, I'd  
 6 also like you to look into how we (inaudible)  
 7 there's no funding for this, and I think that's a  
 8 (inaudible) great concern.  
 9 TRUSTEE TULLOCH: My apologies. I  
 10 couldn't make you out there.  
 11 TRUSTEE TONKING: Can you figure out  
 12 how -- what your amount is that you're going -- this  
 13 is going to cost, like a max amount, because I don't  
 14 think we have the money. The ideal is to know what  
 15 your max amount is that you're (inaudible) for  
 16 people to bid.  
 17 That is what I think was missing from this  
 18 proposal.  
 19 TRUSTEE TULLOCH: Absolutely, but, I mean,  
 20 if I put my consultant hat back on, I love it when  
 21 clients send out proposal with a price range because  
 22 they know exactly how far they can go. It doesn't  
 23 necessarily give you the right response in terms of  
 24 that.  
 25 I think, my view, if we put something of

30

1 this out, we leave it open, and we look for creative  
 2 solutions from the market as well as what people  
 3 want to offer.  
 4 TRUSTEE DENT: I just keep hearing this  
 5 idea that we don't have money to do this. And we've  
 6 augmented the budget almost -- probably every year  
 7 I've been on the board, so I'm not sure why we  
 8 wouldn't be able to do it this year.  
 9 I understand we all received an email from  
 10 the General Manager regarding this. I've asked for  
 11 documentation of the conversation that was had and  
 12 the actual question that was asked, nothing was done  
 13 in writing, so I'm not sure we will ever know  
 14 exactly what the question was asked to the  
 15 Department of Taxation that triggered the response  
 16 received from the General Manager.  
 17 CHAIR SCHMITZ: Thank you.  
 18 Legal counsel, do you have response to  
 19 that question?  
 20 MR. RUDIN: No, I don't not. I was not  
 21 present at the conversation with the Department of  
 22 Tax.  
 23 CHAIR SCHMITZ: Okay. But you have  
 24 researched NRS and have researched our ability to  
 25 augment and what those conditions are?

31

1 MR. RUDIN: Yes. And I'm happy to discuss  
 2 that offline.  
 3 CHAIR SCHMITZ: Okay. Thank you.  
 4 TRUSTEE TONKING: I think I would just  
 5 reiterate that us, as a board, gave direction to  
 6 every single one of staff to stay within budget, and  
 7 then we are completely going out of budget with  
 8 something that was an unbudgeted idea.  
 9 So I do want to flag that, that we have to  
 10 be -- practice what we preach.  
 11 CHAIR SCHMITZ: I think we realize that,  
 12 but until we go and receive responses to a proposal,  
 13 we don't know where the financial situation is.  
 14 So I just want to bring this back around  
 15 and clarify what the direction was by the Board.  
 16 And it was not to outsource and have people in our  
 17 pockets and controlling the rates. This was to look  
 18 for a firm that would place a general manager here.  
 19 And we're looking for a general manager,  
 20 and if they are part of a firm, that firm brings  
 21 with them the ability to already tap into best  
 22 practices, have a structure by which they have been  
 23 successful, and demonstrating success with their  
 24 business model.  
 25 So, what the Board had asked, and this

32

1 goes back a few meetings because we talked about  
 2 advertising for the general manager and what  
 3 happened when we did this last year, and in trying  
 4 to say, okay, we don't want to repeat the mistakes  
 5 and what we learned last year, which was that we  
 6 really didn't end up with a pool of qualified  
 7 candidates to pursue an alternative.  
 8 Because Troon was bringing us an idea, it  
 9 was just an idea, and what that idea was to bring  
 10 about wasn't handing over control of our district at  
 11 all. The Board remains in control of the District,  
 12 and the general manager is their only employee.  
 13 So this is wasn't necessarily intended at  
 14 all to bring in a firm that would run all of our  
 15 venues; it was to seek out a firm that would,  
 16 potentially, provide a placement of a general  
 17 manager, but then have a backdrop of resources.  
 18 That is sort of what Troon brought to us, and I  
 19 think it was intriguing.  
 20 Now, does it mean we're doing that? No.  
 21 But if we don't get a good pool and we have  
 22 alternatives, we have to go down a dual track. And  
 23 that's exactly what the Board has asked you to do  
 24 was go down this dual track, which you are. You're  
 25 advertising the general manager's position.



33

1 But we need to have an RFP that is clear  
 2 that this is the role of a general manager and here  
 3 are the skills we would be looking for and the  
 4 expectations. In some regards, it really should  
 5 almost be the same thing as what we have for our  
 6 posting for our general manager because that's  
 7 really -- and, hopefully, I'm articulating what we  
 8 discussed.

9 I just want bring it around and recap,  
 10 say: Why were we doing this? It was purely to seek  
 11 an alternate path that might be something that we  
 12 should consider.

13 With that, I'm comfortable with Trustee  
 14 Tulloch. I'm sorry that we -- we assigned David.  
 15 If he was not favor of this, we -- it's a decision  
 16 to be made by the Board, and the Board, as a whole,  
 17 made a decision that we wanted to at least seek out  
 18 an alterative path.

19 If we need to tweak this a bit, I think we  
 20 should do it sooner rather than later, and if  
 21 Trustee Tulloch is willing to assist in that  
 22 capacity, I would welcome that.

23 And Trustee Noble would like too speak.

24 TRUSTEE NOBLE: Ms. Feore, the GM position  
 25 posting, has that been out for a little over a week

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1 now?

2 MS. FEORE: It was posted the Friday after  
 3 our August 6th, meeting, so the August 8th.

4 TRUSTEE NOBLE: About ten days or so.  
 5 Has there been a robust response to that  
 6 posting?

7 MS. FEORE: There has been. I was  
 8 actually pretty surprised. I checked the numbers  
 9 before this meeting, and we have received 24  
 10 candidates, and the variance in experience was  
 11 actually probably what was most surprising. We've  
 12 gotten a lot of folks who have limited general  
 13 government backgrounds, but lots of business  
 14 background. We have other folks who are just  
 15 (inaudible) governmental employees. There have been  
 16 a few that were head scratchers, trying to apply for  
 17 this job.

18 For the most part, there are a lot of  
 19 folks with a lot of qualifications. Very highly  
 20 educated folks who have also applied for the  
 21 position. And number have reached out to me,  
 22 personally, to keep in contact because of their  
 23 interest in the position.

24 CHAIR SCHMITZ: Any other discussion at  
 25 this point?

35

1 I just have a follow-up question to that  
 2 question. At what point in time, if at all, do the  
 3 trustees have the opportunity to review any of the  
 4 résumés of the applicants?

5 MR. RUDIN: When you want to conduct  
 6 interviews. So, I mean, typically in that process,  
 7 if staff were directed to prepare a shortlist of  
 8 candidates, then you would review résumés from the  
 9 shortlist as part of conducting interviews in an  
 10 open meeting. Otherwise, if want to designate one  
 11 trustee to work with staff to create a shortlist.

12 But, additionally, I think you can  
 13 probably also review résumés following the selection  
 14 of a general manager. But typically the Open  
 15 Meeting Law does restrict your ability to work  
 16 towards the selection of a manager outside of an  
 17 open public meeting.

18 TRUSTEE TULLOCH: If that's the case,  
 19 Sergio, I suggest we interview all the applicants if  
 20 that's the only way we get to see all the résumés.  
 21 As we found -- I find incredible last time that  
 22 we -- the trustees only got to see the résumés that  
 23 were preselected by staff that would be working for  
 24 that general manager.

25 And no offense to staff, but at the end of

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1 the day -- and we only got presented with local  
 2 government types by the recruitment firm -- I find  
 3 the whole process incredibly frustrating that we  
 4 were just presented with a shortlist that was not  
 5 the Board's shortlist and not necessarily the  
 6 Board's shortlist, I would certainly like to see all  
 7 the résumés. I'm quite happy to volunteer to help  
 8 sort through them if that's -- if it needs to be  
 9 done that way.

10 I think it's important that the Board sees  
 11 all the résumés, not just those that are selected.  
 12 People may have different criteria for doing it. I  
 13 think if this is our only employee, I think we're  
 14 entitled to see all the applications for it.

15 CHAIR SCHMITZ: I share the same  
 16 sentiments. This is the Board's only employee. And  
 17 for the Board to not to have the opportunity to see  
 18 everything that has been submitted, I think maybe we  
 19 need to just talk offline of how that process works,  
 20 but I feel the same way.

21 It's difficult to say -- our criteria  
 22 might be different. It might not be always seeing  
 23 things through the same lens.

24 I see that Trustee Dent and Trustee  
 25 Tonking's hands both are up. I don't know who went

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1 first, so we'll go with Trustee Tonking.  
 2 TRUSTEE TONKING: I agree with you, Chair  
 3 Schmitz and Trustee Tulloch, I would also like to  
 4 see those résumés.  
 5 Maybe, Sergio, if you can think of a way  
 6 where we create a shortlist, each of us, give it to  
 7 you, that would be best. Or if we can interview all  
 8 of them, there should be a way for that to occur.  
 9 I think we all have different views, and I  
 10 think the initial screening, there's a lot of  
 11 different views that go into that. Listening to  
 12 people, I think we can kind of settle on some.  
 13 TRUSTEE DENT: I would agree with that  
 14 approach.  
 15 Would it make sense for us to  
 16 disqualify -- or not us, but staff to disqualify any  
 17 résumés or applicants that don't meet the guidelines  
 18 before it comes to us. We're here saying everybody,  
 19 and we've already heard from the HR director, there  
 20 are a few applications in there that, you know, she  
 21 didn't know why they had applied.  
 22 Does it make sense to take that smaller  
 23 kind of bite off of removing some that don't qualify  
 24 before it comes to us? Because I don't see a reason  
 25 why we couldn't have those in the board packet, and

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1 then we could discuss who our top five are or top  
 2 three are that we actually want to interview at a  
 3 follow-up meeting.  
 4 And if we're doing all of that in a board  
 5 meeting, it seems like we would be meeting NRS, but  
 6 that's why we have Sergio here.  
 7 MR. RUDIN: That would certainly comply  
 8 with NRS.  
 9 I know there have been some concerns  
 10 expressed by the human resources director about  
 11 publicizing résumés of candidates that you may or  
 12 may not choose to interview, and that, potentially,  
 13 is discouraging people from submitting applications.  
 14 But that's not a legal constraint.  
 15 CHAIR SCHMITZ: Could we redact them so  
 16 that cities are redacted and names?  
 17 MS. FEORE: You could redact, but it's,  
 18 nowadays, a simple search of a keyword is going to  
 19 place that person.  
 20 And given -- I want to be mindful of the  
 21 experience from last year and the very passion of  
 22 our residents here who spoke to some of the  
 23 candidates or had tried to reach out to -- I want to  
 24 be sensitive to those candidates and I don't want to  
 25 turn anybody off for fear that their information is

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1 going to be publicized long before they are even  
 2 given an opportunity.  
 3 CHAIR SCHMITZ: Yes. Because we did lose  
 4 candidates last year because of community members.  
 5 MS. FEORE: We did.  
 6 CHAIR SCHMITZ: The challenge -- I agree  
 7 with you, Trustee Dent, but the challenge is what's  
 8 the criteria? Is it just educational background?  
 9 Because suddenly it starts becoming subjective.  
 10 I agree with the concept, but I think that  
 11 it has to be something that's pretty black and  
 12 white, such as not meeting the minimum educational  
 13 requirements.  
 14 MS. FEORE: And I can -- some of them on  
 15 its face are very obvious, very obvious, because  
 16 general managers are everything from shop general  
 17 managers to general managers of large organizations.  
 18 And so you're going to get that.  
 19 What I would say is any of the candidate  
 20 information that I feel don't meet the minimum  
 21 standards, I can easily set them aside, they are  
 22 still viewable, but I think it would just lessen the  
 23 whole approach.  
 24 TRUSTEE TULLOCH: I think -- and Trustee  
 25 Dent makes an excellent point. But I think any of

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1 us that have actually previously done recruitment  
 2 for senior posts and gone through the résumés, you  
 3 know pretty quickly which ones just go out.  
 4 I mean, I think it's easier just doing it  
 5 that way than trying to set some other subjective  
 6 criteria, because sometimes there is a diamond in  
 7 the rough in some of them. Personally, I always  
 8 just look through all of them just to make sure I'm  
 9 not missing something. There are some, yes, you can  
 10 certainly reject straightaway. I suspect we would  
 11 probably have a 75 percent agreement rate, even  
 12 among the trustees, among those that are rejected  
 13 straightaway.  
 14 We don't want to be in the situation like  
 15 last time where we got presented with three or four  
 16 candidates and two of them had just been let go from  
 17 previous employment, within months previously.  
 18 To my mind, I'm happy to go through them  
 19 all in terms of that.  
 20 TRUSTEE TONKING: I like Trustee Dent's  
 21 idea. I trust our HR director to view the job net  
 22 feed. I'm fine with going through the initial vet  
 23 of you don't meet the minimum qualification.  
 24 I would like, Sergio, if possible, if you  
 25 can think if there is a way that we can do the

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1 applications, submit some sort of shortlist or  
 2 something that can be done, other options, and let  
 3 us know off the record.  
 4           Then my third question is, Director Feore,  
 5 can you provide us with a list of all the places you  
 6 posted? You don't have to rattle them off now, but  
 7 just so that we make sure they're in a variety of  
 8 different places before we close that.  
 9           MS. FEORE: Yeah. I was thinking about  
 10 that before I came up here. I remembered, I think,  
 11 four of five different places. Because we post on  
 12 our website, some of the job postings are  
 13 automatically spidered out to Indeed or Simply  
 14 Hired, some of those kinds of places.  
 15           Yes, I've received some really good  
 16 feedback from folks as to good places to post. I  
 17 can email you that list if you'd like.  
 18           MR. RUDIN: In terms of facilitating a  
 19 discussion amongst the Board and preparing a  
 20 shortlist, one option is the HR director prepares an  
 21 anonymized fact sheet of the candidates, the kinds  
 22 of places they've worked, and approximate lengths of  
 23 service in those kinds of capacities. You find out  
 24 that somebody worked in a finance department at a  
 25 government agency in California for five years.

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1 if we're spreading a wide net for applicants, we  
 2 should also look at what the potential is here.  
 3           And just to correct some of things that  
 4 were stated in public comment, there is no passing  
 5 control over to some other entity to set prices and  
 6 take the profits. And I wish there was a million  
 7 bucks, but if you look at this year's budget for  
 8 ski, it's less than, I think, half a million  
 9 projected profit on it, but significantly improved  
 10 revenues, and that's not even accounting for  
 11 depreciation.  
 12           I think the days of Diamond Peaking giving  
 13 us the 4 million bucks to subsidize everything else  
 14 is long gone. We need to be realistic about that.  
 15 If we look at the budget, one of our venues were --  
 16 Diamond Peak was the only one that was actually  
 17 making money in terms of that.  
 18           But it's not -- it's not none of this, and  
 19 you're certainly not going to get any vote from me  
 20 to just pass the whole thing over to somebody else  
 21 to take any money from it.  
 22           I think we need to look at what the range  
 23 of services are. I think something that's been very  
 24 apparent is put in execution, we've had all these  
 25 reports, and we failed to execute on any of the

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1           So rather than saying exactly who they are  
 2 and where they've worked, you just get sort of a  
 3 history of experiences, and then that can be a  
 4 starting point for making a determination without  
 5 revealing prior employers or the names of the  
 6 individuals, which would potentially dissuade folks  
 7 from applying.  
 8           TRUSTEE DENT: Sergio took the words right  
 9 of my mouth. I have nothing further to add. I was  
 10 going ask if we could do a shortlist.  
 11           Thank you.  
 12           CHAIR SCHMITZ: Then to follow up on the  
 13 RFP process, our -- would it be possible to have  
 14 these revisions done for the board meeting that  
 15 would be on the 28th? Which means the material  
 16 would have to be turned in by Friday.  
 17           MS. FEORE: That's up to you.  
 18           TRUSTEE TULLOCH: Yeah, I think it's  
 19 doable. I'm prepared to make the effort. I think  
 20 it's important.  
 21           The Board agreed to do it, a dual-track  
 22 process. I think we -- I think the definition of  
 23 insanity is keep on doing the same thing expecting  
 24 different results. That's is kind of cliched, but  
 25 that's what we appear to have been doing. I think

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1 recommendations on them. I think, certainly, that  
 2 was one of the positives I took from the Troon  
 3 proposal. They are going to actually come in and  
 4 actually execute on the proposals and move forward  
 5 on the things we've done rather than just stalling  
 6 on them, and somehow wondering how we're not being  
 7 successful.  
 8           We are in significant financial issues in  
 9 terms of where we're going. We are going to run up  
 10 against the buffers. It's only a question of when.  
 11 I think we need to look at the issues.  
 12           We also need look at -- some of my  
 13 colleagues made the point a couple of weeks ago that  
 14 we do -- we can't expect the general manager just to  
 15 waive a wand and do it. There's not many people  
 16 that are good -- that can do that have and have the  
 17 stomach to actually do it. But we do need some  
 18 support. One of the advantages of some of these  
 19 management firms is they do that in-house level of  
 20 support. I think it would just be wrong to just  
 21 ignore it and pretend everything is just hunky-dory.  
 22           I think it's worthwhile. I don't come to  
 23 it with any fixed outcome in mind. Some of my  
 24 colleagues are more open-minded about it. I want to  
 25 see what's going to give the best opportunity,

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1 provide the best service, and the best quality for  
 2 the District.  
 3           We need to look at these options.  
 4           TRUSTEE DENT: Two things.  
 5           One is do we limit the scope when it comes  
 6 to the departments that they are looking at, or do  
 7 we -- that's one question. Or do we focus this more  
 8 on areas where we need -- we know that we need  
 9 improvement?  
 10           And then I just wanted to elaborate a  
 11 little bit further on Trustee Tulloch's comments  
 12 about Diamond Peak not being able to subsidize the  
 13 other venues. I don't think we have an issue at  
 14 Diamond Peak. We did have unfortunate weather with  
 15 how it fell and where the holidays were this year.  
 16 And so I don't see a concern as it relates to that.  
 17 I think the concern is not having the excess profit  
 18 is because of all the improvements that are coming  
 19 down the pipeline at Diamond Peak.  
 20           So, rather than being able to subsidize  
 21 all the other venues, we're going to need to have a  
 22 map of investment at Diamond Peak to improve the  
 23 infrastructure and maintain the infrastructure.  
 24           Those are my two comments. But more just  
 25 wanted to touch on the point is really do we limit

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1 where we go with the RFP, do we keep it really  
 2 broad?  
 3           We keep hearing, oh, well, they don't know  
 4 anything about public works and all these other --  
 5 like the Troon, one of the main other talking points  
 6 from the Troon report was no one has the public  
 7 works experience.  
 8           Do we have them look at public works, rec,  
 9 ski, golf, admin, everything, look at everything? A  
 10 question for my colleagues.  
 11           CHAIR SCHMITZ: I'd like to follow up on  
 12 your comment. Thank you for making the  
 13 clarification, because I do know that Trustee  
 14 Tulloch wasn't making a negative comment about  
 15 Diamond Peak. It was more about we're investing in  
 16 Diamond Peak, and that's the right thing to do.  
 17           I think that the RFP should be specific,  
 18 because we know specifically where we have issues.  
 19 We have issues with the lack of internal controls,  
 20 we have issues with a lack of adherence to policies.  
 21 I mean, it was all laid out in the RubinBrown  
 22 report.  
 23           With Trustee Tulloch being so closely  
 24 familiar with the RubinBrown report, I think that it  
 25 would be good to take some of those very specific

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1 things and say these are the activities that we want  
 2 focus on. That's what we need. Whether it's a  
 3 general manager that we bring in and interview from  
 4 the outside, or whether it's someone who is part of  
 5 a larger entity.  
 6           Any other comments?  
 7           TRUSTEE TULLOCH: There was not any  
 8 insinuation. I think Diamond Peak is well run on  
 9 its own track. I would say there is significant  
 10 investment that will be involved. The point I was  
 11 making is the days of it making huge, excess returns  
 12 are just simply not happening, and that's familiar  
 13 across the ski market.  
 14           I tend to agree. I think the -- and it's  
 15 something we discussed at the last meeting, I  
 16 probably failed to make the point earlier there.  
 17 Whoever comes in as general manager is going to need  
 18 some solid support and execution support, not just a  
 19 bunch of consultants coming in and tell us, no, this  
 20 is wrong, this is wrong, and then not having the  
 21 resources to do it.  
 22           We've seen the problems that happened in  
 23 the finance department when it previously got run  
 24 down in bodies. We spent a lot of time and effort  
 25 restaffing it, getting it staffed back up last year,

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1 only to find that we've suddenly got issues with it  
 2 again being insufficiently staffed. And I don't  
 3 want to bring in a new general manager and set them  
 4 up for failure either.  
 5           I've made the point several times, we are  
 6 a bunch of operating businesses, and we need  
 7 somebody that's a good operator and good at  
 8 executing. And he is going to -- he or she is going  
 9 to need some support.  
 10           I would -- I'll take direction from the  
 11 Board. I think we can look for creative solutions,  
 12 we can highlight the areas where we have the most  
 13 outstanding needs, but I think I'd certainly like to  
 14 see what ranges of responses come from the market,  
 15 if only to set some comparators for looking at  
 16 general manager candidates.  
 17           CHAIR SCHMITZ: Any further discussion on  
 18 this?  
 19           Seeing none, are you comfortable with the  
 20 direction being given?  
 21           MS. FEORE: Yes. But I just want to  
 22 reiterate real quick: I am going to email the Board  
 23 with all the places the position has been posted.  
 24 We're going to return on August 28th with an updated  
 25 RFP. I'm going to work with Trustee Tulloch on

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1 this.

2 I can do the board memo, but the document

3 itself, would you be available to have it done and

4 ready to go by Friday morning at the latest?

5 Okay. Thursday night would be better.

6 TRUSTEE TULLOCH: Yeah, I'll do that.

7 I'll work on the substance part of it, and we'll

8 touch base on Thursday morning.

9 MS. FEORE: And also the timeline. That

10 may change the timeline as well.

11 TRUSTEE TULLOCH: Yep.

12 MS. FEORE: Okay. That would be great.

13 CHAIR SCHMITZ: Moving on to agenda item E

14 2.

15 E 2. Employment Separation with Bobby Magee

16 CHAIR SCHMITZ: Review, discuss, and

17 possibly approve an employment separation agreement

18 with Bobby Magee, pages 5 through 11.

19 I do feel -- is Ms. Feore still here? I

20 feel that we have learned some new information today

21 and I -- it was shared with the Audit Committee, and

22 I think that it needs to be shared with the Board so

23 that all have the same information, as part of this

24 conversation.

25 MS. FEORE: So what we talked about at the

51

1 contracts and purchasing manager, and also the

2 public works contracts administration position,

3 those had actually both been moved over to the

4 finance budget, and they both were fully budgeted

5 for the fiscal year '24/'25.

6 The C and P manager position is ending --

7 it's just about to wrap up the recruitment, so we're

8 hopeful in the next month or so, we should have that

9 position filled. And we had determined internally

10 that we would not backfill the P and W, Public Works

11 contracts administration position until after the C

12 and P manager had been hired so that they could make

13 that selection.

14 I also want to work with the budget team

15 to see where there may be some just inherent salary

16 savings so that we can see kind of what we're

17 working with.

18 CHAIR SCHMITZ: Thank you for that

19 clarification.

20 TRUSTEE DENT: We were told -- I thought

21 we've already questioned something along the lines

22 of the director of finance position being funded or

23 not funded, and we were told by the General Manager

24 that the position was funded. Am I misunderstanding

25 -- I mean, I feel like this is now -- the public

50

1 Audit Committee, just to share with the public

2 that's in the room, we discovered that the director

3 of finance position, which had been noted to the

4 Board that it was going to be funded for a minimum

5 of six months, there actually is no funding in the

6 budget.

7 Following this meeting, I worked with

8 acting GM Mike Gove, we went back, we talked with

9 finance, we looked at the numbers 13 more times, and

10 they were all the same. There's no -- there are no

11 dollars in the fiscal year '24/'25 budget for a

12 finance director.

13 A couple of things that I've got on tap is

14 I'm going to sit with the budget folks go to, line

15 by line, through the general fund to make sure that

16 my records is what their records reflect as far as

17 the staffing.

18 Based, preliminarily, on the information

19 that I provided, the third accountant position was

20 not budgeted, by I believe that Mr. Magee did

21 communicate that to the Board. The director of

22 finance position was not posted -- or was not

23 budgeted for the six months.

24 One thing missed at the Audit Committee

25 that I wanted to clarify is the contracts, the

52

1 comments are --

2 MR. RUDIN: It's outside the scope --

3 TRUSTEE DENT: -- starting to make more

4 sense.

5 MR. RUDIN: I'm not sure this is actually

6 particularly germane to this agenda item as well.

7 TRUSTEE DENT: Excuse me?

8 MR. RUDIN: I'm not sure this discussion

9 is particularly germane to this item, the separation

10 agreement.

11 TRUSTEE DENT: Do we need to have a

12 nonmeeting legal meeting after this meeting if we

13 can't discuss new information we received if we're

14 considering a separation agreement, and now we're

15 receiving new information that positions that the

16 Board was told -- or that the Board approved and

17 funded are no longer or were not filled out

18 correctly or funded correctly in the budget that

19 went to the State? Is what I'm understanding from

20 our HR director.

21 So, if we can't discuss that at this

22 point, then I suggest we have a nonmeeting legal

23 meeting after this meeting.

24 TRUSTEE TONKING: I suggest we pull this

25 item. I don't believe we have the proper

53

1 information to be voting on this given the new  
 2 information that just occurred.  
 3 TRUSTEE DENT: I would agree with that. I  
 4 agree with Trustee Tonking on that.  
 5 How soon can we have a nonmeeting legal  
 6 meeting, Sergio?  
 7 MR. RUDIN: I'm available after this  
 8 meeting if you would like to discuss.  
 9 TRUSTEE DENT: With the Board?  
 10 MR. RUDIN: Yes.  
 11 TRUSTEE DENT: Okay. Thank you.  
 12 CHAIR SCHMITZ: So there has been a  
 13 suggestion that this agenda item should be pulled.  
 14 Is that a motion?  
 15 TRUSTEE TONKING: Yes. I move that this  
 16 agenda item be pulled. Do you move to do that? I  
 17 think you can just pull it, right?  
 18 I vote that we don't do anything with it,  
 19 we just move on, and put it on a later date.  
 20 TRUSTEE DENT: I would second that. I  
 21 think we need -- we have new information that we  
 22 need to be briefed on before we have any further  
 23 discussion on this item, Chair.  
 24 CHAIR SCHMITZ: Thank you.  
 25 So a motion as been made to defer this

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1 for the six days that he was intending to be out.  
 2 Does the Board have any suggestions to  
 3 nominate or put someone in as an interim general  
 4 manager while we go through this transition time?  
 5 TRUSTEE NOBLE: You know, looking at the  
 6 -- I think it should be somebody internal. And I  
 7 believe Mike Bandelin has the institutional  
 8 knowledge and the experience in being interim  
 9 general manager, and so I would recommend him at  
 10 this time.  
 11 CHAIR SCHMITZ: Any other comments or  
 12 suggestions?  
 13 I have a concern. I don't disagree with  
 14 you at all about Mr. Bandelin's respect in the  
 15 community and his knowledge. But I also would like  
 16 to allow him to take care of himself and his health  
 17 and get back on board with Diamond Peak. He's been  
 18 through a lot, so I just am concerned about that.  
 19 Trustee Dent or Tonking, did either of you  
 20 see -- I'll go to Trustee Dent first.  
 21 TRUSTEE DENT: Regarding Mr. Bandelin --  
 22 having been through serious health issues and having  
 23 spent several years having to recover from, I know  
 24 how much stress that puts on your body. And given  
 25 our working relationship and all that Mr. Bandelin

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1 agenda item. Has anyone seconded?  
 2 TRUSTEE TULLOCH: Yep.  
 3 TRUSTEE DENT: I will second.  
 4 CHAIR SCHMITZ: I didn't hear that.  
 5 A motion has been made and seconded. Any  
 6 further discussion?  
 7 Seeing one, all those in favor?  
 8 TRUSTEE TONKING: Aye.  
 9 TRUSTEE TULLOCH: Aye.  
 10 TRUSTEE NOBLE: Aye.  
 11 TRUSTEE DENT: Aye.  
 12 CHAIR SCHMITZ: Aye.  
 13 Motion passes, 5/0.  
 14 Moving on to the next agenda item, agenda  
 15 item E 3.  
 16 E 3. Interim District General Manager Options  
 17 CHAIR SCHMITZ: Review and discuss options  
 18 and possibly appoint an interim general manager. I  
 19 had requested that, but really this is for us, as  
 20 the Board, to discuss and make a decision on.  
 21 As we know, we -- right now, Mr. Magee is  
 22 out on, I believe, some sort of an unpaid leave. He  
 23 just took vacation, I believe, but he doesn't have  
 24 vacation time. He is not here. He has placed Mike  
 25 Gove in charge in his absence. But that was purely

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1 did last year for the District, and knowing it's not  
 2 somewhere where he naturally wants to be, I wouldn't  
 3 be inclined in supporting him.  
 4 I think Mr. Bandelin's health should be  
 5 first and foremost, number one. And I would like to  
 6 see him be topnotch as soon as he could, and I see  
 7 the added stress of this position taking away from  
 8 his ability to heal and get to what he enjoys doing,  
 9 and that's running Diamond Peak. I would not be  
 10 favor of it for that reason and that reason alone,  
 11 knowing that Mr. Bandelin will always say yes.  
 12 And I sincerely thank him for what he did  
 13 before and stepping up again.  
 14 TRUSTEE TONKING: I have had the  
 15 opportunity to have some conversations with  
 16 Mr. Bandelin, and I feel like he would be the right  
 17 choice for this district right now, if he was  
 18 willing to take it on. He just knows how the budget  
 19 process works, he's been through all that  
 20 (inaudible) budget issues currently. He knows the  
 21 District really well, knows all the ins and outs,  
 22 and it would be a very short time, given we just  
 23 have (inaudible) timelines for all these concurrent  
 24 things happening, and so I feel like he would be the  
 25 right fit for this.

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1 I would be in favor of him.

2 TRUSTEE TULLOCH: Can I make a suggestion

3 since we've parked the previous item and we're going

4 to have a nonmeeting legal meeting following this to

5 discuss Mr. Magee's situation?

6 Mr. Gove is currently caretaker while

7 Mr. Magee is out. Can I suggest that these -- to

8 me, these two items are both kind of interlinked.

9 Can I suggest that we bring this back to -- on next

10 week's agenda while we resolve issues around the

11 separation agreement, and with Mr. Gove standing in

12 just in the meantime, actually than just rush to

13 give a decision?

14 TRUSTEE TONKING: I have a clarifying

15 question, Chair.

16 CHAIR SCHMITZ: Go ahead.

17 TRUSTEE TONKING: Is Mr. Magee, in theory,

18 supposed to be back on the 26th from his vacation or

19 leave?

20 CHAIR SCHMITZ: My understanding is that

21 he's back on the 26th, as far as I'm aware of, yeah.

22 TRUSTEE TONKING: Great. Then I think

23 that Mike Gove does -- I agree with Trustee Tulloch.

24 I move that we just pull this item until next week.

25 TRUSTEE DENT: I'll second that.

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1 I know that Mr. Magee and legal counsel had been

2 working on finding better solutions to the whole

3 blanket PO situation.

4 But I will update my spreadsheet, but it

5 was an extensive list, and to be honest with you, I

6 just didn't have time to it in put my spreadsheet

7 for tonight.

8 TRUSTEE DENT: I was just going to say

9 along those same lines, in your absence, Mr. Gove

10 was not able to get ahold of you, and I fielded a

11 couple of calls that related to being able to

12 purchase some things, so then we could provide --

13 facilitate an event the next day.

14 There's several things that seem to be

15 bogged down or have been bogged down in General

16 Manager's inbox, and having to cause some folks to

17 react rather quickly so we don't lose certain

18 business.

19 So I think it's important that we get this

20 issue resolved rather quickly. And thank you for

21 stepping in and taking over.

22 CHAIR SCHMITZ: Thank you for stepping in.

23 The one time I left my phone in the car.

24 TRUSTEE TONKING: Is this going to be able

25 to be on the 28th agenda item so that we can get

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1 CHAIR SCHMITZ: All those in favor?

2 TRUSTEE TONKING: Aye.

3 TRUSTEE TULLOCH: Aye.

4 TRUSTEE NOBLE: Aye.

5 TRUSTEE DENT: Aye.

6 CHAIR SCHMITZ: Aye.

7 Motion passes, 5/0. This is will be on

8 our agenda on the 28th.

9 That concludes the agenda, I believe for

10 this evening.

11 F. BOARD OF TRUSTEES UPDATE

12 CHAIR SCHMITZ: I have an update on the

13 trustees update. I didn't produce another one of

14 my -- I didn't update my spreadsheet.

15 But just to inform the Board that there

16 were a number of invoices that had not been

17 approved, and I was informed that in Mr. Magee's

18 absence, if I didn't approve these, that we were

19 being shut off by some of our suppliers because the

20 blanket PO situation hasn't been brought forward to

21 the Board by Mr. Magee.

22 There were a number of POs that Sergio

23 reviewed, and I used my -- the emergency, and

24 approved them as well for payment because it's -- we

25 were getting so far delayed in paying the invoices.

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1 this sorted out so that you and other trustees

2 aren't stuck doing this? I feel like this is a

3 business operation issue.

4 CHAIR SCHMITZ: It more complicated than

5 that, and I know that legal counsel has been working

6 with staff to find a better solution. Some of it

7 has to do with going out to do RFPs and to actually

8 have contracts for certain things.

9 So I think -- I'll give an update on the

10 28th, just of what I know is going on with -- in the

11 interim. I'll do my best to give you a more

12 comprehensive update, if that's okay. I don't think

13 there will be anything on the agenda.

14 I'm looking at legal counsel, and he's not

15 saying there's going to be anything on the agenda.

16 MR. RUDIN: Yeah. I mean, I think that

17 there are certain contracts and purchase orders that

18 could go on the agenda. I'm just not sure what the

19 status of those are. I would have to check with the

20 Director of Public Works.

21 CHAIR SCHMITZ: If there are, they will

22 be. And some of it was there was just an absence of

23 actual contracts for certain things. Legal counsel

24 been working to try to get all of that squared away.

25 We can have more information provided on

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1 the 28th.

2 TRUSTEE DENT: I want to understand the

3 situation a little bit better as it relates to this.

4 I don't know if it's still along the lines of what

5 Trustee Tonking was asking for, but it would be good

6 to know what those items were, and then really what

7 is the hold up. I understand there's some contracts

8 that need to be in place.

9 What I got involved in was literally

10 approval of purchasing alcohol for a wedding the

11 next day. It just seems like that should have been

12 handled much before then. It just seems so simple.

13 And I don't know why that would be held up within

14 operations.

15 I just want to make sure there's not some

16 unintended consequences that are leading to this,

17 and that we're -- we all understand why and what

18 causing this.

19 CHAIR SCHMITZ: Any other updates?

20 I'm curious when we are, as a board, going

21 to do another FlashVote survey?

22 TRUSTEE DENT: As soon as there's a topic

23 and a trustee reaches out to me, I'm happy to work

24 with Mr. Lyons on that. I have an idea of one that

25 we can do, but I'm happy to field ideas. I'd like

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1 to have several.

2 If there's a trustee interested, reach to

3 me offline, and we can discuss.

4 TRUSTEE TONKING: I will reach out to you.

5 TRUSTEE TULLOCH: Some quick updates from

6 the Audit Committee. I heard public comments. The

7 engagement letter which had been sent by Davis Farr

8 on the 24th of June, I only received this last week,

9 and obviously there's some further work to be done

10 on it as discussed at the Audit Committee. There's

11 some updates required. That's another top priority

12 to make sure to get this resolved so we can actually

13 move forward with it.

14 I think the topic we're discussing earlier

15 blindsided us all at the Audit Committee when we

16 heard this today. And obviously, the director of

17 finance, having no senior finance staff available is

18 far from ideal in terms of that.

19 We also had a CIC meeting this afternoon,

20 which is actually very good. It gave some very good

21 input and some good guidance. Staff appreciated the

22 guidance to help refine their proposals before they

23 come to the Board. The Snowflake Lodge needs

24 assessment and the skate park proposal should be

25 coming to the Board very shortly.

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1 We actually had some, for the CIC meeting,

2 excellent feedback. There's a -- we got a huge

3 turnout of people that have never been at a board

4 meeting before of skaters, who actually provided

5 some very good input in the public comment and

6 helped educate us on that as well.

7 CHAIR SCHMITZ: Any other updates from

8 other trustees?

9 Seeing none, we will move on to our final

10 public comment. We have three here in the room.

11 G. FINAL PUBLIC COMMENT

12 MR. HOMAN: Thank you. Mick Homan,

13 Incline resident, trustee candidate.

14 I'm actually very encourage about what we

15 heard about the interest that we got in the general

16 manger position. I think that's very good, and,

17 frankly, it's what I would expect when you cast the

18 net wide, given the quality of life that we enjoy up

19 here and how attractive this place should be. I

20 believe we should be an employer of choice.

21 Hearing that news, I would -- if I were

22 trustee for the day, I would back off on the RFP for

23 proposal. I would want my general manager in place

24 to help drive that decision-making and to help -- to

25 work with the GM, to work with the consultants to

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1 figure out specifically what it is I want them to

2 look at. Just some counsel.

3 Mike made some very good points earlier as

4 a provider of outsourcing services. I was a

5 customer of a lot of outsourcing services, and I --

6 you need to understand that they will give you a fee

7 and they will be available to talk to you in

8 generalities, but as soon as you want arms and legs

9 on the ground to execute, that's a whole nother fee

10 structure. You need to think about that.

11 If you are going to go ahead with that, I

12 would counsel you to look very closely at the

13 staff's response to the reports to make sure that

14 you use that to help you sufficiently limit the

15 scope. I agree with that point that it should be a

16 limited scope.

17 And then just the final point, Trustee

18 Dent mentioned a letter that the GM apparently sent

19 to all of the Board, the topic which apparently had

20 to do with the consultant -- I'm not sure if he

21 mentioned affordability or whatever in that, but

22 that's what I inferred from it. I guess since it

23 went to the full board, I would be curious as to why

24 it wasn't part of the meeting materials or made

25 public, and I would request that it be made public



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1 because if there's some significant information in  
 2 there that was deemed necessary to share with the  
 3 Board, I think the community ought to have that. I  
 4 would request that that be released, if not, I guess  
 5 I can file a PRR for it.  
 6 Thank you.  
 7 MS. JEZYCKI: Michelle Jezycki, Incline  
 8 Village resident and IVGID trustee --  
 9 Didn't want to come make comments, but  
 10 after hearing some of these things, I think it's  
 11 important to take into consideration that asking  
 12 management firms, especially if part of the scope is  
 13 to help find a GM, the time schedule here is really  
 14 wonky. And having been on both sides of the RFP  
 15 proposal process, you're asking for them to write up  
 16 to 50 pages of a proposal. That takes time, money,  
 17 resources.  
 18 And if we're doing it, and in the meantime  
 19 you're looking at these 24 -- and I understand some  
 20 of these other ponds that we're fishing in now,  
 21 which I think will garner even better candidates --  
 22 if you find an all star there, this -- we cancel,  
 23 let's say, the RFP and tell them thanks but no  
 24 thanks, what happens when we really need a  
 25 management company?

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1 a promotional opportunity or a hiring promotion or  
 2 hiring opportunity, you are not allowed to bring in  
 3 the medical situation of an employee. I would  
 4 caution you against doing that in the future. I  
 5 know you're looking confused, you can look it up,  
 6 and I can talk afterwards.  
 7 And also it's up to the employee whether  
 8 he's willing to step in or not. He's taken a bullet  
 9 for this community. I would imagine he would  
 10 probably do it again. Let's be careful and keep it  
 11 professional.  
 12 Thank you.  
 13 MR. AKFAR: A couple of comments.  
 14 Having been in the business and knowing  
 15 that we're under a tight time schedule -- you got a  
 16 lot of stuff going on -- my advice would be to put  
 17 the RFP process aside. It's going to be a  
 18 distraction. You're going to get 50 pages back,  
 19 they're going to have follow-up questions, you'll  
 20 have to answer them. It will take you a tremendous  
 21 amount of time, if they can respond in the timeline.  
 22 The biggest worry that I have, though, is  
 23 that -- I'm thrilled to see that we've got 20  
 24 candidates in just one week. You give that -- it's  
 25 the middle of the summer, this isn't the time that

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1 Why not look at it more holistically,  
 2 right? Instead of plugging and playing somebody to  
 3 say follow the directions of all of these  
 4 consultants over the last four or five years that  
 5 we've hired and paid an enormous amount of money to  
 6 that gave us a game plan. And I'm hearing you say  
 7 that we can't -- we don't execute. Get your GM to  
 8 execute. Get staff to execute. We have a recipe.  
 9 It's a freaking Betty Crocker opportunity. Follow  
 10 the recipe.  
 11 We don't need somebody to come in and  
 12 swing an ax around and say brilliantly, oh, this is  
 13 what we need to do. We have it. We know what we  
 14 need to do. I don't think it's rocket science.  
 15 Get a Tyler Munis professional in. The  
 16 audit report was the biggest house-is-on-fire thing,  
 17 and then we hear the 7 million's been accounted for.  
 18 I don't know where all that is leading to, but a  
 19 Tyler Munis professional can help with the proper  
 20 migration that was never completed. Easy way to fix  
 21 a lot of those issues.  
 22 Finally, as an HR professional, I gotta  
 23 tell you, and I wish somebody would have jumped in  
 24 earlier, it's illegal to talk about medical  
 25 conditions or medical concerns. When talking about

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1 people are looking for jobs, they are farting around  
 2 on vacation. You give this a little bit more time,  
 3 you're going to have 50 candidates.  
 4 If you've got an RFP process going to seek  
 5 a general manager with an outsourcing firm, that's  
 6 going to have a real negative impact on some of your  
 7 best candidates. The median ones, they're not going  
 8 to care. It's all upside for them. But the best  
 9 candidates may pull back if they see that.  
 10 So I would not send that RFP out. I think  
 11 it's going to have a real negative impact. Now is  
 12 not the time for a variety of reasons. But hearing  
 13 the good news from the Director of HR, that would be  
 14 a colossal mistake, in my view.  
 15 If you've got one or two management  
 16 consulting firms that you think have the chops to do  
 17 this, I wouldn't send out an RFP, I'd call them.  
 18 I'd have a dialogue with them and tell them what's  
 19 going on and see if they want to talk to you. Then  
 20 it won't be publicly broadcasted. I'd be really  
 21 careful with it.  
 22 To me it's even clearer now, this is a  
 23 staffing issue, and a leadership issue. I hope,  
 24 please, that you'll put this RFP process aside and  
 25 really focus on just hiring the candidates that

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1 you've got in front of you. The best ones, I'm  
2 sure, will emerge soon.  
3 Thanks.  
4 MR. WRIGHT: Frank Wright, Crystal Bay,  
5 candidate for the Board.  
6 I've talked to some employees in the  
7 trenches. And they are very upset with the amount  
8 of money that's being wasted by this district. And  
9 I'm talking about a lot of money. They are upset  
10 with the fact that \$7 million, \$10 million is just  
11 missing.  
12 We had a general manager go before the  
13 Committee on Local Government and tell them that he  
14 found it. None one has seen how he found it or know  
15 where it is. He also made a statement that the  
16 books are all in order. Those are lies. That's a  
17 lot of our money, we don't know where it is, and we  
18 don't know what's happening to it.  
19 We have employees here who are good  
20 employees who work for \$17 an hour. They've been  
21 here for many years. Some haven't had a raise.  
22 They have not had a raise. \$17 an hour. They can  
23 make more at McDonald's. And these are the people  
24 that are doing the job that needs to be done here,  
25 not people who are pretending to be supervisors who

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1 Thank you.  
2 CHAIR SCHMITZ: Any comments online?  
3 MR. BELOTE: We do, Chair.  
4 MR. NOLET: Chris Nolet. Just a couple  
5 final closing comments for tonight.  
6 One, Mike Akfar, those were excellent  
7 comments. Very thoughtful and very much based in  
8 reality. Thanks for providing those to everybody.  
9 I sort of have a question, and if I  
10 misheard this when I dropped the line, I'd like you  
11 to correct me. I thought I heard that we knew Mr.  
12 Magee wasn't going to be back until the 26th. If I  
13 understood that correctly, I fail to understand why  
14 trustees had to take on management roles by  
15 approving expenditures. Particularly in light of  
16 the fact -- I don't know, maybe you probably didn't  
17 -- that we have an acting GM in Mr. Gove. Why  
18 wasn't he available or able to approve these  
19 expenditures versus taking trustees and pushing them  
20 into management roles?  
21 Thank you.  
22 MR. DOBLER: This is Cliff Dobler again.  
23 Being the historian I am, I'm just talking  
24 about this augmentation of the budget, and I would  
25 think that maybe if I give it to Tonking, we can get

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1 are not at their job, off in some other state doing  
2 something else other than working for our district.  
3 We have a lot of problems. We have a lot  
4 of morality problems within the District, a lot of  
5 things happening here that shouldn't be happening.  
6 These credit cards haven't been reconciled, the  
7 books haven't been reconciled. It's our money, it  
8 belongs to our district. How much would we really  
9 be paying for things here if we did it right? How  
10 much would it cost us to use our facilities if we  
11 did it right? A hell of a lot less, I can tell you  
12 that right now.  
13 But we have special interests that are  
14 worried about protecting what they've been taking  
15 from us for years. If we allow these candidates to  
16 come in and continue the special interests, we're  
17 going to be right back where we started, and this  
18 will continue on for another five years. But in the  
19 meantime, we're probably going to lose an awful lot  
20 of money. We've already lost a lot of respect.  
21 People don't respect Incline any longer, they think  
22 it's a joke.  
23 So, my suggestion is, it's not rocket  
24 science, you can fix all this very easily. Get the  
25 right people and get busy.

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1 it on the agenda and start taking care of some of  
2 this stuff that is easy to take care of.  
3 Now, the general fund has 4,530,972 bucks,  
4 that's at the end of this fiscal year, so we got  
5 plenty of money to turn around and augment the  
6 budget for the 250 grand. But also we gotta deal  
7 with the carryovers, which requires an augmentation,  
8 and also we gotta take care of that loan from the  
9 general fund to the internal services fund.  
10 You actually violated the law there, and  
11 you ought to get that cleaned up. It's pretty  
12 simple to do, just have a -- draw it up and have a  
13 meeting on it, approve it, and get it done.  
14 And then the last thing I think is  
15 interesting is also if you're going to restrict  
16 assets in the net position or restrict capital  
17 projects, you need to have a board approval on that.  
18 For some god-awful reason, he just turned around and  
19 decided that all capital projects that were carried  
20 forward were restricted assets.  
21 This can be cleaned up pretty rapidly.  
22 And I'd like to see, maybe, you guys do something  
23 constructive because, you know, Magee was a bum, and  
24 this is what you get for it. Okay?  
25 Thanks.

1 MR. BELOTE: That was our last public  
2 comment in the queue.

3 CHAIR SCHMITZ: Thank you.

4 H. ADJOURNMENT

5 CHAIR SCHMITZ: We will adjourn the  
6 meeting at 7:36 p.m. Thank you.

7 (Meeting ended at 7:36 p.m.)  
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1 STATE OF NEVADA )  
2 COUNTY OF WASHOE ) ss.  
3

4 I, BRANDI ANN VIANNEY SMITH, do hereby  
5 certify:

6 That I was present on August 20, 2024, at  
7 the of the Board of Trustees Special Meeting public  
8 meeting, via Zoom, and took stenotype notes of the  
9 proceedings entitled herein, and thereafter  
10 transcribed the same into typewriting as herein  
11 appears.

12 That the foregoing transcript is a full,  
13 true, and correct transcription of my stenotype  
14 notes of said proceedings consisting of 74 pages,  
15 inclusive.

16 DATED: At Reno, Nevada, this 6th day of  
17 September, 2024.

18  
19 /s/ Brandi Ann Vianney Smith  
20

21 BRANDI ANN VIANNEY SMITH  
22  
23  
24  
25

# INVOICE

**BAVS SM-LLC**  
brandiavsmith@gmail.com  
United States

**BILL TO**  
**Incline Village General Improvement District**  
Susan Herron / Heidi White

775-832-1218  
AP@ivgid.org

**Invoice Number:** IVGID 50/51

**Invoice Date:** September 6, 2024

**Payment Due:** September 20, 2024

**Amount Due (USD): \$1,154.00**

Items	Quantity	Price	Amount
<b>Base fee</b> August 20, 2024 CIC and BOT special meeting	1	\$350.00	\$350.00
<b>Per page fee</b> August 20, 2024 CIC meeting	62	\$6.00	\$372.00
<b>Per page fee</b> August 20, 2024 BOT special meeting	72	\$6.00	\$432.00

**Total:** \$1,154.00

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**Amount Due (USD): \$1,154.00**

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE  
WRITTEN MINUTES OF THE IVGID BOARD'S SPECIAL AUGUST 20, 2024  
MEETING – AGENDA ITEM C – PUBLIC COMMENT – STAFF'S  
EXPENDITURE OF MORE ON THEMSELVES THAN BUDGETED  
FOR ALLEGED EMPLOYEE RECRUITMENT AND RETENTION**

**Introduction:** Well here's yet "another one" as my friend DJ Kahled would say<sup>1</sup>. More evidence of staff incompetence, lack of knowledge and professionalism, and a flagrant disregard for the financial sustainability of the District. This time it's General Manager ("GM") Bobby Magee's secret employee appreciation BBQ costing more than that budgeted therefore. And that's the purpose of this written statement.

**My August 19, 2024 E-Mail to The Board<sup>2</sup>:** On August 19, 2024 I sent the Board an e-mail wherein I objected to GM Magee having wasted nearly \$25K on a secret employee appreciation dinner/party. And given I wanted to learn whether these sums had been budgeted by the IVGID Board, I made a Public Records Request to learn the particulars of all sums budgeted by the Board for employee recruitment and retention, and all such sums actually delivered and expended. Rather than recounting the substance of my comments, I refer the reader to said Exhibit "A."

**Conclusion:** This behavior just keeps happening over and over and over again. Unqualified, incompetent and over compensated staff get replaced by even more unqualified, more incompetent and more over compensated staff. And look at the results. No effort to eliminate wasteful expenditures like the one the subject of this written statement not having anything directly to do with furnishing facilities for public recreation and utilities. And staff's consistent expenditure of public moneys on this endeavor when they know it hasn't been budgeted by the Board. Does staff think the Board is too dumb to know what it is doing? Unfortunately the answer is yes, and they're probably right about it! As I've pointed out so many times before, these are all the red flags of a criminal syndicate<sup>3</sup>. And you wonder why your Recreation ("RFF") and Beach ("BFF") Facility Fees continue as involuntary subsidies, and they are as high as they are?

When is the Board going to put members' collective feet down and put an end to these practices? Given NRS 318.515(1) states that where the: "(a) district...is not being properly managed;

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<sup>1</sup> Go to <https://medium.com/cuepoint/the-old-people-s-guide-to-dj-khaled-5618a5aa52b1#:~:text=Another%20One%20%E2%80%94%20One%20of%20the,of%20shoes%2C%20or%20something%20else.>

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

<sup>3</sup> NRS 207.370 instructs that "criminal syndicate means any combination of persons, so structured that the organization will continue its operation even if individual members enter or leave the organization, which engages in or has the purpose of engaging in racketeering activit(ies)."

(or, its) (b) board of trustees...district is not complying with the provisions of...any other law;" when will the Board notify the Washoe County Board of Commissioners to hold a hearing to consider whether to: (a) adopt an ordinance (substituting)...the board of county commissioners, *ex officio*, as the board of trustees of the district; (b) adopt an ordinance providing for the merger, consolidation or dissolution of the district...(c) file a petition in the district court for the county in which the district is located for the appointment of a receiver for the district; or, (d) determine by resolution that management and organization of the district will remain unchanged?" Don't you think the time has come to become fiscally responsible and for the county to assume supervision over the district?

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

## **EXHIBIT "A"**

## August 20, 2024 IVGID BOT Meeting - Agenda Item C - Public Comment - Evidence Your Wonderful Staff Spent More on Themselves Than the Board Budgeted For 2023-24 - Fw: PRR 24-98

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**From:** <s4s@ix.netcom.com>  
**To:** "Schmitz Sara" <schmitz\_trustee@ivgid.org>  
**Cc:** "Dent Matthew" <dent\_trustee@ivgid.org>, "Tonking Michaela" <tonking\_trustee@ivgid.org>, "Noble Dave" <noble\_trustee@ivgid.org>, "Tulloch Ray" <tulloch\_trustee@ivgid.org>, <bma@ivgid.org>, "Mick" <homan4ivgid@gmail.com>, "Michelle" <jezycki4ivgid@gmail.com>, "Swenson Harry" <harry.tahoe.swenson@gmail.com>  
**Subject:** August 20, 2024 IVGID BOT Meeting - Agenda Item C - Public Comment - Evidence Your Wonderful Staff Spent More on Themselves Than the Board Budgeted For 2023-24 - Fw: PRR 24-98  
**Date:** Aug 19, 2024 12:29 PM  
**Attachments:** 8.15.24 PRR 24-98.pdf

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Chairperson Schmitz, Other Honorable Members of the IVGID Board, and trustee candidates Mick, Michelle and Swenson:

It just doesn't end. It's essentially everything these people do. It's dirty as hell and yet there is no consequence to the offending employees. And as my friend DJ Kahled would say, "here's another one." Are you reading trustee candidates? Are you grasping the extent of the problems you're setting yourselves up for?

And here, it's Bobby Magee's nearly \$25K employee appreciation BBQ. Yahoo!

You will recall some of us learned of this totally inappropriate expenditure of close to \$25K via Mr. Magee's home boy and fellow pit master from Azusa. When I examined the written records evidencing the same, I discovered that our honest staff assigned chart of account object code #7350 to this expenditure; employee recruitment and retention.

So stupid me wanted to learn where this wasteful expenditure had been budgeted. So I made the public records request noted below. And today I got the answer. Which is attached to this e-mail for all of you to examine for yourselves.

There you can see what was budgeted for this object code, system wide, as well as what was spent. Insofar as our GM is concerned:

General Fund GM - \$0.

Total - \$0.

And how much was spent? \$24,000 (I assume this \$24K is the nearly \$24K spent on Mr. Magee's BBQ). That's \$24,000 over budget.

Okay, let's look at all General Fund expenditures:

General Fund budgeted (for employee recruitment and retention? Are you for real?) - \$45,728.

General Fund total actually expended - \$59,938.

Overspent - \$14,210.

In other words, at the very least, Mr. Magee wasted at least \$14,210 more than this Board budgeted for employee



recruitment and retention. So as my other good friend Hulk Hogan would say, "whatca gonna do (about this) brother?"

Oh I know Michela's answer: "it's water under the bridge."

Well it may be water under her bridge. BUT NOT MINE. I demand our wonderful employees refund to we local parcel owners the unbudgeted \$14,210 we involuntarily funded for their BBQ which was in excess of what you Board members budgeted. I don't know what you Board members call this conduct, but I call it THEFT.

And you want to give Mr. Magee another \$24K of our Rec Fee as "hush money?" What's wrong with you people.

Respectfully, Aaron Katz

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

From: Info IVGID <InfoAtIVGID@ivgid.org>

Sent: Aug 19, 2024 11:22 AM

To: s4s@ix.netcom.com <s4s@ix.netcom.com>, Erin Feore <ekf@ivgid.org>

Cc: Info IVGID <InfoAtIVGID@ivgid.org>

Subject: PRR 24-98

Thank you for your recent request PRA No. 24-98

The District is committed to making reasonable efforts to focus all requests in a manner that maximizes the likelihood of expeditious disclosure. We have provided all records responsive to your request  
All records have been released, and your request has been fulfilled.

The following information is provided:

Tyler-Munis Report on object 3750

Heidi H. White

District Clerk

Incline Village General Improvement District  
893 Southwood Blvd., Incline Village, NV 89451  
Cell: 775-558-9500 hhw@ivgid.org

Email: info@ivgid.org  
Office: (775)832-1268  
Cell: (775)558-9500

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

From: s4s@ix.netcom.com

Sent: Wednesday, July 31, 2024 7:18 AM

To: Erin Feore

Cc: Heidi White ; Info IVGID

Subject: From Aaron Katz

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

Hello Erin -

Please help me with an employee related expense.

The District's chart of accounts lists object code #7350 for employee recruitment and retention. Since you're the Director of HR, can you please share with me the amount budgeted in the 2023-24 General Fund for object code #7350? As well as amounts actually expended and/or incurred and not yet paid for object code #7350 in the General Fund. This detail is not included in the budget materials shared with the public, and as you know, open.gov is not operational.

If you're going to pull the public records card on me (which I hope you won't), I am requesting examination of District financial records for 2023-24 which evidence:

1. The amount budgeted as an expense for object code #7350 in the General Fund; and,
2. The amounts actually expended and/or incurred and not yet paid for object code #7350 in the General Fund.

Thank you for your cooperation. Aaron Katz

## **EXHIBIT “B”**

Organization	Row Labels	OBJECT	DESC	Revised Budget	Actual	Encumbrance	Remaining Budget
Gen Fund Gen Gov Admin	10001099	7350	Employee Recruit & Retain	1,000	-	-	1,000
Gen Fund Exec Gen Manager	10001110	7350	Employee Recruit & Retain	-	24,000	-	(24,000)
Gen Fund Finance Accounting	10001212	7350	Employee Recruit & Retain	3,000	4,591	-	(1,591)
Gen Fund Finance Inform Services	10001213	7350	Employee Recruit & Retain	2,700	-	-	2,700
Gen Fund Finance Risk Management	10001214	7350	Employee Recruit & Retain	300	600	-	(300)
Gen Fund Personnel Human Resources	10001315	7350	Employee Recruit & Retain	26,928	26,546	-	382
Gen Fund Personnel Hlth & Wellness	10001316	7350	Employee Recruit & Retain	10,300	4,123	-	6,177
Parks Services	10004378	7350	Employee Recruit & Retain	1,500	77	-	1,423
<b>Grand Total</b>				<b>45,728</b>	<b>59,938</b>	<b>-</b>	<b>(14,210)</b>

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE  
WRITTEN MINUTES OF THE IVGID BOARD'S SPECIAL AUGUST 20, 2024  
MEETING – AGENDA ITEM E(2) – ENTRANCE INTO A POSSIBLE  
SEPARATION AGREEMENT WITH GENERAL MANAGER  
("GM") BOBBY MAGEE**

**Introduction:** Well here's yet "another one" as my friend DJ Kahled would say<sup>1</sup>. More evidence of staff incompetence, lack of knowledge and professionalism, and a flagrant disregard for the financial sustainability of the District. This time it's a proposed separation agreement with GM Bobby Magee, after only a handful of months on the job, and Mr. Magee's decision to terminate his employ. And that's the purpose of this written statement.

**My August 15, 2024 E-Mail to The Board<sup>2</sup>:** On August 15, 2024 I sent the Board an e-mail wherein I objected to entering into the proposed separation agreement with GM Magee, especially wherein we've agreed to pay him nearly \$24,000 in "hush money" for his decision to terminate his employ with the District. Rather than recounting the substance of my comments, I refer the reader to said Exhibit "A."

**Conclusion:** This behavior just keeps happening over and over and over again. Unqualified, incompetent and over compensated staff get replaced by even more unqualified, more incompetent and more over compensated staff. And look at the results. No effort to eliminate wasteful expenditures like the one the subject of this written statement not having anything directly to do with furnishing facilities for public recreation and utilities. As I've pointed out so many times before, these are all the red flags of a criminal syndicate<sup>3</sup>. And you wonder why your Recreation ("RFF") and Beach ("BFF") Facility Fees continue as involuntary subsidies, and they are as high as they are?

When is the Board going to put members' collective feet down and put an end to these practices? Given NRS 318.515(1) states that where the: "(a) district...is not being properly managed; (or, its) (b) board of trustees...district is not complying with the provisions of...any other law;" when will the Board notify the Washoe County Board of Commissioners to hold a hearing to consider whether to: (a) adopt an ordinance (substituting)...the board of county commissioners, *ex officio*, as the board of trustees of the district; (b) adopt an ordinance providing for the merger, consolidation or

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<sup>1</sup> Go to <https://medium.com/cuepoint/the-old-people-s-guide-to-dj-khaled-5618a5aa52b1#:~:text=Another%20One%20%E2%80%94%20One%20of%20the,of%20shoes%2C%20or%20something%20else.>

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

<sup>3</sup> NRS 207.370 instructs that "criminal syndicate means any combination of persons, so structured that the organization will continue its operation even if individual members enter or leave the organization, which engages in or has the purpose of engaging in racketeering activit(ies)."

dissolution of the district...(c) file a petition in the district court for the county in which the district is located for the appointment of a receiver for the district; or, (d) determine by resolution that management and organization of the district will remain unchanged?" Don't you think the time has come to become fiscally responsible and for the county to assume supervision over the district?

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

**EXHIBIT "A"**

## Aug 20, 2024 IVGID BOT Meeting - Agenda Item E(2) - Proposed Separation Agreement With Bobby Magee

---

**From:** <s4s@ix.netcom.com>  
**To:** "Schmitz Sara" <schmitz\_trustee@ivgid.org>  
**Cc:** "Dent Matthew" <dent\_trustee@ivgid.org>, "Tonking Michaela" <tonking\_trustee@ivgid.org>, "Tulloch Ray" <tulloch\_trustee@ivgid.org>, "Noble Dave" <noble\_trustee@ivgid.org>, "Homan Mick" <homan\_audit@ivgid.org>, "Michelle" <jezycki4ivgid@gmail.com>, "harry" <harryswenson4ivgidtrustee@gmail.com>  
**Subject:** Aug 20, 2024 IVGID BOT Meeting - Agenda Item E(2) - Proposed Separation Agreement With Bobby Magee  
**Date:** Aug 15, 2024 5:01 PM

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Chairperson Schmitz, other Honorable Members of the IVGID Board, and Trustee candidates Mick, Michelle and Harry:

Can it really get any worse? Yes it can! And here's the evidence.

So Bobby Magee initiated termination of his employ with the District after only a couple of months on the job, and after learning what terrible shape the District really is in. Yes he knew it was bad before he agreed to become our GM. But he didn't know it was and is as bad as it is! So he's bailing!

So to add insult to injury, this proposed severance agreement is being proposed? We're told that "until the Separation Date (August 21, 2024), Employee (Mr. Magee) shall be placed on unpaid administrative leave effective August 21, 2024, and (he) shall not be required to perform the duties of General Manager of the District."

Unpaid administrative leave?

Who's idea was this one?

And now I see we're actually paying Mr. Magee \$24K in severance fees [see paragraph 2(A)]? And he was and is the one electing to sever? Because he has no right to demand the same under his existing employment agreement with the District, let's circumvent this little tidbit and call it "unpaid administrative leave."

Are you people crazy?

Yes you are!

Let's continue with an analysis of this separation agreement. Paragraph 8(B). "Employee agrees not to disparage the honesty, integrity, ethics, or professional competence and reputation of IVGID, its Trustees, employees, agents, or legal representatives on any matter related to his employment and this separation." To those of you not schooled in the ways of the world, let me translate this language for you.

HUSH MONEY!

That's right. We're paying Mr. Magee hush money to keep his mouth shut insofar as the truth is concerned. And then impliedly representing that the District, its trustees, and wonderful employees are honest, exhibit integrity and ethics, and are professionally competent!



Four more questions.

1. Who instructed Sergio to prepare this agreement?
2. How much has he billed the District above and beyond Mr. Magee's severance pay? After all isn't it Sergio who drafted the following language at paragraph 9: "Each Party shall bear the Party's own associated costs of preparing this Agreement, including attorneys' fees."
3. Please tell me why this matter is on the calendar for the 20th? Doesn't Mr. Magee have discretion to enter into a contract like this one without Board approval? After all, it's under his spending authority.
4. If I agree in writing to "not...disparage the honesty, integrity, ethics, or professional competence and reputation of IVGID, its Trustees, employees, agents, or legal representatives on any matter related to" IVGID, can I get \$25K? What about Frank. Can he get \$25K? What about any member of one of our private golf clubs who comes to a public meeting and is critical of the District? Can these people get \$25K each? Do you remember the song "it's raining men?" Well now I want to know if it's raining checks for \$25K?

So there you have it.

First Mr. Magee hires his buddy from Victorville, CA., Adam Cripps, to be our Ass't Finance Director.

Then Mr. Magee allows Mr. Cripps to take a voluntary leave of absence for an undisclosed period of time after only a couple of months on the job. And staff won't disclose whether he is being paid. Or whether it's really another way of calling his exist from the District "administrative leave."

Then Mr. Magee hires is pit master buddy from Victorville, Jesse "James" Colette, for a secret \$25K employee appreciation BBQ. When asked why he figuratively stole nearly \$25K from IVGID, word has it Jesse responded "because that's where the money is."

Then Mr. Magee hires another one of his buddies from Victorville, Chris Sarten, to perform a nearly \$25K F&B study. When asked why he figuratively stole nearly \$25K from IVGID, word has it Chris responded "because that's where the money is."

And now when asked why he figuratively is stealing nearly \$25K from IVGID, word has it Bobby Magee has responded "because that's where the money is."

I just love the balance of paragraph 9 of the agreement: "This Agreement shall be deemed to have been jointly drafted by the Parties." So who do you think is the negotiating guru, and who is getting fleeced? Bueller? Bueller?

What are the common elements here?

1. These guys all come from the Victorville area of CA.
2. These guys are all buddies of Bobby Magee.
3. These guys have all figuratively stole money from IVGID under the guise of "whatever."
4. And the amounts each of these guys have secured are roughly \$25K.

Let me return to my question how much Sergio is charging us for his preparation of the subject separation agreement? If it isn't \$25K, there's something wrong with you Sergio. Don't you see the District's sweet spot is \$25K?

Let me return to Mr. Cripps and how much he's being paid for going on a "leave of absence?" If it isn't \$25K, there's something wrong with you Mr. Cripps. Don't you see the District's sweet spot is \$25K?

As my friend DJ Kahled says, "here's another one." As my friend Mike Abel says, "you can't make this stuff up." And as I say,

Now you know what your Rec Fee pays for - vital central service costs which reimburse the General Fund.

To say all of this is further evidence that the District is NOT BEING PROPERLY MANAGED, is an understatement.

If any trustee votes in favor of this travesty, he/she deserves to be fired. On the spot!

Respectfully, Aaron Katz

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE  
WRITTEN MINUTES OF THE IVGID BOARD'S SPECIAL AUGUST 20, 2024  
MEETING – AGENDA ITEM E(1) – POSSIBLE REQUEST FOR PROPOSAL  
("RFP") FOR MANAGEMENT CONSULTATION SERVICES**

**Introduction:** Well here's yet "another one" as my friend DJ Khaled would say<sup>1</sup>. More evidence of staff incompetence, lack of knowledge and professionalism, and a flagrant disregard for the financial sustainability of the District. This time it's Trustee Noble's bright idea to put out a RFP for management consultation services associated with our search for a new General Manager ("GM"). And that's the purpose of this written statement.

**Look at The Proposed RFP:** And my suggestions insofar as how to deal with them.

- "Utilizing previously provided consultant reports\*, provide recommended action plan to implement solutions to address deficiencies and/or operational improvements."

Translation: Get rid of the fat and start running this place like a successful business. Or go out of business. Isn't that what our previously provided consultant reports recommend?

- "Working with Senior Leadership Team, create and submit to Board for approval a three to five year Districtwide Strategic Plan, for utility, recreational, hospitality related operations. This plan must include an overview of District services and resources and should provide all stakeholders with a summary of anticipated goals."

Translation: Here's the plan. Get rid of the fat and start running this place like a successful business. Or go out of business. Don't need another consultant to tell us what we already know!

- "Review current District service and supplies contracting practices; implement improvements in processes to ensure continued compliance with Federal, State and local laws."

Translation: Start hiring competent personnel. Our bottom of the barrel staff is part of what plagues us. Don't need another consultant to tell us what we already know!

- "Evaluate current rates of services to ensure financial sustainability, and ensure programs and services are provided to the public at quality levels within Board-approved budget."

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<sup>1</sup> Go to <https://medium.com/cuepoint/the-old-people-s-guide-to-dj-khaled-5618a5aa52b1#:~:text=Another%20One%20%E2%80%94%20One%20of%20the,of%20shoes%2C%20or%20something%20else.>

Translation: Share the realities of the real world. And if the Board is faced with the reality that these various commercial business enterprises can't operate on a revenue neutral basis, maybe it will start to understand the only solution is to divest. Don't need another consultant to tell us what we already know!

- "Evaluate current marketing processes and analytics to develop strong strategies to improve District and customer engagement and build strategic communication plans."

Translation: This sounds like Paul Raymore speak. I would think you know quite a bit about marketing. Do you think you need to hire another consultant to tell you what you already know? How stupid!

- "Create strategy to implement management best practices."

A) Don't lose money stupid! Don't need another consultant to tell us what we already know!

- "Following extensive review of District policies and procedures, makes recommendations for improvement or efficiency purposes to the Board; if approved, provides continued training and communication with staff to ensure continued compliance Districtwide."

Translation: IMO, these people don't know what we really are. And what our powers really are. Whoever came up with this RFP is stupid. We're supposed to hire a management consultant firm to look at all of our policies and procedures to recommend modifications? Didn't Moss Adams already do this? And besides, why do we have so many policies and procedures? We're not a county, city or unincorporated town. We don't have general powers. We don't have the ability to pass laws. Nor to fine people. Nor to prosecute people. We're the equivalent of a mosquito district. Do mosquito districts make law? Or pass policies and procedures? Or adopt strategic plans? Or spew propaganda like our financial reporting is "transparent?" Or come up with cute phrases like "one division, one team? Stop trying to be something we're not, and return us to basics!

**My First August 16, 2024 E-Mail to The Board<sup>2</sup>:** On August 16, 2024 I sent the Board an e-mail wherein I observed that since a RFP had been referred to yet not prepared and was going to be included in the Board packet, the District was not complying with Policy requiring the inclusion of all relevant materials pertaining to agenda items being included in the packet of those materials a minimum of one-week prior to a Board meeting. Rather than recounting the substance of my comments, I refer the reader to said Exhibit "A."

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

**My Second August 16, 2024 E-Mail to The Board<sup>3</sup>:** On August 16, 2024 I sent the Board a second follow up e-mail wherein I observed that now that a RFP had been prepared and was going to be included in the Board packet, the District was not complying with Policy requiring the inclusion of all relevant materials pertaining to agenda items being included in the packet of those materials a minimum of one-week prior to a Board meeting. Rather than recounting the substance of my comments, I refer the reader to said Exhibit "B."

**Conclusion:** This behavior just keeps happening over and over and over again. Unqualified, incompetent and over compensated staff get replaced by even more unqualified, more incompetent and more over compensated staff. And look at the results. No effort to eliminate wasteful expenditures like the one the subject of this written statement not having anything directly to do with furnishing facilities for public recreation and utilities. As I've pointed out so many times before, these are all the red flags of a criminal syndicate<sup>4</sup>. And you wonder why your Recreation ("RFF") and Beach ("BFF") Facility Fees continue as involuntary subsidies, and they are as high as they are?

When is the Board going to put members' collective feet down and put an end to these practices? Given NRS 318.515(1) states that where the: "(a) district...is not being properly managed; (or, its) (b) board of trustees...district is not complying with the provisions of...any other law;" when will the Board notify the Washoe County Board of Commissioners to hold a hearing to consider whether to: (a) adopt an ordinance (substituting)...the board of county commissioners, *ex officio*, as the board of trustees of the district; (b) adopt an ordinance providing for the merger, consolidation or dissolution of the district...(c) file a petition in the district court for the county in which the district is located for the appointment of a receiver for the district; or, (d) determine by resolution that management and organization of the district will remain unchanged?" Don't you think the time has come to become fiscally responsible and for the county to assume supervision over the district?

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

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<sup>3</sup> That e-mail is attached as Exhibit "B" to this written statement.

<sup>4</sup> NRS 207.370 instructs that "criminal syndicate means any combination of persons, so structured that the organization will continue its operation even if individual members enter or leave the organization, which engages in or has the purpose of engaging in racketeering activit(ies)."

## **EXHIBIT "A"**

## Aug 20, 2024 Special IVGID BOT Meeting - Agenda Item E(1) - Discuss/Review/Possibly Approve Undisclosed RFP For Management Services

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**From:** <s4s@ix.netcom.com>  
**To:** Schmitz Sara <schmitz\_trustee@ivgid.org>  
**Cc:** Dent Matthew <dent\_trustee@ivgid.org>, Tonking Michaela <tonking\_trustee@ivgid.org>, Tulloch Ray <tulloch\_trustee@ivgid.org>, Noble Dave <noble\_trustee@ivgid.org>, <bma@ivgid.org>, Mick <homan4ivgid@gmail.com>, Michelle <jezycki4ivgid@gmail.com>, harry <harryswenson4ivgidtrustee@gmail.com>  
**Subject:** Aug 20, 2024 Special IVGID BOT Meeting - Agenda Item E(1) - Discuss/Review/Possibly Approve Undisclosed RFP For Management Services  
**Date:** Aug 16, 2024 9:36 AM

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Chairperson Schmitz, other Honorable members of the IVGID Board, and trustee candidates Mick, Michelle and Harry -

You people and your wonderful staff are really quite a piece of work.

Here you have agendized review, discussion, and possible approval of a RFP for management services. Yet your wonderful staff have neglected to include the proposed RFP subject to review. Are you people crazy? You're really only barely capable of functioning and require the expertise of the community insofar as nearly everything you do. But now you want to exclude the public from participating in the process of attempting to attract management services? Unbelievable!

We are told that "following direction from the Board of Trustees at the August 6, 2024 Board of Trustees meeting, Director of Human Resources Feore and Trustee Noble worked together to produce a formal Request for Proposals document for management services firms." Okay. Where is it? What exactly are we seeking proposals for? Where is the alleged expertise of Trustee Noble on display for the community to evaluate? He gives us this aura of competence, yet in the real world, we've seen very little evidence. This was going to be one of our few opportunities to evaluate up front and personal. And instead, Bueller? Bueller?

You'd know this one Trustee Noble. Wouldn't you? Doesn't Board Policy 3.1.0.4 instruct that "**no matter shall be heard or acted upon without all accurate and relevant materials being published with the initial publication of the Board Packet?**" And that "if materials are...missing, **the agenda item will be deferred?**"

So you tell me. Isn't this proposed RFP "relevant material" that should have been included in the Board packet of materials? Since it is and it has not been published, why would you have a problem **DOING WHAT THE POLICY STATES?** That is, **REMOVAL of this agenda item from the calendar for this meeting and re-notice it** when you've published a complete and accurate packet of relevant materials!

Oh. Here's a P.S. for you. You really, really, really think you're going to receive any credible responses to your RFP? Didn't Erin Feore tell us she reached out to five management firms begging for a proposal, and she was only able to secure one from Troon? And then how did the Board treat Troon? Does anyone think they're going to be willing to come back for more abuse? Does anyone really think there are management firms out there who are interested in taking over management? If so, why didn't Erin Feore contact them last go around?

And here's another one for you. Does anyone really think that ANY management firm is going to be acceptable to the haters in our community? Because they will terminate the employ of so many of our

incompetent employees. So why are you wasting your time going through this useless process? Like I said, Bueller? Bueller?

You really call yourselves competent? I disagree. This behavior is further evidence that you people are not capable of properly managing the District. When are you going to face reality and do what you really need to do for the benefit of our community? NOTIFY THE COUNTY pursuant to NRS 318.515!

Respectfully, Aaron Katz



## **EXHIBIT “B”**

## August 20, 2024 IVGID Special BOT Meeting - Agenda Item E(1) - Review/Discuss/Possibly Approve RFP For Management - P.S.

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**From:** <s4s@ix.netcom.com>  
**To:** Heidi White <hhw@ivgid.org>, Info IVGID <InfoAtIVGID@ivgid.org>  
**Cc:** Schmitz Sara <schmitz\_trustee@ivgid.org>, Tonking Michaela <tonking\_trustee@ivgid.org>, Dent Matthew <dent\_trustee@ivgid.org>, Noble Dave <noble\_trustee@ivgid.org>, Tulloch Ray <tulloch\_trustee@ivgid.org>, <bma@ivgid.org>, Mick <homan4ivgid@gmail.com>, Michelle <jezycki4ivgid@gmail.com>, harry <harryswenson4ivgidtrustee@gmail.com>  
**Subject:** August 20, 2024 IVGID Special BOT Meeting - Agenda Item E(1) - Review/Discuss/Possibly Approve RFP For Management - P.S.  
**Date:** Aug 16, 2024 3:47 PM

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Thank you Heidi -

So do I have to quote the balance of material language in Policy 3.1.0? It says: "Delayed and/or supplemental materials **shall defer an agenda item.**" So again I request this agenda item be deferred to another date. Isn't that what Policy 3.1.0 instructs?

If you Board members aren't going to adhere to Policies you/your predecessors have adopted, **why are they here?** Just eliminate all of them!

If your wonderful staff can't prepare a packet of Board meeting materials in a timely manner, and they are "making all reasonable efforts to provide a complete and well drafted RFP and that the information is provided professionally and accurately," then why the hell is staff noticing Board meetings prematurely? And why are you Board members putting up with this unprofessional behavior?

Oh. Let me quote some more from Policy 3.1.0. "The agenda and Board Packet materials shall be posted on the District's website **one calendar week prior to the meeting.**" Has this been done Heidi? Why not? And rather than my listening to staff's many excuses, why are meetings which provide less than this required notice being set and publicized?

These are the rules! If you can't adhere to them, then go work for Brad Johnson.

Respectfully, Aaron Katz

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

**From:** Heidi White <hhw@ivgid.org>  
**Sent:** Aug 16, 2024 1:14 PM  
**To:** Info IVGID <InfoAtIVGID@ivgid.org>  
**Cc:** Sergio Rudin (Sergio.Rudin@bbklaw.com) <Sergio.Rudin@bbklaw.com>  
**Subject:** 2024-0820 Board of Trustees Agenda Packet is Printed and Available for Pick - up

Good Afternoon

Please review the attached Supplemental Material for Board of Trustees Special Meeting on August 20, 2024. I will have this Supplemental Material printed and available for you and available at the meeting on Tuesday Next Week. If you would like to pick-up a physical copy before the meeting please let me know and I will make them available for you on Monday Morning 08/19. The Attached document will also be available on the District Website shortly.

Thank you and have a wonderful day.

Respectfully,

Heidi H. White  
 District Clerk

Incline Village General Improvement District  
893 Southwood Blvd., Incline Village, NV 89451  
Cell: 775-558-9500 [hhw@ivgid.org](mailto:hhw@ivgid.org)

Email: [hhw@ivgid.org](mailto:hhw@ivgid.org)  
Office: (775)832-1268  
Cell: (775)558-9500

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

From: Heidi White <[hhw@ivgid.org](mailto:hhw@ivgid.org)>  
Sent: Aug 16, 2024 10:20 AM  
To: Info IVGID <[InfoAtIVGID@ivgid.org](mailto:InfoAtIVGID@ivgid.org)>  
Cc: Sergio Rudin (Sergio.Rudin@bbklaw.com) <[Sergio.Rudin@bbklaw.com](mailto:Sergio.Rudin@bbklaw.com)>  
Subject: 2024-0820 Board of Trustees Agenda Packet is Printed and Available for Pick - up

Good Morning Mr.Katz, and Honorable Board of Trustees (By Bcc),

District Staff is making all reasonable efforts to provide a complete and well drafted RFP and that the information is provided professionally and accurately. Once the document is complete, and turned in as Supplemental Material for the Agenda, I will provide it to the Board and post it for distribution.

Thank you, and have a wonderful day!

Respectfully,

Heidi H. White  
District Clerk

Incline Village General Improvement District  
893 Southwood Blvd., Incline Village, NV 89451  
Cell: 775-558-9500 [hhw@ivgid.org](mailto:hhw@ivgid.org)

Email: [hhw@ivgid.org](mailto:hhw@ivgid.org)  
Office: (775)832-1268  
Cell: (775)558-9500

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

From: <[s4s@ix.netcom.com](mailto:s4s@ix.netcom.com)>  
Sent: Aug 16, 2024 9:41 AM  
To: Heidi White <[hhw@ivgid.org](mailto:hhw@ivgid.org)>, Info IVGID <[InfoAtIVGID@ivgid.org](mailto:InfoAtIVGID@ivgid.org)>  
Cc: Schmitz Sara <[schmitz\\_trustee@ivgid.org](mailto:schmitz_trustee@ivgid.org)>, Tonking Michaela <[tonking\\_trustee@ivgid.org](mailto:tonking_trustee@ivgid.org)>, Dent Matthew <[dent\\_trustee@ivgid.org](mailto:dent_trustee@ivgid.org)>, Noble Dave <[noble\\_trustee@ivgid.org](mailto:noble_trustee@ivgid.org)>, Tulloch Ray <[tulloch\\_trustee@ivgid.org](mailto:tulloch_trustee@ivgid.org)>, <[bma@ivgid.org](mailto:bma@ivgid.org)>, Mick <[homan4ivgid@gmail.com](mailto:homan4ivgid@gmail.com)>, Michelle <[jezycki4ivgid@gmail.com](mailto:jezycki4ivgid@gmail.com)>, harry <[harryswenson4ivgidtrustee@gmail.com](mailto:harryswenson4ivgidtrustee@gmail.com)>  
Subject: Re: 2024-0820 Board of Trustees Agenda Packet is Printed and Available for Pick - up

Hi Heidi -

Where's the proposed RFP Ms. Feore is asking the Board to review and possibly approve [agenda item E(1)]? I would like to see it. So would members of the BOT I imagine. Can you please send it to me? Or are you going to make me do a formal public records request? So I can examine the same well after the upcoming BOT meeting?

BTW, has that proposed RFP been shared with Board members? If so when? And if so why wasn't I provided with a copy at the same time as NRS 241 mandates?

Thank you, Aaron

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

From: Heidi White <hwh@ivgid.org>

Sent: Aug 15, 2024 3:50 PM

To: Info IVGID <InfoAtIVGID@ivgid.org>

Cc: Sergio Rudin (Sergio.Rudin@bbklaw.com) <Sergio.Rudin@bbklaw.com>

Subject: 2024-0820 Board of Trustees Agenda Packet is Printed and Available for Pick - up

Good Afternoon

The Special Agenda Packet for the Board of Trustees Meeting on August 20, 2024. It is printed and available for pick-up at the Administrative Building.

It is also available for you electronically through the Portal found here.

The Agenda Packet will be available on the District Website shortly.

Thank you and have a wonderful weekend.

Attachments:

[2024\\_0820\\_BOT\\_Special\\_Agenda\\_Packet](#)