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 2 INCLINE VILLAGE
 3 GENERAL IMPROVEMENT DISTRICT
 4 BOARD OF TRUSTEES
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 9 TRANSCRIPT OF HEARING
 10 PUBLIC MEETING
 11 Live and Via Zoom
 12
 13
 14 Held at the Boardroom
 15 893 Southwood Boulevard
 16 Incline Village, Nevada
 17
 18 Wednesday, October 9, 2024
 19
 20
 21
 22
 23
 24 Reported by: Brandi Ann Vianney Smith
 25 Job Number: IVGID 55

1 APPEARANCES
 2
 3 **BOARD MEMBERS PRESENT**
 4 SARA SCHMITZ, CHAIR (via Zoom)
 5 MATTHEW DENT, VICE CHAIR (via telephonic connection)
 6 MICHAELA TONKING, SECRETARY (via Zoom)
 7 RAY TULLOCH, TREASURER (via telephonic connection)
 8 DAVID NOBLE, MEMBER
 9
 10 **ALSO PRESENT**
 11 SERGIO RUDIN, LEGAL COUNSEL
 12 HEIDI WHITE, DISTRICT CLERK
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1 INDEX 3

2		PAGE
3	A. PLEDGE OF ALLEGIANCE	4
4	B. ROLL CALL OF TRUSTEES	4
5	C. INITIAL PUBLIC COMMENTS	5
6	D. APPROVAL OF THE AGENDA	30
7	E. REPORTS TO THE BOARD	
8	E 1. General Manager's Monthly Report	32
9	E 2. RubinBrown Report Observations	49
10	E 3. Community Services Admin Fund Report	52
11	E 4. Food and Beverage Report	57
12	F. CONSENT CALENDAR	67
13	F 1. Meeting Minutes 8/20/24	
14	F 2. Meeting Minutes 8/28/24	
15	F 3. Meeting Minutes 9/11/24	
16	F 4. Incline Tahoe Foundation Donation	
17	F 5. Cisco Air Systems Purchase Order	
18	G. GENERAL BUSINESS	
19	G 1. General Management Recruitment Process	67
20	G 2. Contracts and Purchase Reporting Structure	89
21	G 3. Contracts and Purchasing Manager Job Description	91
22	G 4. Tyler Systems	96
23	G 5. Food and Beverage Blanket Purchase Orders	114
24	G 6. Discounted use of Venues	119
25	I. LONG RANGE CALENDAR	126
	J. BOARD OF TRUSTEES UPDATE	126
	K. FINAL PUBLIC COMMENTS	126
	L. ADJOURNMENT	131

1 Incline Village, Nevada - 10/9/2024 - 6:00 P.M. 4

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4

5 CHAIR SCHMITZ: Good evening. Welcome to

6 the regularly scheduled Board of Trustees meeting of

7 the Incline Village General Improvement District

8 being held at 6:00 p.m. on October the 9th in the

9 Boardroom at 893 Southwood Boulevard, Incline

10 Village, and also via zoom.

11 We will begin with the Pledge of

12 Allegiance.

13 A. PLEDGE OF ALLEGIANCE

14 (Pledge of Allegiance.)

15 CHAIR SCHMITZ: Now is the roll of the

16 trustees.

17 B. ROLL CALL OF TRUSTEES

18 CHAIR SCHMITZ: Trustee Noble?

19 TRUSTEE NOBLE: Here.

20 CHAIR SCHMITZ: Trustee Tonking?

21 TRUSTEE TONKING: Here.

22 CHAIR SCHMITZ: Trustee Tulloch?

23 TRUSTEE TULLOCH: Here.

24 CHAIR SCHMITZ: And Trustee Dent will be

25 joining us. He's having some power and internet

5

1 issues, so he may be just joining via phone. If you
 2 can help me to recognize when he joins the meeting
 3 and get that on the record, I would appreciate it.
 4 Myself, Sara Schmitz. I am here as well.
 5 We have a quorum of the Board of Trustees. We will
 6 continue on to initial public comments.
 7 Trustee Noble, if you would help lead the
 8 Board through this process on the agenda, it would
 9 be appreciated.
 10 C. INITIAL PUBLIC COMMENTS
 11 MR. DOBLER: I'm going to try to do this
 12 ad lib. I want to draw your attention to reports to
 13 the Board, item E 1, the District general manager's
 14 monthly status report.
 15 In that report, she states that under the
 16 annual audit status on page 6 that there was a
 17 letter from the Department of Taxation -- actually,
 18 there's two letters that are in the file -- and it
 19 has to do with basically -- the letters have to do
 20 with three main items: The audit, 2023 audit, how
 21 you account for carryovers, and, number three, how
 22 you augment the budget. Okay?
 23 So the first letter was on September 18th,
 24 and what they are doing in that letter is turning
 25 around and telling you, you know, you got to comply

6

1 with NRS 354.624, especially as to paragraph 4. And
 2 what that basically says is do your audit, do your
 3 audit and do it correctly. And of course there's no
 4 damages, but I guess the damages is there shouldn't
 5 be any because the people have a fiduciary
 6 responsibility to do the audit correctly.
 7 Now, I'm understanding from Davis Farr
 8 that they don't plan on changing their opinion
 9 last year -- it wasn't an opinion -- last year, but
 10 somebody has to do this 2023 audit. That's what it
 11 says.
 12 They're not saying do we hang them in the
 13 town square if they don't do it. You have an
 14 obligation to do it.
 15 Number two, the idea of this carryover,
 16 it's really very simple. You can't carry over
 17 something that hasn't been encumbered. So if you
 18 have a \$10 loan, a \$10 million budget, and you
 19 encumber it with \$9 million, you have to carryover
 20 that 9 million if it's not spent. But if nothing's
 21 spent on the asset, then it goes by the wayside, it
 22 lapses, go by the wayside, and then you can
 23 re-budget it in the following year.
 24 That last thing on this augmentation, this
 25 is a dance, this is really kind of weird how this

7

1 works, but the bottom line is it got denied, the
 2 augmentation of about \$2.5 million back in January.
 3 It got denied Magee threw together -- I don't know,
 4 it looked like a spaghetti bowl, but anyways it
 5 didn't address what the requirements are under
 6 354.620. So they just have to do this correctly and
 7 then maybe you can get your augmentation done. But
 8 the augmentation was denied by the Department of
 9 Taxation.
 10 Thank you.
 11 MR. KATZ: Good evening. Aaron Katz,
 12 Incline Village. I have some written statements to
 13 be attached to the minutes of this meeting.
 14 I'm going to talk about Mick Homan, since
 15 he's here. This is a warning to everyone who is a
 16 voter. Understand what you're voting for. He
 17 claims he knows so much about finance and financial
 18 reporting. Maybe he does in the private sector.
 19 But he's demonstrated he doesn't know it for
 20 governments, and certainly not Nevada governments.
 21 He has a plan which will violate NRS 354,
 22 and it will be illegal. That's what you're voting
 23 for.
 24 He doesn't know what a GID is. He calls
 25 us "quasi public," when we learned at the Town Hall

8

1 there is no such beast. He thinks IVGID is a
 2 homeowners association, he calls it a "common
 3 interest community." Go take a look at NRS 116. He
 4 thinks the rec fee is a homeowner assessment. He
 5 doesn't know the difference between a tax and fee.
 6 We have 56 million that is estimated for a
 7 five-year capital plan. Mick wants to do it all
 8 now, and he wants to pay for it with bonds. And he
 9 refuses to commit to making a bond election by
 10 voters a prerequisite.
 11 He wants to pay services and costs with
 12 our rec fee. And then he's in favor of possibly
 13 tripling it, just like Kamala Harris' plan to spend
 14 our way out of our federal government mess, that's
 15 what Mick wants to do right here in little Incline
 16 Village.
 17 Be warned: We can't afford Mick for
 18 trustee.
 19 I want to go to the last item on the
 20 agenda that talks about giving freebies and
 21 discounts to even more people. We've got financial
 22 problems here, and yet instead of addressing them,
 23 staff wants to keep business as usual and incur more
 24 and more expense. They want to give it to local
 25 nonprofits, community groups, and others.

9

1 We have a financial emergency on our
 2 hands. We meet the definition of requiring an
 3 emergency condition, according to NRS 354. You
 4 would think we would want to increase revenues and
 5 reduce expenses, but staff are in denial. They want
 6 to keep the gravy flowing.

7 So disingenuously, they seek direction on
 8 expanding freebies to favored collaborators, relying
 9 upon this joke called "the cost pyramid." End this
 10 once and for all. No public agency I know gives
 11 away use of their facilities to anyone. Everyone
 12 pays for it, but not here.

13 Thank you very much.

14 MR. BELOTE: For the record, Vice Chair
 15 Dent has joined meeting at this time.

16 (Trustee Dent joined at 6:08 p.m.)

17 MS. MILLER: Good evening, trustees.

18 For some time, I've wondered about IVGID's
 19 view of public recreation. Providing facilities
 20 that are so unavailable to so many who have neither
 21 the time nor the money to use them, to me, isn't
 22 keeping with the goals of public recreation.

23 In my experience, public recreation, first
 24 and foremost, was using or taxes to provide
 25 resources available to everyone in the community.

10

1 We have a few low-cost programs, but most IVGID
 2 programs are beyond the reach of low-income
 3 households.

4 Harry Swenson, who volunteers at the
 5 elementary school's after-school reading program,
 6 recently brought that point since he works with so
 7 many kids from families that struggle just to pay
 8 for food and housing.

9 Yet we continue subsidies of millions of
 10 dollars for relatively small groups. What about
 11 community members working in industries where they
 12 can hardly pay their basic living costs?

13 At budget time, I never hear their needs
 14 being considered. Yet we give way venues to so
 15 called "nonprofits" -- they are really not
 16 nonprofits, they are social groups that like to
 17 avoid taxes -- who do little or no charitable work
 18 to help the many low-income families.

19 Others in the community can choose from a
 20 wide range of privately owned recreational venues
 21 close by.

22 Our tax dollars should subsidize amenities
 23 like our Rec Center, maybe a basic 9-hole golf
 24 course, some tennis courts, et cetera, to make these
 25 affordable for everybody.

11

1 I believe a money-losing, 18-hole golf
 2 course that caters to tourists and private clubs --
 3 we have to keep up the service level so that it
 4 draws the tourist dollars -- does not justify public
 5 funding.

6 Our community initially had a homeowners
 7 association. The recreation association, I think it
 8 was called. If that organization hadn't been
 9 dissolved, collecting agreed-upon fees to maintain
 10 golf courses and other private amenities might have
 11 been perfectly appropriate, if that's what community
 12 members want, maybe they should form a new HOA,
 13 acquire and manage the assets they really want, and
 14 let people join by choice.

15 But IVGID's not an HOA; it's government.
 16 And it's here to provide public recreation. Please,
 17 keep this in mind when you evaluate the kinds of
 18 amenities we should be supporting.

19 Thank you.

20 MS. MCKINNON: Good evening. I'm Patti
 21 McKinnon. My husband and I have made Incline
 22 Village our home now for four years.

23 I am currently the president of a
 24 teamsters golf club. I want to address the agenda
 25 topic of charging the golf clubs \$500 to use a room

12

1 at The Chateau for every luncheon.

2 I've listened to several of the board
 3 meetings this year. It's a consistent theme that
 4 the village financials are not in good shape. I
 5 believe the current board is hyper-focused on
 6 solving all the financial problems by increasing
 7 revenues. I suspect the real problem is a lack of
 8 focus on the expense side of the P and Ls.

9 My husband and I ran a successful business
 10 for more than 20 years. Our success was primarily
 11 attributed to being able to control expenses.

12 The teamsters currently have about five or
 13 six lunches a year at The Chateau. We are the
 14 smallest of the golf clubs here. We probably spend
 15 about \$5- to \$6,000 a year just on food at The
 16 Chateau. This doesn't count the bar beverages or
 17 meals that we all have individually.

18 It is convenient for us to have our
 19 gatherings at The Chateau after we play golf. We
 20 want to support the golf course and The Chateau, but
 21 adding an additional \$500 per luncheon to our bill
 22 is simply not a good value for our club. We will
 23 take our existing luncheon budget and spend those
 24 dollars at other local restaurants that offer more
 25 competitive options.

13

1 This \$500 charge will not increase revenue
 2 for The Chateau; it will, in fact, decrease revenue.
 3 You're cutting off your nose to spite your face, as
 4 they would say.
 5 Thank you.
 6 MS. ROSS: Good evening. My name is
 7 Steven Ross. I live here in Incline Village.
 8 I wanted to comment about staff's
 9 recommendation regarding facility fees, which is the
 10 last item on the agenda this evening.
 11 I believe there's a reason why these fees
 12 have been canceled out for the golf clubs up to this
 13 time. It is the industry standard that when groups
 14 utilize the golf course and pay for a round of golf,
 15 then utilize the facility by paying for a group
 16 meal, there is never a facility charge that is -- a
 17 facility fee that is charged. Again, this is
 18 industry standard.
 19 Please do your research. If you were to
 20 proceed with charging a facility fee in this
 21 situation, you would be the only golf course with
 22 this type of charge, and would put our community at
 23 a distinct disadvantage.
 24 You should take a look at the spreadsheet
 25 that you included, it's in the packet, and realize

14

1 there's a significant number of listed events that
 2 would not be playing on our golf course. But you
 3 would also lose a significant number of catering
 4 events, which are fully paid for at the present
 5 time.
 6 I sincerely doubt that the revenue that
 7 you would receive from the facility charge for those
 8 that continue to utilize our facility would offset
 9 your losses in catering income. For those that did
 10 not pay green fees on the day of the event, such as
 11 a wedding, would of course be obligated to pay the
 12 facility fees.
 13 Please look into this further before
 14 making a final decision.
 15 Thank you.
 16 MR. HOMAN: Thank you. Mick Homan,
 17 Incline resident and candidate for trustee.
 18 Just want to respond to the few
 19 allegations that Aaron Katz made against me. He
 20 says my support for the facility fee is illegal,
 21 that the fee itself is an illegal tax and can't be
 22 used to subsidize general fund expenses.
 23 Well, the fee is authorized by NRS
 24 318.127. And NRS 354.613 allows us to transfer
 25 money from enterprise funds to the general fund to

15

1 cover cost allocations for employees, equipment, or
 2 other resources related to the enterprise fund.
 3 We currently allocate 3.7 million of
 4 central services cost from the general fund to other
 5 funds. Between fleet, engineering, and building
 6 services, we allocate another 3.6 million. A large
 7 portion of those allocations are charged to
 8 recreation venues and are partially paid for by the
 9 facility fee.
 10 So it is legal and we currently do it.
 11 And if you understand basic finance, you know the
 12 Board's decision to slash the facility fee by
 13 50 percent isn't sustainable. The fees aren't
 14 sufficient to cover the capital and operating needs
 15 of the recreation facilities. Needed maintenance is
 16 being deferred and improvements are being kicked
 17 down the road.
 18 Mr. Katz also claims I don't know what a
 19 government improvement district is, general
 20 improvement, because I use the term "quasi" with
 21 government. NRS 318 governs general improvement
 22 district, and paragraph 15 says that each district
 23 organized under that statute is, in fact, a quasi
 24 municipal corporation. IVGID's own LinkedIn cite
 25 says it's a quasi public agency.

16

1 Finally, he says I'm wrong by calling
 2 IVGID a "common interest community" because we're
 3 not an HOA. I was simply saying with the recreation
 4 assets owned by IVGID, and therefore us, are in the
 5 common use and interest of all of us.
 6 I think Mr. Katz's allegations are driven
 7 by his clearly articulated agenda to dissolve IVGID
 8 and turn everything over to the county. He knows I
 9 won't let that happen, so it's not surprising he's
 10 trying to damage my candidacy along with candidates
 11 Michelle Jezycki and Michaela Tonking in favor of
 12 his preferred candidates.
 13 Harry Swenson has made public comments on
 14 some of the same allegations as Mr. Katz in recent
 15 weeks. I would expect a trustee to do their
 16 research and not simply follow the lead of another's
 17 misinformation.
 18 Harry's also protested alleged lies about
 19 himself while at the same time spreading
 20 misinformation that I support an exorbitant facility
 21 fee. All I said was the facility fee is a bargain
 22 at two to three times the current amount.
 23 I haven't opined on what the fee should
 24 be, but I believe it should be based on what the
 25 District needs to properly serve the community, not

17

1 some arbitrary figure with no basis in reality.
2 That's what makes democracy great. We can
3 all have a view. And if you listen to what the
4 candidates say and how they treat staff and
5 residents, the choice in this election couldn't be
6 more clear.
7 If you want to continue down a path of
8 Cliff Dobler controlling the board majority that
9 operates under the mode of Chair Schmitz and acts on
10 misinformation, then vote for Harry Swenson and
11 Frank Wright.
12 But if you want a board that will invest
13 in IVGID and move us forward in a collaborative,
14 constructive, and civil manner, please vote for
15 Michaela Tonking, Michelle Jezycki, and Mick Homan.
16 But whatever you do, please go out and vote.
17 Thank you.
18 MS. JEZYCKI: Good evening. Michelle
19 Jezycki. Full-time resident and candidate for IVGID
20 trustee.
21 What a week it has been. Unlike some in
22 politics, I'm will own my mistakes. My spouse and I
23 accidentally missed our property tax payment, and
24 properly corrected it once we discovered the error.
25 As it turns out, we were not alone, 484

19

1 one candidate suggesting that these signs be removed
2 and taken to the sheriff's office, a completely
3 illegal act.
4 Just days ago, a car with campaign magnets
5 had them removed and thrown over a fence, while the
6 car was keyed and vandalized.
7 This kind of behavior is not just dirty
8 politics, it's an attack on the integrity of this
9 community. Parents, grandparents, and, yes, even
10 great grandparents are engaging in these underhanded
11 tactics. Is this really the example that we want to
12 set for our children and grandchildren?
13 It's time for some serious reflection.
14 I apologize to the 484 parcel owners who
15 were dragged into this mess. It's unfortunate that
16 some in our community are so focused on finding mud
17 to use as cherry-picked slander rather than focusing
18 on the competencies and professional experience the
19 candidates are willing to bring and share with our
20 community to move us forward.
21 To those leading the vile efforts, I want
22 to thank you. You've reaffirmed my commitment to
23 run for this office and lead with integrity. We are
24 better than this. Our village deserves better, and
25 on November 5th, we have a chance to prove we are,

18

1 other made the same mistake. It was an honest human
2 error, not maliciously intended or gaming the
3 system. But what happened next is where things got
4 ugly.
5 Imagine my surprise when before the
6 official due date of October 7, never mind the
7 10-day grace period, a list of delinquent parcels,
8 never posted before, suddenly appears in a public
9 board packet. What was the motive behind this?
10 The witch hunt and gotcha mentality is
11 alive and well as it became clear that this was
12 nothing more than a targeted political attack. The
13 smear campaign pulled 484 other into this
14 mudslinging, all to take aim at me. I must been
15 seen as a real threat if people are resorting to
16 these kind of tactics.
17 From social media slanders to political
18 luncheons and backroom whispers, the attempts and
19 public humiliation continue.
20 One local leader is even advising voters
21 to game the system by voting for only one candidate
22 while abandoning the power of your two other votes.
23 This meddling is both reckless and irresponsible.
24 Meanwhile, some have taken it upon
25 themselves to remove or destroy campaign signs, with

20

1 indeed, better.
2 As for the approach on the agenda item on
3 interviewing GM candidates, I recommend interviewing
4 twice. Perhaps one for out of town, but another in
5 person. This position is too key to our success to
6 not have the opportunity to delve deeper and ensure
7 we're hiring the right candidate, not just a
8 professional interviewer.
9 You might even consider reaching out to
10 our community who has plenty of HR experience, as
11 we've heard at these meetings, to serve on the first
12 panel of interviews. They have experience not just
13 in HR but behavioral interviewing, not only for
14 inclusion but to tap into their expertise.
15 Thank you and I wish you a protective
16 meeting.
17 MR. NOLET: Chris Nolet. Full-time IVGID
18 resident.
19 I'm going to change the tone a little bit.
20 I'd like to start by saying even if the effluent
21 pipeline costs four times what it should have, I
22 hope everybody takes note that TRPA recognized IVGID
23 for doing a great job, environmentally, efficiently,
24 traffic management, every else.
25 For all of the problems and false starts

21

1 we had with it, congratulations to everybody who is
 2 involved in that. I think it's well done.
 3 I'd like to make a couple comments about
 4 agenda item E 2 tonight. Please remember with
 5 regard to remediation of internal control
 6 weaknesses, of which there are dozens and dozens
 7 here at IVGID, Paul Navazio and Indra Winqest spent
 8 their last year here assuring the Board and the
 9 community that the Moss Adams findings were
 10 completely remediated.
 11 However, as some us noted and the
 12 RubinBrown findings proved that to be quite not the
 13 case, I would encourage the Audit Committee, who has
 14 a meeting next Tuesday, to consider walking through
 15 some of the remediation actions that have been
 16 taken.
 17 The only real way is to know whether these
 18 remediation activities are effective and documented
 19 would be to choose a third of them, walk through,
 20 look at the documentation, look at the controlled
 21 descriptions, look at the resulting output from the
 22 effected operation and control, and the Audit
 23 Committee can decide for itself how we're doing on
 24 remediation.
 25 With that, I look forward to the E 2

22

1 comments tonight.
 2 MR. WRIGHT: Frank Wright, candidate for
 3 the board.
 4 We know by now that we have serious
 5 problems here. Most of our serious problems comes
 6 from lack of knowledge, understanding, and
 7 addressing problems that are serious.
 8 Mr. Homan came just up here and said
 9 things that aren't true. Flat out not true.
 10 First of all, about ten years ago, I came
 11 before this board and I asked them to apply the
 12 recreation fee evenly and fairly across our
 13 community.
 14 There are dwelling units in community that
 15 are not paying a rec fee. There are multiple
 16 dwelling units that are only paying one and they
 17 should be paying two, of which Ms. Jezycki has
 18 three, and they are double units, they should be
 19 paying six. She was complaining about the fact that
 20 she was a little late. Well, she should be not
 21 complaining at all because she hasn't paid for three
 22 of them for a long time. That's a double unit, top
 23 and bottom, that should carry two rec fees.
 24 Down on Southwood, there's a apartment
 25 building. They pay 75 rec fees. 75 on one parcel.

23

1 Across the street from the Village Green,
 2 there's a placed called the Hyatt, they have 420
 3 units, which meet the definition of a dwelling unit
 4 by IVGID's standards, and they pay one rec fee.
 5 There are duplexes in town that do not pay
 6 but one rec fee. Right next door, another duplex in
 7 town, that does pay a rec fee.
 8 You have a double standard, it's not
 9 assessed equally. It's an illegal tax with no
 10 statutory limit. It's not collected fairly and
 11 equally among the District.
 12 Our attorney here now has heard what I am
 13 saying. Hopefully you're paying attention, because
 14 this should have been rectified a long time ago.
 15 The people at Southwood are lower income
 16 families, having to pay a higher rent, and they're
 17 recreation fee is currently \$75,000 a year -- or
 18 \$65,000 a year, excuse me, 75 units.
 19 With Mr. Homan's new strategy for
 20 increasing the rec fee, that would go to \$189,000 a
 21 year for those units, while the Hyatt still pays
 22 only one rec fee.
 23 Ms. Jezycki should be paying two rec fees
 24 for each unit, and she's not.
 25 I hope the District does something

24

1 finally. We have employees that are supposed to be
 2 checking these things. Please do that.
 3 Thank you.
 4 DR. WYMAN: Andrew Wyman, Incline Village.
 5 Barbara, my wife, and I have been
 6 traveling these past few months, enjoying our time
 7 together and reaching out towards new horizons. And
 8 then we return to this majestic lake in the sky and
 9 our beloved Incline community.
 10 I know what I want to tell all of you, the
 11 four are all here as well as the person at the dais,
 12 but I didn't know how to frame it. So I took
 13 another of my brisk, early morning strolls and
 14 stopped by the University of Nevada, Reno library to
 15 contemplate.
 16 And there on the wall was my answers, an
 17 anonymous quote: If you are not willing to learn,
 18 no one can help you. If you are determined to
 19 learn, no one can stop you.
 20 So I ask the Board: What has this board
 21 learned?
 22 Even with the best intentions, the Board
 23 has erred, they have made mistakes. What are they?
 24 How have I, the Board, contributed to this
 25 poisonous, acrimonious, sad state of our GID?

25

1 And most importantly, how can I best
 2 contribute in my few remaining weeks on this board?
 3 How can I use my time and staff time most
 4 profitably?
 5 Turning to the board packet, I see three
 6 huge issues. One is the subject, general business,
 7 review and discuss the general manager recruitment
 8 process to determine the number of anticipated
 9 applicants to be interviewed and the preferred
 10 method of interviewing selected candidates, and it
 11 goes on and there are five pages which tell us more
 12 about the details.
 13 Why now? Why after all this time, why are
 14 we doing this at this particular time when this
 15 board has had two years to do just that?
 16 The next two items on the Board, already
 17 mentioned at the beginning of this meeting, the
 18 Department of Taxation has warned IVGID in various
 19 specific language that they have made errors or
 20 mistakes and they need to rectify them.
 21 So given this, I urge the Board to forego
 22 the daunting task of finding and appointing a new
 23 general manager, given the collapsed time frame in
 24 which you have to work, the absolutely critical
 25 nature of the task, the necessity of diverting vital

26

1 staff time towards this particular project, and the
 2 folly of presenting the next board with yet another
 3 new general manager.
 4 Rather, I urge you to direct all of your
 5 time and energy and that of staff towards the very
 6 financial issues which the State has so richly
 7 identified.
 8 Let me close with another metaphorical --
 9 whoops. Lost it.
 10 MEMBER SWENSON: Good evening. My name is
 11 Harry Swenson, and I am a candidate for IVGID Board
 12 of Trustees. I live on Lower Tyler.
 13 I don't really have too much to say
 14 tonight and I'm holding back my breath on stories of
 15 others, but other than the forensic audit showed us
 16 that the cat is now out of the bag. And the letters
 17 from the State board -- that we just heard from
 18 three or four people -- of taxation and in Crocker's
 19 status packet, seem like the final nail is in the
 20 coffin.
 21 I think that the request for help from
 22 Washoe County is a fool's errand. But I believe
 23 there is still hope if you act quickly.
 24 I hope I don't have to point out this
 25 community has a wealth of knowledge in finance,

27

1 accounting, and business practices. I believe that
 2 if you reach out to the experts in our community,
 3 they would be happy to help, patch, and right the SS
 4 IVGID before it sinks below the waves.
 5 I hope I don't sound Chicken Little, but
 6 the letter from taxation board appears to be another
 7 iceberg coming right at us. Please consider this
 8 out-of-box thinking and thank you for your time.
 9 MS. WELLS: Kristy Wells, Incline Village
 10 resident.
 11 At the August 6th meeting, Trustee Schmitz
 12 blindsided this community by introducing the Troon
 13 management services proposal. Informed and engaged
 14 residents quickly voiced their strong opposition,
 15 calling out the proposal for what it was: Radical
 16 and, frankly, absurd.
 17 This ill-conceived idea has ignited
 18 outrage across most of this community. You saw that
 19 when 43 public comments made that evening, 38 of
 20 them were against the idea.
 21 A candidate running for the board praised
 22 it, even if he now says otherwise, and we can assume
 23 outsourcing and/or privatizing our facilities is
 24 what his want is for this district.
 25 This disconnect between the Board

28

1 majority, their surrogate candidate, and community
 2 has sparked heated discussion for two months now,
 3 with most people still opposing it. Despite the
 4 community's concern, IVGID proceeded to issue a
 5 formal RFP to gather additional proposals.
 6 During the September 24th Town Hall,
 7 Schmitz assured attendees that the Board would
 8 discuss the proposal at tonight's meeting. It's not
 9 on the agenda.
 10 I filed a public records request to
 11 determine how many responses we received for the
 12 RFP. As of September 25th, there were none. I also
 13 learned that Joe Goodrich from Troon actually
 14 emailed our HR director and indicated that Troon
 15 opted to not officially respond to the RFP.
 16 In his email, Mr. Goodrich noted that it
 17 actually would be in the best interest of our
 18 community, Incline Village and Crystal Bay, to
 19 postpone any decisions regarding the RFP until after
 20 a new board was in place.
 21 Even Troon recognized that a change in
 22 leadership was imminent, making it prudent to defer
 23 this matter. If only Trustee Schmitz and some of
 24 the board majority had demonstrated the same level
 25 of foresight.

29

1 The board majority has a history of
 2 proposing ideas without adequate support, crafting
 3 narratives to fit their agenda, and then watching as
 4 those ideas fizzle out. IVGID staff is forced to
 5 pursue those unproductive projects while board
 6 members express surprise when essential tasks remain
 7 incomplete.

8 Hey, speaking of ideas that should fizzle
 9 out, the interview process for a new general
 10 manager, it should be delayed until a new board is
 11 seated. This board has two months of service left
 12 and should not select our next general manager who
 13 will be in place for, hopefully, years to come. End
 14 your cycle of inefficiency now.

15 Our community deserves leadership that
 16 listens to diverse voices and prioritizing
 17 meaningful issues. I encourage you to consider
 18 voting for Michaela, Michelle, and Mick. They will
 19 lead IVGID with integrity and transparency. They
 20 will reject this gotcha approach for oversight.
 21 They will put an end to the threats, the public
 22 shaming, and the micromanagement of staff. It's
 23 really important.

24 Their commitment includes investing in our
 25 facilities and developing a long-term plan to meet

30

1 the community's needs. These three candidates are
 2 actually the leadership we need on this board.

3 Thank you.

4 TRUSTEE NOBLE: Matt, if you want to go to
 5 anybody that's --

6 MR. BELOTE: We don't have anyone in the
 7 queue at time.

8 TRUSTEE NOBLE: Chair Schmitz, that's it
 9 for public comment.

10 CHAIR SCHMITZ: Thank you so much for your
 11 assistance with this, Trustee Noble.

12 Moving on to agenda item D.

13 D. APPROVAL OF THE THE AGENDA

14 CHAIR SCHMITZ: Do we have any
 15 modifications or requests related to the agenda?

16 TRUSTEE TONKING: I'd like to Move G 7 for
 17 two reasons. Reason one, it doesn't talk about any
 18 of the financial impact, and I'd asked for that data
 19 and she was going to work on that. And the second
 20 reason is our interim GM isn't here, and she told me
 21 there were other parts of this narrative she wanted
 22 to discuss further about other future policies.

23 And so I feel like without her here, we're
 24 not getting the full extent of that item, so I'd
 25 like to postpone it.

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1 CHAIR SCHMITZ: I agree with you; however,
 2 I would like to still have the agenda item simply
 3 because I would like to hear your input and other
 4 trustees' input as far as what they see as missing
 5 or needed so that staff can be given adequate
 6 direction of what should be brought back to the
 7 Board on this. If that's okay?

8 We can talk about it during that agenda
 9 item real quickly.

10 TRUSTEE TONKING: That's fine.

11 CHAIR SCHMITZ: Okay. Any other requests
 12 for modifications or changes to the agenda?

13 MR. BANDELIN: Yes, Chair. Staff would
 14 like to ask permission of the Board if we may please
 15 remove item G 6 from your agenda this evening.

16 CHAIR SCHMITZ: Any objection to removing
 17 agenda item G 6?

18 TRUSTEE TULLOCH: I was going to make the
 19 same request. I don't see any redlines, any
 20 assessment of what the changes are. I just see a
 21 document here, same document that's come before.

22 I would request that it be removed at the
 23 moment as well.

24 CHAIR SCHMITZ: We will talk with staff
 25 about a future agenda on our long range calendar.

32

1 Any other suggested changes?

2 Seeing and hearing none, then agenda will
 3 stand with the exception of agenda item G 6 being
 4 delayed.

5 Moving on to reports to the Board.

6 E. REPORTS TO THE BOARD

7 E 1. GM Monthly Status Report

8 CHAIR SCHMITZ: The first is the
 9 District's general manager monthly report. I just
 10 wanted to, since our interim general manager isn't
 11 here, one of the things that she had intended to
 12 share with the Board this evening is that she is
 13 requesting a refund of \$5,000 for a donation that
 14 was made to the District. And it was made to the
 15 District outside of the policy, and the District was
 16 unaware of this donation. The donor had asked for a
 17 refund.

18 She spoke with legal counsel, and legal
 19 counsel advised her that she had the ability to go
 20 ahead and take action on that. So that was one
 21 thing she wanted to have added to her monthly
 22 report.

23 Do we want to move on to any other reports
 24 contained with the GM's report?

25 I would like, if possible, to speak and

33

1 ask some questions of Sue Griffith regarding her
2 report. I was a bit puzzled by the parcel
3 information and some of the comments, and if we
4 could have some clarity, I think that would be
5 helpful. Is she available?
6 Trustee Tonking, I'm sorry. I didn't see
7 your hand up. Go ahead.
8 TRUSTEE TONKING: I just had some comments
9 too on that area. And I am disappointed that staff
10 and us released that, not abiding by our own policy.
11 Because our policy says "October 1st," and that
12 report is as of September 26th, and that's a
13 disservice to our residents and our community by
14 putting their information in there without abiding
15 by our own policy.
16 I'm very disappointed that that was in
17 there for the first time ever, so I just want to
18 state that for the record.
19 CHAIR SCHMITZ: One thing that -- I
20 believe Sue is up at the table.
21 One of the things that I read in Ordinance
22 7, I was a bit puzzled, because if I read Ordinance
23 7, it says "October 1st," and what is puzzling about
24 it is it says, "The past year and the current," and
25 I don't see how we can take privileges away from

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1 that legal counsel and staff should look at that to
2 determine appropriateness because -- in the
3 spreadsheet, it would have been really nice to have
4 a total, but it is -- I added it up -- 484. And,
5 again, I didn't have sort of a percentage
6 calculation, but it seems like it's roughly between
7 five and six percent, which seems pretty
8 substantial.
9 So I'm not really asking a question; I'm
10 really saying I think legal counsel and staff need
11 to look at that language in Ordinance 7 and make sur
12 e it's actually appropriate.
13 And that if we're going to have language
14 like that, I'm assuming this is where -- what
15 created this list, we need to just be clear about
16 what our policy is and follow our policy. But I
17 think staff and legal counsel need to look at that.
18 The questions I have for you is more about
19 the Board, once again, being in the dark. The
20 language that you use in your report, you talk about
21 that -- I think it was Baker Tilly's work abruptly
22 stopped. The Board really hadn't been informed
23 about what happened, why was it abruptly stopped.
24 And if it was abruptly stopped, how could
25 the Board have been doing more to support the

34

1 someone when the way the language is written in
2 Ordinance 7 -- and I really think staff should be
3 looking at that language and get that language
4 corrected or modified in some way because I don't
5 think, legally, it can upheld the way it's written.
6 And I would hope that legal counsel would
7 review that language and advise staff on how to
8 handle it, because I don't see how -- I don't see
9 how it's appropriate the way it's written.
10 MS. GRIFFITH: Could you rephrase the
11 question? I'm not sure if you're talking about
12 Ordinance 7, specifically, or something that was in
13 my venue report.
14 CHAIR SCHMITZ: I don't have it open with
15 me. I went back and read the paragraph that is in
16 Ordinance 7, and it says "fees kept current," and
17 when I read that, I don't see how, legally, it can
18 even be upheld because -- it is making a statement,
19 as Trustee Tonking just stated, that it's as of
20 October 1st, but the way it's written, it says if
21 someone is in the past delinquent, that their
22 current rec privileges are going to be revoked.
23 And someone -- I don't know how that can
24 actually be allowed. And I think that whoever --
25 whatever the language got into Ordinance 7, I think

36

1 finance department in making sure that you had the
2 adequate resources?
3 MS. GRIFFITH: Chair, do you want me to
4 respond to one at a time or give them all to me and
5 I can respond?
6 CHAIR SCHMITZ: That's fine. Go ahead.
7 That's really my big concern is that we,
8 as a board, want to do what we can, I feel, to be
9 supportive of staff. And when we don't know these
10 things and then suddenly months later we find out it
11 was abruptly stopped and we don't know why, we don't
12 know what, how could we, as the Board, help in
13 situation with either appropriating funding or
14 whatnot.
15 But there needs to be, I guess, a
16 communication between staff and the Board so that
17 the Board can take action and be as supportive as I
18 feel like we all want to be, especially to the
19 finance department.
20 MS. GRIFFITH: Thank you for that. Chair
21 Schmitz, I'll speak to the ordinance piece first.
22 As most folks know, I'm at three and a
23 half weeks as interim Director of Fiance, so I beg
24 everybody's pardon as I'm getting up to speed on a
25 few pieces.

37

1 There were a few typos, I own them, on my
 2 venue report. They were cranked out very
 3 expeditiously. My understanding, at your direction,
 4 we were supposed to have the parcel information on
 5 there, and I didn't see that text within Ordinance
 6 7. I was a little confused. And I did use the date
 7 of October 7th on my venue report, when actually the
 8 Ordinance 7 says "October 1st." That was a typo on
 9 my part.

10 In regards to the rest of Ordinance 7, I
 11 haven't gotten up to speed yet on what is the
 12 process. I was told there's a specific process that
 13 is involved, the procedures to discontinue access if
 14 the parcel fees are not paid. I am still getting up
 15 to speed and training on that piece.

16 CHAIR SCHMITZ: I'm not -- I apologize if
 17 I was sounding like I was trying to put fault. I
 18 really was not. What I really was trying to focus
 19 on is the language in Ordinance 7. We should have
 20 language that seems appropriate and that the action
 21 is appropriate.

22 I'm not the legal expert and not
 23 intimately involved with Ordinance 7. But when I
 24 read that paragraph about keeping fees current, to
 25 me, it seemed a bit -- it seemed like language that,

38

1 legally, we would not be able to enforce.
 2 I'm sorry if I came across as being
 3 critical to you. That was never my intention.
 4 MS. GRIFFITH: I just wanted to let you
 5 know I haven't gotten all the training. We will
 6 work on understanding Ordinance 7. I understand
 7 that direction now.

8 In regards to the abruptness of Baker
 9 Tilly services, I -- it saddens me to realize that
 10 so much about finance has not been communicated to
 11 the trustees, and that's one of the reasons why I'm
 12 doing as much as I can in the interim position to
 13 make that connection. We need to have that
 14 communication.

15 What happened is as the fiscal '25 budget
 16 was getting buttoned up, some decisions were made, I
 17 think you're aware of some of them. One of them
 18 included cutting, abruptly, all Baker Tilly doing
 19 all the assets, et cetera, et cetera, as a way of
 20 controlling costs.

21 So that made us have to do a really quick
 22 turnaround of how are we going to absorb all of the
 23 work from the consultants as well as getting the
 24 direction, at that point in time, from our
 25 department head that we could not use their services

39

1 anymore.

2 CHAIR SCHMITZ: Do we need to bring them
 3 back? I mean, is this something that the finance
 4 team has been talking about?

5 MS. GRIFFITH: We didn't open that up too
 6 much. We did have some discussions and we did try
 7 to get pricing in regards to some of the asset work.
 8 Unfortunately, some of that work needed to be
 9 reviewed and some corrections made, in addition to
 10 the price for that, and the timeline we were told it
 11 was going to take, we felt staff just had to hunker
 12 down and do it ourselves.

13 We met with one department head today. We
 14 were able to crank out a bunch of assets, get
 15 updated data, work more efficiently than doing this
 16 remote business with the consultant that was doing
 17 that service for us previously.

18 In one sense, saying, here, here's the
 19 consultant, but then we have to check their work.
 20 It's the finance team that is responsible for the
 21 output, and it gets exhausting that you pay somebody
 22 to do something and then we have to fix it. It
 23 really breaks my heart and a little tiring, to be
 24 honest.

25 That communication wasn't happening, the

40

1 Board did know that happened and what happened after
 2 that and how we had been absorbing it all.

3 Unfortunately, because of deadlines, I did
 4 not get to elaborate a little bit more on the items,
 5 but I thought if I did a quarter look-back, that
 6 maybe that would catch everybody up.

7 CHAIR SCHMITZ: I really appreciate it.
 8 And I have noticed, you have been doing a lot of
 9 communication. I think that is really helpful for
 10 us, as trustees, to understand the challenges and
 11 what you're doing. I think we can all say that
 12 we've notice communication increasing.

13 TRUSTEE TONKING: I have a few questions.
 14 With that Baker Tilly, we had augmented
 15 the budget, I think, twice to expand that Baker
 16 Tilly contract. Did we just run out of money? And
 17 you were also saying you were doing
 18 behind-the-scenes work trying to management it, but
 19 did we just run out of money in the end or is there
 20 still money left in that contract?

21 MS. GRIFFITH: We were actually over.
 22 Yeah.

23 TRUSTEE TONKING: Perfect. That's
 24 helpful.

25 I also wanted to talk a little bit about

41

1 this -- the parcel list. This is the first time
2 we've ever seen this in the last four years. I know
3 you're -- at least since I've been on here. I know
4 you're new for the role, so I'm just really
5 interested on how did this end up as something to
6 do, and why did we do it before the deadline for
7 violating a policy?
8 Our deadline is October 1st, and I notice
9 that your list that it's September 26th. I'm just
10 curious, A, why is this in here, and, B, why did we
11 not abide by our policy?
12 I know you're new to the role. I'm just
13 trying to understand how we got here.
14 MS. GRIFFITH: Right. Actually, interim
15 General Manager Crocker and I, we had direction by
16 the Chair to include the information, and we made
17 sure that we included the date of the report.
18 TRUSTEE TONKING: Thank you.
19 I want to make sure we don't do that
20 because it is violating policy. That's helpful.
21 And then the last one is -- I'm looking
22 online and I may have an old version -- I did not
23 see the engagement letter with Davis Farr in here.
24 I was wondering the status of that.
25 Am I missing it? If so, can I get a copy?

43

1 the Audit Committee as well as the full Board. And
2 we have, according to NRS, five months after the
3 close of the fiscal period. So by November 30th,
4 everybody has to have had it presented, and we have
5 then 30 days after that to get it to the Department
6 of Taxation.
7 I'm trying to get information from
8 Jennifer so we can get those meetings scheduled.
9 TRUSTEE TONKING: So that's going to
10 address -- because some of the notice that was in
11 the FY '23 issues, we still have to address;
12 correct? I'm just trying to figure out how we're
13 doing to do both in such a short amount of time.
14 MS. GRIFFITH: Unfortunately, I apparently
15 didn't attach the engagement letter. It does cover
16 some of the pieces addressing what you're concerned
17 about. I welcome to answer more questions on that
18 after you had a chance to look at that.
19 TRUSTEE TONKING: I can follow up with you
20 in the interim, and GM Crocker.
21 TRUSTEE NOBLE: I've got a few questions
22 whenever there's the opportunity.
23 CHAIR SCHMITZ: Okay.
24 I'm just looking, does Trustee Dent have
25 the ability to raise his hand? Do you have any

42

1 MS. GRIFFITH: Gosh, I thought I attached
2 it to the venue report. My apologies.
3 TRUSTEE TONKING: It's okay. I assumed --
4 it was listed as an attachment. I thought it was
5 meant to be attached later as a supplemental. I
6 didn't see it.
7 MS. GRIFFITH: The good news is it is
8 included in the Audit Committee's packet. I think
9 tomorrow we're releasing it. An executed copy is in
10 that packet.
11 TRUSTEE TONKING: So it's signed and it
12 has been executed; is that correct?
13 MS. GRIFFITH: Yes.
14 TRUSTEE TONKING: What is the timing that
15 we're thinking of, this audit, both addressing '23
16 and '24?
17 MS. GRIFFITH: The auditors were currently
18 working on fiscal '24, and they will be remote
19 fieldwork, if you will, on the week of October 21st.
20 And then the week of October 28th, they will
21 actually be on site to complete their audit
22 procedure.
23 I am waiting for a call back from our
24 auditor, Jennifer, to see when the deliverables are
25 projected to be ready. We have to bring those to

44

1 questions or anything to add?
2 TRUSTEE DENT: Not at this time.
3 CHAIR SCHMITZ: Okay. All right. Thank
4 you. I'll just check in with you because you don't
5 have the ability to raise your hand.
6 TRUSTEE NOBLE: Ms. Griffith, there was
7 previous discussion with Chair Schmitz with regards
8 to language in Ordinance 7 and the statutes and
9 stuff. It's paragraph 44, and it's just more for
10 the record.
11 And then NRS 361.483, it'd probably good
12 to make sure that Ordinance 7 is consistent with the
13 statutory framework for installment payments and
14 delinquencies and stuff.
15 Then, this is just my suggestion, if staff
16 has an internal procedure with regards to working
17 with parcel owners to make sure they've made their
18 payments, if they have forgotten, or it's this or
19 that, it might be good to memorialize it in
20 Ordinance 7, just so that there is a consistent
21 process, and it's not a gotcha thing where these APN
22 numbers of 485 people are all of a sudden broadcast
23 out there, when there's probably a lot of people
24 that make mistakes or forgot or something happened.
25 This shouldn't be an opportunity to

45

1 embarrass people. That's not what we should be
 2 doing as IVGID.
 3 CHAIR SCHMITZ: A couple things in
 4 follow-up.
 5 Trustee Tonking had brought something up,
 6 and I think it's important, and that is that we
 7 should be following our policy. And what I had
 8 stated was that we should be following our policy.
 9 It wasn't until I saw this that I went back to look
 10 at our policy. I was quite taken aback by the
 11 number of parcels. To me, this seems like it's
 12 quite substantial to have five to six percent.
 13 I don't know, I guess, this is even Washoe
 14 County because it's the Washoe County tax rule that
 15 these were delinquent. But is that -- to me, that
 16 seems like a very high percentage, and I was
 17 surprised to see the numbers.
 18 And I think, as the Board, we just want to
 19 ensure that our policies are being followed and that
 20 the Board is being informed. In this particular
 21 case, this policy seems like the language needs to
 22 be reviewed by legal counsel and needs to be
 23 appropriately updated so that people understand what
 24 the rules are.
 25 My understanding is, in the past, staff

46

1 has taken action, and we've just not known anything
 2 about it.
 3 Sergio, could you please take that as an
 4 action item to look at that and make
 5 recommendations?
 6 MR. RUDIN: Yeah, I will look into that.
 7 I would suggest to the extent when you
 8 actually have discussion and direction on Ordinance
 9 7, we should agendize that separately as a topic at
 10 a future meeting.
 11 CHAIR SCHMITZ: I would agree, this
 12 somewhat stands entirely alone, because it's about
 13 finance and it's about legal. I will make a note of
 14 that. Okay?
 15 Any other questions for Ms. Griffith?
 16 TRUSTEE TULLOCH: I have a couple
 17 questions.
 18 Susan, thank you for all your efforts on
 19 this. I know everyone on your team is working very
 20 hard.
 21 With regard to the items on the RubinBrown
 22 report, I would ask, given the importance of this
 23 report and the issues identified, rather than just
 24 present the Board with a memo saying the items are
 25 closed, I think we previously requested that these

47

1 items be brought to the Board with an update on the
 2 status. I think the Board needs to make a decision
 3 on whether these items are ready for closing or not.
 4 We need to understand everything is in place, the
 5 proper actions are in place before they are just
 6 closed.
 7 CHAIR SCHMITZ: That is the next agenda
 8 item, the RubinBrown report. Right now, we're still
 9 just talking about that monthly status reports.
 10 TRUSTEE TULLOCH: Copy. My apologies.
 11 CHAIR SCHMITZ: One thing that -- I'm
 12 wondering if -- I know the finance department is
 13 just -- they're all paddling as hard as they can.
 14 One of things that I think that it came in
 15 public comment tonight is that we need to be looking
 16 at expenses. And when we get the venue reports,
 17 oftentimes they are just reporting the revenue, and
 18 we really need to understand the expenses.
 19 And we still haven't seen July or August
 20 financial reports, and I'm just wondering at what
 21 point do you think you will be caught up in
 22 producing monthly reports?
 23 MS. GRIFFITH: I'll be better able to
 24 respond to that when we get closer to finishing the
 25 audit.

48

1 To give you a better idea, for example,
 2 when the auditors were doing their fieldwork the
 3 last two weeks, they are going to want quick
 4 turnaround and provide them with any additional
 5 supporting information for things they are selecting
 6 through their testing after their risk assessment.
 7 The quicker we can turn things around, the quicker
 8 they get their work done, and we can meet the state
 9 requirements.
 10 I have no idea yet, still getting up to
 11 speed on everything IVGID, what they're going to be
 12 deep diving into and what isn't going to take as
 13 much staff time.
 14 It's hands on deck getting things to the
 15 auditors, and I imagine it's going to be very
 16 intensive.
 17 CHAIR SCHMITZ: Yes.
 18 Didn't -- I was thinking that you had sent
 19 the letter of engagement with the auditor out to all
 20 of us trustees. Was it just sent to the Audit
 21 Committee? I'm recalling that we all received a
 22 copy of it?
 23 MS. GRIFFITH: I'm glad to hear that
 24 because I couldn't say right now.
 25 CHAIR SCHMITZ: I thought it had been

49

1 shared. But if we could share it, please, that
2 would be helpful.
3 If there are no other questions, then,
4 Trustee Tulloch, we will move on agenda E 2.
5 E 2. RubinBrown Report Observations
6 CHAIR SCHMITZ: That is the RubinBrown
7 report.
8 Ms. Griffith, did you want to give any
9 sort of opening to that report?
10 MS. GRIFFITH: I would like the Board to
11 know that many of the responses, considering
12 contributions from folks on the senior team,
13 because, obviously being new to the role, having to
14 absorb as much as I possibly can, I can't speak too
15 much detail, but I'm happy to take questions that I
16 don't know the answers to and then be able to bring
17 that back.
18 CHAIR SCHMITZ: Trustee Tulloch, did you
19 want to expand upon your suggestion?
20 TRUSTEE TULLOCH: Yeah. Thank you. I
21 don't have the packet in front of me. I'm on move.
22 Yeah. No. I would suggest that I think
23 the best way to cover this, each as (audio drop)
24 report to the Board, to outline the actions that's
25 been taken and make the Board (audio drop) that the

51

1 something that's actually on legal counsel's plate
2 to deliver, and that was update to the agreement
3 with the Fire District.
4 One of things that, as a board, we've been
5 trying to do is to clean up or contracts and clean
6 up our agreements and review them. And if they have
7 changed, we need to update them so that we do have
8 documentation that we're abiding by -- and
9 agreements that we're abiding by. That was one of
10 them closed and was -- and really should not be.
11 I think another example is number 20,
12 which is talking about donations. And I think that
13 if in these items when we close them, if we can
14 reference what internal policy was either created or
15 changed, that way we've got documentation that we
16 can say, yes, this has really been delivered upon.
17 Does that make sense?
18 MS. GRIFFITH: Yes.
19 CHAIR SCHMITZ: Any other comments?
20 TRUSTEE DENT: No questions at this time.
21 CHAIR SCHMITZ: Thank you for all of your
22 effort on this, and the finance team. I know
23 everybody has been working so hard and we're all
24 grateful. We're hoping that the county will have
25 additional resources as well as HR helping you with

50

1 item is ready for closing (audio drop). As
2 trustees, if something is not completed and it comes
3 back, it comes back as the trustees fiduciary duty.
4 I would suggest that as we close items, if
5 we come back to the Board with each item, what
6 details, what actions have been taken. There's been
7 a lot of time and effort put into this, we need to
8 be comfortable with these, the proper, full remedial
9 actions have actually been taken, regardless of what
10 Davis Farr come up with. They are going to tell us
11 if they are not satisfactory.
12 But I think the Board needs to understand
13 it, what actions are in place so this doesn't (audio
14 drop.)
15 CHAIR SCHMITZ: I would concur with
16 Trustee Tulloch. Some of things I think we should
17 be identifying is what documentation, what procedure
18 has been updated, because training people, it's
19 good, but we need to have a standard operating
20 procedures, we need to have methods that are
21 documented so that the lessons learned can be
22 carried forward.
23 And I know there are a few of these that
24 really are not closed. And one of the examples I
25 can give is number 22, which is not closed, it's

52

1 the resources that you need to deliver for the
2 District. I know it's been a tough road.
3 MS. GRIFFITH: Thank you.
4 CHAIR SCHMITZ: Seeing no other comments
5 or questions, we'll move on to E 3.
6 E 3. Community Services Admin Fund Report
7 CHAIR SCHMITZ: The report on the
8 community services admin fund, what makes up this
9 account and what rolls into it.
10 I will hand the floor back to you,
11 Ms. Griffith.
12 MS. GRIFFITH: As I stated previously,
13 been in this roll three and a half weeks, so I put
14 in the board packet what I thought was enough detail
15 in response to what you were asking for.
16 I don't really have much to contribute
17 other than that at this time.
18 CHAIR SCHMITZ: Okay.
19 This goes back -- I'm going to refresh the
20 Board's memory. This goes back to a question that
21 we had when we were working on the budget, back at
22 the end of May. We had questions about what
23 comprises this account.
24 What I think Ms. Griffith just put before
25 us, it appears as though this account is, perhaps,

53

1 for the staff and the overhead related to the
2 administration of, basically, recreation privileges,
3 meaning our Pictures Passes and punch cards.
4 Is that what you learned through this
5 process, Ms. Griffith?
6 MS. GRIFFITH: That is what I gleaned from
7 looking at the allocations, the 2.87 positions that
8 are posted to this finance.
9 CHAIR SCHMITZ: It seems like it's gotta
10 be really difficult for staff to manage budgets and
11 salaries when 17 percent of one person is over here
12 and is over there.
13 Do people actually charge their time that
14 way, or is this just a flat allocation that is used?
15 MS. GRIFFITH: It's part of our processes
16 in fiance, doing any allocations to the different
17 funds, so other department staff doesn't have to --
18 outside of fiance -- do that.
19 CHAIR SCHMITZ: In the past, one of the
20 things that was extremely puzzling is that this has
21 always been a rather large negative number, and this
22 year it was a positive number.
23 But it looks like, perhaps, it became a
24 positive number because you allocated the facility
25 fee to cover the costs? To your knowledge, is that

55

1 believe at the time, it was something like \$250,000
2 or something, that sort of order. And the
3 then-general manager said that this was four
4 positions that were (audio drop) and dealing with
5 all that and changes of address.
6 This allocation looks slightly different.
7 Maybe I'm wrong. I'm looking at some of the
8 positions here, recreation supervisor, and then I
9 see senior Parks and Recreation, do all the clerks
10 at recreation, are they all labeled as "Parks and
11 Recreation?" Or is Parks and Recreation part of
12 parks?
13 I am unclear. Because this does not -- it
14 looks totally different from what the then-general
15 manager told us during the budget process. That's
16 why I'm a little bit confused, and that's one of the
17 reasons that we did raise this question again during
18 the current budget cycle.
19 I don't understand. You probably don't
20 have that information, but that is -- this is still
21 what I'm trying to understand.
22 MS. GRIFFITH: We will make it clear
23 during our fiscal '26 process, as senior team works
24 on their budgets, so that everybody can see what's
25 included for that.

54

1 why this has changed to dramatically?
2 MS. GRIFFITH: I could not speak to that
3 detail at this point in time. I've been working on
4 the audit.
5 CHAIR SCHMITZ: Okay.
6 If we could just put this on, maybe, a
7 low-priority list to maybe explain to the next board
8 for their budgeting process a better explanation? I
9 think when we went through the budget process, we
10 were all a bit puzzled as far as what this
11 particular cost center was all about.
12 MS. GRIFFITH: Yes, that will be part of
13 our fiscal '26 budget program, which we talked about
14 at senior team meeting. As soon as we get the audit
15 buttoned up, it's budget season.
16 CHAIR SCHMITZ: That would be great.
17 Thank you for that. I think the future board will
18 be grateful for having information about what's all
19 covered in that cost center.
20 If there aren't any other questions -- go
21 ahead, Trustee Tulloch.
22 TRUSTEE TULLOCH: I'm slightly puzzled,
23 but that's because (audio drop) most recent (audio
24 drop) from the Board from the previous year from the
25 then-general manager when we inquired about this. I

56

1 TRUSTEE TULLOCH: I'm just trying to
2 understand. We saw the same in the beach (audio
3 drop), as we've discussed already, all sorts of
4 positions that didn't seem to be tied in, lumped
5 into the beach costs. We need to make sure we
6 properly segregate these costs.
7 Yeah, that would be helpful to understand
8 what these positions are. There seems to be an
9 awful lot of Parks and Recreation, different clerks.
10 It looks like we're using almost one full-time
11 clerk, so why are we subdividing when it's about
12 1.7, 1.8 of clerical time?
13 I'm trying to understand why we're just
14 doing a general (audio drop) this way instead of
15 allocating a single individual.
16 CHAIR SCHMITZ: One of the things I spoke
17 with the general manager about when looking at this,
18 Trustee Tulloch, is that it almost seems like, in
19 community services, we are spreading staff time
20 acrossed all different departments to cover costs.
21 It's almost like maybe a community services central
22 services cost allocation or something, because it
23 seems like we're just slicing and dicing roles
24 across various cost centers. And I think that makes
25 it really difficult to manage. And she agree with

57

1 that. She said it's very difficult to see.

2 And I think going forward, I think that's

3 something that, when you're working on the budget

4 for next year, it's to understand, in community

5 services, are wages staying all within all one cost

6 center or are some of have them getting spread

7 across various cost centers?

8 TRUSTEE TULLOCH: Yeah, I agree.

9 Especially when parks is supposed part of the

10 general fund, and then we're cross pollinating it

11 from the recreation fund as well. It becomes very

12 clear to me it becomes hard to tell where the

13 staffing levels are correct or where all these

14 things are being respread.

15 Yeah, this is helpful to have this. This

16 is the first time we've actually seen a breakdown of

17 it. Thank you for bringing this forward.

18 CHAIR SCHMITZ: Any other comments or

19 questions on this?

20 Seeing none. Thank you, Ms. Griffith, and

21 thank you for stepping up into this role. We're all

22 very appreciative of your time and talent.

23 We will move on to agenda item E 4.

24 E 4. Food and Beverage Report

25 CHAIR SCHMITZ: I'm not sure whether -- do

59

1 breakdown, which we can get from our RTP software,

2 between Incline Beach and Burt Cedar, we're listing

3 within the report the actual items and the quantity

4 of items that make up the particular revenue at each

5 one of the beaches on.

6 On the third page of the report, staff has

7 shown a breakdown of the expenses with the GL. You

8 might not know but we know, as staff, that 7000s are

9 expenses, and beginning with the 5000 numbers of

10 5012 through 5700 are salaries and wages and all

11 benefits associated with the expense portion.

12 So I'll let you ask any questions. I did

13 not build the report, but I can certainly answer any

14 questions of this particular report.

15 Thank you.

16 CHAIR SCHMITZ: This was put together as a

17 request, I believe, that, perhaps, both Trustee Dent

18 and Trustee Tulloch had requested when we were

19 discussing what do we need for a kitchen at the

20 Incline Beach House.

21 And I'm going to ask if this information

22 answered their questions and what they are thinking

23 at this point. I'm going to ask either Trustee

24 Tulloch or Trustee Dent to chime in.

25 TRUSTEE TULLOCH: I'll jump in first.

58

1 we have anyone to cover this or was --

2 TRUSTEE NOBLE: Mr. Bandelin is going to

3 be covering it.

4 MR. BANDELIN: Item E 4, you can view the

5 pages beginning on page 142 of your packet. The

6 subject of this staff report is food and beverage

7 report on sales of food at the Incline Beach and

8 Burt Cedar Beach for the period of May, 2024,

9 through -- including August 30, 2024.

10 The narrative just speaks a little bit in

11 the background section of two beaches that we

12 operate food and beverage at and through the time

13 period I just mentioned.

14 Lower on page 142 is a summary of the

15 Incline Beach, we're showing revenue on the page at

16 just over \$170,000. The expenses at the Incline

17 Beach equated to close to \$122,000, and that

18 includes all costs of goods and expenses, including

19 salaries and benefits, with a net revenue of

20 \$48,000.

21 Lower on the page, we talk about Burt

22 Cedar Beach, with a revenue at \$185,000, just above.

23 Expenses at \$131,000. Net revenue equating to

24 \$54,000.

25 Also within the packet is a kind of

60

1 Mr. Bandelin, thank you for pulling this

2 together. Can you clarify which costs (audio drop)

3 are just salaries and benefits, is there any

4 contribution to central services costs or any other

5 part, or is this just simply salaries and benefits

6 is the only expense that has been charged here?

7 MR. BANDELIN: I'm going to -- looking at

8 these actual GL numbers, I'm going to say you have

9 expenses outside of salaries and wages, including

10 costs of good sold and other operating expenses are

11 listed here within these GLs that begin with 7.

12 What I can't do is tell you that the central

13 services cost allocation included is in that number.

14 So that, I can't answer for you, but I'm

15 certain that we can let you know that.

16 TRUSTEE TULLOCH: I also noticed that

17 there's no headers in the columns to tell me -- I

18 think I can guess what some of items are on headers

19 on pages 3 and 4 of the report. It would be helpful

20 to have details of what these headers are. It would

21 be very helpful to understand just which costs are

22 being charged.

23 I think my other -- hopefully now that we

24 are properly allocating the cost of goods sold on

25 the food because we discovered a couple of board

61

1 meetings ago that food was all just being purchased
2 in bulk and no real in-depth analysis of where that
3 food was getting charged to. That would also be
4 helpful to understand, if we're now doing proper
5 allocation of these food items, to properly
6 understand, that would be helpful.

7 The other interesting point for me in on
8 page 2, or 142 of the packet, the higher sellers
9 were chicken tenders, avocado chicken sandwich,
10 cheeseburgers, hot dogs, french fries, and ice cream
11 bars, which is what we suspected previously, which
12 seems, again, going back to one of the reasons we'd
13 asked for this is because it doesn't seem like this
14 would require a \$2.5, \$3 million kitchen to serve
15 these. That's a just observation.

16 I will pass across to Trustee Dent.

17 TRUSTEE DENT: This is a good start. I
18 have an understanding of what we're actually
19 selling, and I also understand what kind of kitchen
20 we actually need.

21 I had the same question as Trustee Tulloch
22 as it relates to are all of our expenses being
23 included in here? It just seems like Incline and
24 Burnt Cedar beaches, in years past, we've always
25 lost money, yeah, it's always cost us more to

62

1 provide the food. So we've always operated at a
2 loss.

3 And so that's why we'd outsourced that for
4 so many years, before I was on the board and after I
5 was on the board. Prior boards decided to get away
6 from operating there.

7 Over the last two years, we keep getting
8 numbers that show that we're actually profitable.
9 However, you go up to our restaurant and we're
10 losing thousands of dollars a day. I don't know how
11 to make heads or tails of it. I think this was a
12 good start. I'd like to know if all the costs are
13 included in these numbers.

14 And it would be nice to see some of these
15 items grouped a little bit better. I just, first
16 glance, oh, okay, we sold so many cheeseburgers, and
17 then you go a few more lines down, here's a bacon
18 cheeseburger and here's a regular burger. It would
19 be nice to group all the like items together to
20 fully understand what it is, just a quick glance,
21 just a quick sort to get us there, just knowing how
22 many cheeseburgers we're selling helps us know how
23 big of a kitchen we need, just as an example.

24 I think it's a good start, and be it would
25 be nice to see headers like was mentioned.

63

1 CHAIR SCHMITZ: Any other questions or
2 comments on this item?

3 TRUSTEE TULLOCH: Just a couple other
4 things. I totally agree with Trustee Dent. I think
5 this is certainly a good start.

6 I think when we look through it, it makes
7 very interesting reading when you look at the
8 numbers, and I'm sure the food and beverage
9 department could start looking at these and try and
10 decide where we need to offer just so many different
11 variations of the same thing.

12 One thing that strikes me as very
13 surprising, we only sold 15 cups of coffee at
14 Incline Beach and 12 cups of coffee at Burnt Cedar
15 Beach, yet -- and then if we look at numbers, we
16 sold, either aggregate them or look at whether we're
17 trying to offer way too much variety for effective
18 revenue-generation, and actually managing the
19 public's (audio drop.)

20 CHAIR SCHMITZ: That's a good point,
21 Trustee Tulloch.

22 Any other comments?

23 MR. BANDELIN: Just took some notes real
24 quick, and then I think it would be helpful, and
25 staff would be happy to at some point in the report

64

1 come back and actually identify what the GL codes
2 are the left side of the columns. Something comes
3 to mind here as well as like did we include the
4 actual revenue from the concessionaire, if we could
5 highlight that, is electricity in there. And as
6 mentioned from trustees, the central services cost
7 allocation, if that actually does go to the
8 particular venues.

9 So made some notes and happy to provide
10 that information at a later date.

11 CHAIR SCHMITZ: That would be great.
12 I would ask one other question, and that
13 is did this information come out of the Tyler system
14 or did our food and beverage staff have to create
15 their own Excel spreadsheet financial report to do
16 this?

17 MS. GRIFFITH: Just looking at the sheet,
18 it did not come out of Tyler. Tyler reports will
19 have the header for Tyler on the top of that
20 document.

21 MR. BANDELIN: I can elaborate a little
22 bit. The item sheet with the quantity and revenue,
23 those are actual RTP sheets that staff can run,
24 because I ask for this same report throughout the
25 ski season at variable intervals to be able to see

65

1 sales on items.

2 The one with the yellow bars comes from

3 the RTP system, point of sale system.

4 CHAIR SCHMITZ: If it's coming from the

5 point of sale system, most likely it doesn't include

6 the central services cost allocation, I would

7 assume. We can talk about this when we talk about

8 that Tyler agenda item.

9 But I'm discovering that our venue

10 managers are creating or continuing to create their

11 own financial reports because it's the only way they

12 can get information. And when that agenda item

13 comes up later in our meeting, this is potentially

14 an example of such a situation.

15 MR. BANDELIN: I'll just make one

16 correction. When I was referring to the item sheet

17 and the quantity and the revenue, that is an RTP,

18 but on the following page, 145, in these cells,

19 those items, expenses and revenues would come from

20 Tyler. Okay?

21 So even as you see on the bottom, you can

22 see, it looks like kind of a quick-run report, the

23 Tyler beach revenue, but the expenses are -- they

24 come from Tyler, because that's where expenses would

25 all come from, and the revenue as well.

66

1 But we just wanted to show that item sheet

2 with quantity and revenues, and that's produced from

3 RTP, point of sale software.

4 TRUSTEE TULLOCH: Mr. Bandelin, one

5 follow-up.

6 I'm looking at page 144, the one with the

7 yellow bars on it, I'm assuming the first number is

8 the total revenues. I then see another number,

9 which is far too small to be costs of goods sold,

10 not quite sure what that number is here.

11 There's nothing here -- the point of sale

12 system isn't gathering any costs of goods sold; is

13 that correct?

14 MR. BANDELIN: That's correct.

15 TRUSTEE TULLOCH: So, yeah, this just net

16 revenue, there's no breakdown of net expenses.

17 MR. BANDELIN: Correct. Expenses are

18 listed on page 145 and on the beginning of the

19 memorandum in the table at the bottom of the page of

20 142.

21 TRUSTEE TULLOCH: Copy. It's just a

22 global number for us. There's no tie-in to the

23 revenue numbers. Okay.

24 Thank you.

25 CHAIR SCHMITZ: Any other questions?

67

1 Seeing none, we will move on.

2 F. CONSENT CALENDAR

3 F 1. Meeting Minutes 8/20/24

4 F 2. Meeting Minutes 8/28/24

5 F 3. Meeting Minutes 9/11/24

6 F 4. Incline Tahoe Foundation Donation

7 F 5. Cisco Air Systems Purchase Order

8 TRUSTEE TONKING: I move the Board approve

9 the consent calendar.

10 TRUSTEE NOBLE: Second.

11 CHAIR SCHMITZ: A motion's been made,

12 seconded. All those favor?

13 TRUSTEE TONKING: Aye.

14 TRUSTEE TULLOCH: Aye.

15 TRUSTEE NOBLE: Aye.

16 TRUSTEE DENT: Aye.

17 CHAIR SCHMITZ: Aye.

18 Passes 5/0. Moving on to general

19 business.

20 G. GENERAL BUSINESS

21 G 1. General Management Recruitment Process

22 CHAIR SCHMITZ: Item G 1, the floor is

23 handed over to HR Director to review, discuss the

24 general manager recruitment process and give us an

25 update for the Board to make any decisions.

MS. FEORE: As noted in my memo, I would like to discuss with you the general manager

68

1 recruitment process. I'd like to determine the

2 number of anticipated applicants to be interviewed

3 and the preferred method of interviewing these

4 selected candidates, and approve the dates of the --

5 discuss and approve the dates of the candidate

6 interviews.

7 So as we have gone through this process

8 and as I have kept all of you updated, we received a

9 number of applicants. As I've noted in my memo to

10 make it clear to everyone, the number of applicants

11 is not an indicator of the number or total qualified

12 applicants, it's just the number folks that applied

13 for this position. That said, it was a significant

14 amount, which was really good to see.

15 On September 30th, following an extensive

16 review of each of the candidate's information so

17 that I could ensure the candidates being proposed to

18 the Board of Trustees has minimum qualifications for

19 education, experience, background, and such,

20 five potential candidates were identified. Each of

21 these candidates, again, has been evaluated to

22 ensure that they meet those minimum qualifications.

23 Given the number of candidates that I am

24 proposing, the Board of Trustees consider

25 interviewing, the Board may want to consider

69

1 conducting these either in a one-step or two-step
 2 process.
 3 Two-step process would be to conduct one
 4 interview, possibly via Zoom, if preferred, or in
 5 person, and this would be a preinterview process.
 6 This could be used to eliminate the number of
 7 candidates, the final candidates, that you may want
 8 to move forward in the process. Second step would
 9 be to interview the final selected candidates, I
 10 would recommend that in-person interview, and you
 11 can follow up with some questions that may not have
 12 been asked during the first interview.
 13 Or you can do a one-and-done approach, in
 14 which you bring in the candidates and do a just --
 15 in a potential special meeting setting, have an
 16 extensive interview with each of the candidates, and
 17 by the end of that meeting it would be presumed that
 18 decisions would be made about the selected
 19 candidate.
 20 Again, as I've mentioned, I'm also
 21 recommending that Board of Trustees consider
 22 conducting these interviews as part of a special
 23 meeting. Obviously, as it's been mentioned over and
 24 over again, this is an incredibly important position
 25 that requires very special attention, and I want to

70

1 make sure that the trustees have time ask questions
 2 and any follow-up questions that may be needed, and
 3 it may be a little more difficult if we are trying
 4 to wrap in other general business items.
 5 That's what I'm here to propose and
 6 request and get clarification on. I'll turn it back
 7 over.
 8 CHAIR SCHMITZ: Questions for Director
 9 Feore?
 10 TRUSTEE TULLOCH: I think this is good. I
 11 fully agree with you, these should be done in
 12 person. If we have an initial (audio drop) cut down
 13 to five candidates, I think that's perfectly doable
 14 in person as a one-off.
 15 I would hate to repeat the situation we
 16 encountered approximately 10 years ago where it was
 17 reduced down to two for in-person interviews, and
 18 then when appeared at the in-person interviews, it
 19 turned out only one candidate met the requirements.
 20 It was (audio drop) chose at that stage.
 21 I like the idea of a special meeting. I
 22 think the community deserves a chance to hear from
 23 all the eligible candidates, whether or not it's the
 24 community's choice or not, I think it's important if
 25 the community is able to see all the candidates. I

71

1 like the idea of a special meeting to do it.
 2 Please avoid October 23, though, I'm not
 3 available on that date.
 4 MS. FEORE: And to clarify, the
 5 recommendation it is is that if a meeting is going
 6 to be scheduled and if it's going to be a one and
 7 done-type meeting, my recommendation is that we do
 8 this in person, and it should not be scheduled
 9 before August 23rd, just simply so that we have time
 10 to make travel arrangements for those candidates.
 11 But anytime after, obviously, is something
 12 that the Board could decide.
 13 TRUSTEE TONKING: I'm curious about those,
 14 yeah, those timeline dates that you came up with and
 15 how you reached those for either if we did two sets
 16 or if we did one.
 17 MS. FEORE: Right. You know, obviously, I
 18 know that this is a high priority for this board,
 19 and so I was just recommending that if you want to
 20 do it sooner rather than later, I would recommend
 21 that it's no sooner than August 23rd, again, for
 22 travel arrangement purposes. I was just looking at
 23 future dates in October. But, obviously, November
 24 is option as well.
 25 I just wanted to make sure that the Board

72

1 understood that doing it any sooner than that may
 2 interfere with the candidates' current schedules and
 3 the ability to make those travel arrangements.
 4 TRUSTEE TONKING: Thank you.
 5 TRUSTEE DENT: No questions. I want to
 6 thank Director Feore for working through this
 7 process and, I would say, individually allowing us
 8 to be a part of the process or be a part of that
 9 viewing.
 10 As far as the in person, I think it's the
 11 right way to go. We ran into a couple of issues,
 12 not only ten years ago, but one year ago in trying
 13 to hire a general manager, where when names became
 14 public, individuals from the community started
 15 reaching out to individuals at their current
 16 companies and chased away candidates.
 17 So I don't know if it's in the best
 18 interest to put out the names to really go through
 19 this process twice. We have five candidates,
 20 probably all pretty quickly, we will know who our
 21 top two or three are, and we can spend a little more
 22 time, if need be, asking additional questions or
 23 eliminating a couple of candidates and asking a
 24 couple of more questions, we can set up that meeting
 25 however we choose.

73

1 I think in person would be good. And I
 2 would say Zoom, if we were to go back to that
 3 previous idea of reviewing all the individual
 4 resumes and making our recommendation, but sounds
 5 like we've all individually reviewed resumes, and
 6 director has put together a list in making a
 7 recommendation.

8 I'm fine with what our director has put
 9 forth, and -- yeah, I'm pretty available
 10 schedule-wise too.

11 MS. FEORE: Trustee Dent, I do want to let
 12 you know that I have spoken with couple of the
 13 candidates, just -- they were reaching out asking
 14 about the -- where we were this process and what
 15 next steps are going to be.

16 I had some really good conversations with
 17 them and let them know that this is process, it's,
 18 maybe, possibly unique to Nevada. It turns out,
 19 there are states that have the same process where
 20 these things have to be conducted in open session,
 21 so they were fully prepared.

22 And we did have this noted in the
 23 recruitment flyer that these meetings will be
 24 conducted in person, so these folks understand that
 25 when it comes time to conduct these meetings, their

74

1 information, albeit it identifying information for
 2 them, specific address, phone number, that kind of
 3 stuff will be redacted, their information will be
 4 published. The folks that I've spoken to said, yep,
 5 they know, they're ready, they're very serious about
 6 their interest in this position, and they are fine
 7 with the process and how it works.

8 TRUSTEE DENT: That's good information.
 9 Appreciate your efforts in this process so far.
 10 Thank you.

11 TRUSTEE NOBLE: I would prefer to have a
 12 two-step process where we interview the five in
 13 person, if they can make it in person. If not,
 14 because of the timing or other obligations, via
 15 Zoom, and that we narrow it down to the two
 16 finalists that would then be brought back for a
 17 second interview.

18 TRUSTEE TONKING: I agree with that.
 19 I also would recommend that we start this
 20 process on the week of the 28th, if we're going to
 21 do it with in person. That works, given what Ray
 22 said about his schedule, and I have office at State,
 23 so I can't do.

24 CHAIR SCHMITZ: What is the desire of the
 25 Board? Do we want to have all five of them

75

1 interviewed at one time in person, or to do we want
 2 to have a two-step process where either it's in
 3 person or Zoom the first time and in person the
 4 second time? I'm hearing there's deferring
 5 opinions, so I'd like to have clarity from the
 6 Board.

7 I'm going to go back with the order that I
 8 started with. Trustee Tonking, you made yourself
 9 clear.

10 Trustee Tulloch?
 11 TRUSTEE TULLOCH: I believe we should just
 12 interview all five. As I said, I don't want to be
 13 in the position we ended up in several years ago
 14 with only two candidates and turned out it was only
 15 one. A position of this importance, I think of the
 16 interpersonal dynamics that you can't see in Zoom, I
 17 think that's highly important in a role like this.

18 I would propose that we interview all
 19 five in person. It may -- depending what comes out
 20 of that, it may not be a one-stage process,
 21 obviously, because there's always the possibility
 22 the Board may decide one of the candidates are
 23 correct.

24 I mean, ideally, we should try to make it
 25 a one-stage process, would be the best way, the most

76

1 efficient way to go forward.

2 TRUSTEE TONKING: I would like to make my
 3 argument as to why I thought it should be a
 4 two-phase process, and I think the main reason I
 5 think it should be a two-phase process is, yes, we
 6 know what happened in the past, but we also know
 7 that Director Feore and team will be doing diligent
 8 background checks to ensure that they are meeting
 9 the criteria that we have put forth.

10 And I also think, since we are moving very
 11 rapidly through this process and this is somebody
 12 who is going to be working with within our
 13 community, I think it would be beneficial for them
 14 to be able to see the five, and then also be able to
 15 provide us feedback when we go to the two.

16 I think since we aren't doing a committee
 17 with any of our community, I think there is some way
 18 to get their say.

19 TRUSTEE DENT: I -- I mean, it's
 20 five candidates, and if we need more time, let's
 21 just -- if we're going to have an in-person meeting,
 22 the second meeting, we just notice two days if we
 23 can't get it done in one day. I don't know -- I
 24 guess for me, I don't know what would change with
 25 the same candidate, and I don't envision having the

77

1 candidate fly out and then having them fly out again
 2 a week later or two weeks later.
 3 Just seems like for their -- and we would
 4 work through the process. We've been at this
 5 process for a year and a half, not quite a year and
 6 a half, maybe 15 months, and so it would be nice to
 7 work through this process and get it behind us,
 8 staff has their future leader in place, and some of
 9 these other pieces can start to fall in behind them.
 10 It's five candidates, not sure why we
 11 can't do it in one day, but just say we notice
 12 two days, back to back, if we get really bogged down
 13 and need more time.
 14 CHAIR SCHMITZ: In listening to all of
 15 you, I agree that I think we should interview the
 16 five that Director Feore has identified that meet
 17 the criteria, that have the educational background.
 18 And as Trustee Tulloch said, it might be that the
 19 Board doesn't pick any of the five.
 20 I think if we could schedule that week of
 21 the 28th, I just know it's tough because it's right
 22 after Thanksgiving and it's a short time between --
 23 I'm sorry. I'm jumping a month ahead. Sorry about
 24 that.
 25 So, no, the week of the 28th of October,

78

1 if that would work with staff and work with the
 2 candidates and we could interview all five, I think
 3 that that would be the ideal timing, I would think.
 4 MS. FEORE: There is a board meeting
 5 scheduled for October 30th. So if you wanted to do
 6 it on the 28th -- or -- yeah, if you wanted to do it
 7 on the 28th or 29th, it shouldn't interfere with
 8 that board meeting.
 9 CHAIR SCHMITZ: What would the Board
 10 prefer? Would you prefer to have it on the night of
 11 the 30th, the meeting?
 12 I know we do have -- staff has a large
 13 agenda put together for that. And in light of
 14 interim General Manager not being here this evening,
 15 there may be some things added to that agenda.
 16 My feeling is that unless you want to have
 17 marathon meetings, we should probably do it on a day
 18 other than that 30th.
 19 TRUSTEE TULLOCH: I would agree with that.
 20 The last thing we want to do is just to be rushed
 21 through the process and not give each individual
 22 trustee sufficient time to offer up the questions to
 23 candidates they feel are appropriate.
 24 CHAIR SCHMITZ: Would we be able to -- the
 25 Board members, would be interested in and able to,

79

1 say, have something in the afternoon? I know some
 2 of you travel, some of you are working, so I want to
 3 be respectful of that. I'd like to know whether you
 4 want to do something in the evening or whether we
 5 could start earlier in the day.
 6 TRUSTEE NOBLE: I'll be flying back on the
 7 30th to make it for the evening meeting. If we
 8 started the interviews at four o'clock, I should be
 9 back it time. If it's going on the 28th or 29th,
 10 I'll have to do it remotely, which would not be my
 11 preference. Given this is our one and only hire,
 12 I'd like to be physically present for it.
 13 My preference would be to do it in the
 14 late afternoon on the 30th before our regularly
 15 scheduled meeting.
 16 TRUSTEE TONKING: I have a meeting that
 17 runs to 4:15 on the 30th. I could do the 1st, that
 18 Friday, I don't have any important meetings that I
 19 can't move. I can make adjustments the next week.
 20 TRUSTEE NOBLE: I'm available anytime on
 21 November 1st as well. I would avoid October 31st in
 22 the evening because it's Halloween.
 23 MS. FEORE: I quickly wanted to mention to
 24 the Board that I have a conference that I am
 25 attending in Reno on the 30th and the 31st. I could

80

1 potentially move that, but it's an annual conference
 2 that I'm a part of. I'd like to be able to attend
 3 that.
 4 If we can do the 28th, 29th, or even the
 5 1st, that would be great for me.
 6 TRUSTEE TONKING: The 29th will not work
 7 for Trustee Noble.
 8 TRUSTEE TULLOCH: I have a conflict with
 9 the 1st. I've got an engagement early -- late
 10 afternoon, early evening on the 1st which I will
 11 need to attend.
 12 CHAIR SCHMITZ: I guess we will take this
 13 discussion offline and try to figure out something
 14 that will work, if that's acceptable to the Board
 15 and to --
 16 TRUSTEE TONKING: I just ask that we make
 17 sure that everyone can attend in person.
 18 CHAIR SCHMITZ: Absolutely. Absolutely.
 19 Yes.
 20 TRUSTEE TONKING: That's my request.
 21 CHAIR SCHMITZ: Yes.
 22 We will follow up and see what we can get
 23 worked out.
 24 TRUSTEE TULLOCH: Can I suggest, to do it
 25 justice, it probably needs 45 minutes to an hour for

81

1 each candidate, I suspect. We've got five trustees,
 2 they're going to have a wide range of questions.
 3 CHAIR SCHMITZ: Yes. Yes.
 4 MR. RUDIN: Board, if I may make a
 5 recommendation on to how notice this meeting.
 6 I would -- since there is some discussion
 7 as to whether you're going to have a single round of
 8 interviews or if you're unable to make a decision
 9 after the single round, if you want to narrow it
 10 down to finalists and have second-round interviews,
 11 I would recommend you agendize this in a manner that
 12 provides maximum flexibility to make an appointment
 13 or not make an appointment following these five
 14 interviews, if you so desire.
 15 CHAIR SCHMITZ: Yes. Agreed.
 16 TRUSTEE TULLOCH: Sergio, to clarify, does
 17 that mean we can interview all five then potentially
 18 call back the final two on the same day?
 19 MR. RUDIN: Yes. I think as long as we
 20 notice this as interviews and indicate that it may
 21 be multiple rounds and also notice that you may be
 22 making appointment of a candidate following those
 23 interviews, that would give the Board maximum
 24 flexibility.
 25 CHAIR SCHMITZ: Erin, if you could please

82

1 help me, and we'll see if we can have the assistance
 2 of our District Clerk, find some dates and times
 3 that will work for all of the Board members.
 4 MS. FEORE: I will.
 5 We decided, just to clarify, we're going
 6 to leave the agenda item, we're going to note as
 7 such that it allows for the maximum flexible, it may
 8 be a one-and-done, we may ultimately end up with
 9 multiple interviews, the date is yet to be
 10 determined.
 11 And I believe I had one other question
 12 which was would the Board like to move forward with
 13 the interview questions being a predetermined list
 14 that are asked of each of the candidates, or if the
 15 Board would like to ask their own individual
 16 questions?
 17 This was a question that came up last
 18 time. If memory serves, the Board wanted to ask
 19 their individual questions based on the candidate's
 20 background, as opposed to a predetermined list that
 21 is typical with most interviews. That is another
 22 decision point I needed quickly.
 23 TRUSTEE TONKING: It's a question for
 24 Sergio.
 25 Sergio, do we run into any issue where

83

1 somebody can say it was not an equitable hiring
 2 process if we don't have the same list? I've worked
 3 with school districts hiring superintendents, that
 4 that is a problem, but I just want to see if that's
 5 an issue here or with NRS?
 6 MR. RUDIN: Strictly speaking, no. There
 7 is a reason why you want to ask a standardized set
 8 of interview questions for candidates in most
 9 positions.
 10 And the reason for that is to, one, avoid
 11 a potential bias, two, avoid questions that may
 12 cause legal issues. If you're asking about a
 13 candidate's family status, relationships, you may be
 14 prodding into areas where you're getting information
 15 from the candidate about whether or not they are
 16 part of a protected category, which you shouldn't be
 17 using as part of you decision-making.
 18 Typically, HR professionals will recommend
 19 a standardized set of questions be asked of all
 20 candidates that avoid those kinds of sensitive
 21 issues where later, just because you asked a
 22 particular question and a candidate doesn't get a
 23 job, then, potentially, they will have grounds to
 24 file some sort of employment law complaint.
 25 But that -- like, there's no legal

84

1 requirement that you have to ask a candidate every
 2 single set of questions as long as you are careful
 3 about which questions you ultimately choose to ask.
 4 CHAIR SCHMITZ: Any other questions?
 5 Director Feore, I would be interested in
 6 you providing us with some standard questions for
 7 us, as trustees, to consider and to evaluate,
 8 because I think you have unique perspective.
 9 If you are willing to do that, it would be
 10 helpful for all of us trustees.
 11 MS. FEORE: Yeah. I actually have a list
 12 in preparation of this conversation. I'd actually
 13 started to -- with our talent acquisition
 14 specialist, there's a list that we started to put
 15 together that you could revise and make your own.
 16 But it keeps you out of the danger zone of
 17 asking a question that could be later determined to
 18 be one of the no-no questions that we talk about in
 19 recruiting.
 20 TRUSTEE TULLOCH: Yeah, I just wanted to
 21 make -- yeah, I think that would be good if we get
 22 an initial list of questions from HR. I can't speak
 23 for the rest of my colleagues on the Board, but I
 24 think we all have our own particular questions we
 25 would like to ask as well. We can aggregate these

85

1 and find out what's there.

2 As we pointed out, it is our only

3 employee, I think it's important that we properly

4 explore the candidates and the trustees are able to

5 ask questions. Last thing we want is to come out of

6 an interview process and say, well, I wasn't allowed

7 to ask this, but it is a relevant question, not

8 contravening any (audio drop).

9 CHAIR SCHMITZ: So, HR Director Feore, do

10 you have clear direction?

11 I have one last question in trying to come

12 up with dates. What would be the impact of

13 potentially even considering a Saturday to conduct

14 interviews?

15 MS. FEORE: I would image to the

16 candidates, that would almost be preferred,

17 especially if any of the candidates are currently

18 working with their current employees.

19 If this is something that the --

20 obviously, Sergio can speak to the legality of it,

21 but it's something that I would certainly make

22 myself available for if requested.

23 CHAIR SCHMITZ: What impact would that

24 have on staff? And would my fellow trustees even be

25 willing to consider something as a Saturday?

87

1 anytime on a Friday, and then the week of the

2 November 4th, I could early if I know in advance so

3 I can move some stuff. I don't have any set

4 meetings other than on the 7th.

5 MS. FEORE: Okay.

6 CHAIR SCHMITZ: Can we all get her the

7 information for the week, I'm looking at the

8 calendar again, starting at, I guess, it's not

9 possible the 28th, 29th, 30th, or 31st, based on

10 what I'm hearing, so potentially the 1st or the 2nd,

11 ideally? And if we have to go into that next week,

12 I guess -- just please give your information of your

13 availability to Director Feore, and we will work it

14 out.

15 Moving on --

16 MR. RUDIN: Actually on that item, are you

17 expecting legal counsel for that, for the

18 interviews? I'm just wondering because sometimes

19 public agencies do not want legal counsel there.

20 CHAIR SCHMITZ: Any strong feelings one

21 way or the another?

22 TRUSTEE DENT: I want to learn more about

23 this.

24 TRUSTEE TONKING: Yeah. Why? What's the

25 difference?

86

1 TRUSTEE NOBLE: If it was Saturday,

2 November 2nd, I would be fine with that.

3 TRUSTEE TONKING: I have a conflict on the

4 2nd, but I think I could move it.

5 TRUSTEE TULLOCH: I have a conflict with

6 the morning of Saturday the 2nd. I think I can

7 clear the afternoon.

8 TRUSTEE DENT: If we have to do it on a

9 Saturday, I could make that work.

10 CHAIR SCHMITZ: I understand. I was

11 hearing all of your schedules, and I thought that

12 might be the only solution. We'll get it figured

13 out, but I will at least include that as one of the

14 options.

15 MS. FEORE: It would be helpful if the

16 trustees could send me their dates of availability

17 over the next, let's say, two to three weeks. Then

18 I can aggregate the information and select a date

19 that seems to be uniformly open.

20 Did -- was the question -- I know the

21 question was asked, I don't know if it was answered,

22 and I know it's going to depend on the date, but is

23 an afternoon meeting a potential or does that depend

24 on the date?

25 TRUSTEE TONKING: I can do afternoon --

88

1 TRUSTEE TULLOCH: It is double time on

2 Saturday?

3 MR. RUDIN: No. But a six-hour meeting

4 where you're asking questions of candidates and

5 there are unlikely to be legal issues to be

6 presented.

7 TRUSTEE TONKING: We don't need you there

8 is what you're saying, you're not worried that we

9 would need you at this meeting?

10 MR. RUDIN: I can make myself available.

11 But, yeah, sometimes public agencies will not have,

12 for example, strategy sessions or things of that

13 nature where they are unlikely to have legal issues

14 come up.

15 I'm happy to attend, but ...

16 MS. FEORE: Sergio, I feel like if I work

17 you on the agenda item to make sure that I have

18 written it so that we are in compliance and we have

19 written it in such a way as to allow that

20 flexibility, I think we'd be okay. Obviously that's

21 the Board's decision.

22 CHAIR SCHMITZ: I think that we would be

23 fine without legal counsel.

24 TRUSTEE TONKING: I agree.

25 CHAIR SCHMITZ: Any objections?

89

1 TRUSTEE NOBLE: No objection.

2 CHAIR SCHMITZ: Okay. That will close out

3 that agenda item. Thank you for your efforts on

4 that. I know you're been working really hard on it.

5 G 2. Contracts and Purchase Reporting

6 Structure

7 CHAIR SCHMITZ: Moving on to agenda G 2,

8 again this is a Director of Human Resources agenda

9 item, and that is regarding the reporting structure

10 for that contract and purchase manager position.

11 MS. FEORE: Trustees, when the contracts

12 and purchasing manager position was first

13 considered, this is going back a few years to a

14 former, former general manager, and at that time it

15 was determined that that position would report to

16 the District general manager, given the number of

17 varying venues and departments that this position

18 would likely be working with.

19 And then when the former general manager

20 Bobby Magee reintroduced the idea, it was

21 recommended at that time that this position report

22 to finance.

23 We've had some concerns about that report.

24 It's not necessarily wrong, but we have had some

25 concerns about this position reporting directly to

90

1 finance instead of the general manager. Again,

2 basically because of the type of work that they are

3 going to be doing, there's going to be a lot of

4 interfacing with legal, going to -- our general

5 manager is going to need to be apprised of the

6 status of each of these contracts.

7 After talking with our current finance

8 staff and our interim General Manager Crocker, we

9 wanted to move forward in recommending that this

10 position go back to reporting to the general

11 manager.

12 And I know with the recent changing on

13 1911, I just wanted to make sure that I was

14 compliant in speaking with the Board first before

15 that change was made.

16 CHAIR SCHMITZ: Any questions or comments?

17 TRUSTEE NOBLE: I'm fine with the

18 recommended change to the reporting structure.

19 TRUSTEE TULLOCH: Absolutely. I would

20 totally agree with this. Having previously run a

21 supply change procurement department, it's important

22 that this is a direct reporting role.

23 TRUSTEE TONKING: I make a motion that we

24 go with staff recommendation on this item, as

25 written in the memo.

91

1 CHAIR SCHMITZ: Motion's been made, is

2 there a second?

3 TRUSTEE NOBLE: Second.

4 CHAIR SCHMITZ: All those in favor?

5 TRUSTEE TONKING: Aye.

6 TRUSTEE TULLOCH: Aye.

7 TRUSTEE NOBLE: Aye.

8 TRUSTEE DENT: Aye.

9 CHAIR SCHMITZ: Aye.

10 Motion passes 5/0. Thank you very much.

11 Then moving on to agenda item G 3.

12 G 3. Contracts and Purchasing Manager Job

13 Description

14 CHAIR SCHMITZ: This is the job

15 description. And in here is the, I believe, the

16 original, then redlines versions, and then a clean

17 copy to make it actually legible.

18 So I'm going to hand this over again to

19 Director of HR Feore.

20 MS. FEORE: As discussed and in compliance

21 with the changes recently to Resolution 1911, Policy

22 and Procedure 144, as it's noted that any newly

23 created position reporting directly to the general

24 manager will first need to be created by the Board

25 of Trustees with approval of the job description.

92

1 Although this isn't a newly created

2 position, this is a newly reporting to the general

3 manager position, and so to cover all bases and to

4 make sure I'm fully compliant with the resolution, I

5 wanted to speak with you about the job description.

6 We began revising the job description, and

7 I had received some feedback from Trustee Tulloch

8 and Chair Schmitz regarding some recommended

9 language changes to the job description, reviewed

10 these recommended changes to the job description,

11 and also received another recommendation from

12 interim General Manger Crocker. We're putting this

13 forward for consideration.

14 As a reminder, job descriptions are very

15 fluid and may even change as the new candidate --

16 when we find that new candidate -- when they come in

17 working in this role.

18 This is something for the Board to

19 consider, and we'll move forward as the Board

20 directs.

21 CHAIR SCHMITZ: Questions or comments?

22 TRUSTEE TULLOCH: Just to add some context

23 to my changes and suggested modifications.

24 I think part of the problem with the

25 original job description, it seemed more like an

93

1 administrative position. As most of you are aware,
 2 I've been pushing for this position for at least
 3 three years now. I think it's an extremely
 4 important position for the District.
 5 It's important that the individual that we
 6 have here is not just an administrative person; this
 7 person has got to be able to be a heavyweight
 8 negotiator in contracts and contracts person, and be
 9 able to drive good deals so we do actually deliver
 10 the best value for the District.
 11 It's a fairly -- it's not -- this isn't
 12 just a buyer and order taker role; this is a serious
 13 negotiator that can actually drive the procurement
 14 process, make sure we're actually applying best,
 15 leading procurement processes across the District,
 16 and making sure that every venue, every department
 17 is actually complying with it and actually using
 18 this person to actually deliver best value.
 19 CHAIR SCHMITZ: Any questions, comments?
 20 I have a question for you, Director Feore.
 21 Are you and interim General Manager Crocker
 22 comfortable and confident that this describes what
 23 you're looking for to serve the District as far as
 24 the responsibilities as well as the qualifications?
 25 Do you feel that this is a descriptive, usable tool

95

1 the ground, the person behind the computer doing
 2 that data entry and doing the administrative work so
 3 that this person can build those relationships with
 4 vendors and do the higher-level work that is needed
 5 for this position.
 6 So, yes, both interim General Manager
 7 Crocker and I are very comfortable with this job
 8 description. Again, it may change in the future as
 9 this person comes in and we're finding that they're
 10 specifically working on other things that may not be
 11 noted in this job description.
 12 CHAIR SCHMITZ: Is there any other --
 13 Trustee Tonking, did you want to chime in?
 14 TRUSTEE TONKING: I was going to make a
 15 motion if no one had any other questions.
 16 CHAIR SCHMITZ: Yep. Thank you.
 17 TRUSTEE TULLOCH: Can I just throw one
 18 other thought into the process? Yeah, I support --
 19 I support the motion Trustee Tonking is going to
 20 make, I think she's going to make.
 21 But just given our lack of success
 22 previously in finding people, if we do struggle,
 23 Director Feore, would it be potentially possible to
 24 make this a contract position, engage a freelancer
 25 on a contract basis, maybe even on a basis of

94

1 to help bring in the candidate that you and interim
 2 General Manager are looking for?
 3 MS. FEORE: I do.
 4 We had originally had, when the position
 5 was reporting directly to the director of finance and
 6 with the original job description, we found that the
 7 candidates that had applied were very close, but
 8 just missing something. I think a lot of that was
 9 related to their overall experience in owning the
 10 contracts, specifically the contracts part, but also
 11 a little on the procurement side.
 12 Much like we found with the director of
 13 golf position in which we were attempting to fill
 14 that position, we were getting folks that were
 15 close, but not quite what it was that we were
 16 looking for based on the expectations of the
 17 position. I think it made sense to kind of revamp
 18 this a little bit.
 19 The other thing, too, is we have moved
 20 another position that will be working directly with
 21 this person. Formerly the Public Works contract
 22 administrator position is now going to be the
 23 contracts -- we're taking out the Public Works side
 24 of it, and this person is going to be the contracts
 25 administrator. And that person will be the boots on

96

1 sharing savings negotiated things? Just a thought
 2 to put out there.
 3 I agree we should put forward the position
 4 as it is at the moment. But if we see a lack of
 5 response, that may be something else to consider
 6 going forward.
 7 MS. FEORE: Yeah, we can work certainly --
 8 if we find a lack of response or we're struggling to
 9 get the position filled, certainly a conversation
 10 that I can have with General Manager Crocker.
 11 TRUSTEE TONKING: I move that the Board
 12 approve to final draft of the contracts and
 13 purchasing manager job description.
 14 TRUSTEE NOBLE: Second.
 15 CHAIR SCHMITZ: A motion's been made and
 16 seconded. All those in favor?
 17 TRUSTEE TONKING: Aye.
 18 TRUSTEE TULLOCH: Aye.
 19 TRUSTEE NOBLE: Aye.
 20 TRUSTEE DENT: Aye.
 21 CHAIR SCHMITZ: Aye.
 22 The motion passes five to zero.
 23 Moving on to agenda item G 4.
 24 G 4. Tyler Systems
 25 CHAIR SCHMITZ: Mr. Gove, would you like

97

1 to cover this agenda item and help the Board make a
2 decision on this?

3 MR. GOVE: Absolutely. This item is on
4 pages 444 to 451 in your packet.

5 I was approached by Treasurer Tulloch at
6 the bequest of some of the finance staff to assist
7 in getting some services through Tyler Systems to
8 improve the ERP system that we have.

9 I'll start off by saying that I was
10 working with the finance department, sitting down
11 and coming up with a shortlist of needs that they
12 have with the Tyler financial system. In taking the
13 opportunity to bring this in front of you, I also
14 pulled a few things out that I felt other
15 departments, including HR, could benefit from.

16 And so I'd like to draw your attention to
17 page 446 of your packet, which starts off with the
18 quote of services. If you'll allow me, I'll run
19 through each one of the services. There is a table
20 in the back of the item there on page 451 that will
21 go through similar topics that I'm going to go
22 through.

23 Starting out, the first few things that
24 you'll see there, these are the things I requested,
25 which I did want to draw your attention to first.

99

1 City, that use the built-in Tyler finance portal.
2 You can find those by going to Google and typing in
3 Tyler open finance showcase, and actually the full
4 list of cities that interact using that portal are
5 listed there.

6 Moving down through the quote and the
7 interaction here, the next item there -- it would be
8 the first item there, the payroll with employee
9 access migration. What this actually is is the
10 employee self-service portal which is built into
11 Tyler which allows employees to log in through the
12 web and check their pay stubs and W2s, which is a
13 critical function for our payroll techs and payroll
14 staff. This allows staff to self-serve themselves
15 and get the information they need without having to
16 call in and get someone to send their information.

17 In addition to that, it's also the public
18 facing portal that allows new and even current
19 employees to apply to district positions.

20 You'll notice there in red, there's
21 actually a discount of the cost of that employee
22 access migration. This was something that was
23 discovered that we actually should have gotten
24 initially through our implementation. In my talks
25 with Tyler, our account manager let me know that we

98

1 The largest one of those to which has a lot of
2 community oversight there is the open finance item.
3 What this is is actually Tyler's built-in financial
4 transparency portal. Their portal integrates
5 directly with the Tyler financial system.

6 Currently, we use OpenGov and have used
7 OpenGov few all of my ten years. For the past
8 six years and, I believe, the five prior to that, I
9 think we're going on ten years with OpenGov, we're
10 at the point where the OpenGov portal and the
11 interaction that it has with Tyler, it's really not
12 an elegant interaction. There's -- much as it's
13 integrated, it's a manual integration, and as you
14 know, we get a lot of community feedback about how
15 the OpenGov portal is often outdated or does not
16 have the up-to-date date.

17 What I did through this interaction is I
18 requested that Tyler quote us out their built-in
19 portal called "Open Finance." I wanted to bring
20 attention to that first because I do know that that
21 has a lot of public interaction there.

22 If those members of the public would like
23 to take a look at the Tyler portal, there's several
24 cities -- sorry -- two cities within Nevada, the
25 city of Boulder, and the city of Carson, Carson

100

1 should have gotten that as it was included, but the
2 timing of when began our project was after when they
3 put this portal live. That's why it's discounted
4 out, the full value of it, and you'll notice that
5 later on in the quote. It discounts it out on a
6 yearly assessment.

7 Those are two things that I wanted to draw
8 your attention to first, because those are the two
9 things that I sort of took the liberty to add onto
10 what the finance department was asking for in
11 assistance.

12 Does anybody have any questions on those
13 before I jump down into the next section?

14 TRUSTEE TONKING: I can also wait until
15 the end. I have one thing on the integration and
16 then I had an overarching question on this.

17 If you want to keep going --

18 MR. GOVE: Understood. I'll keep going.

19 CHAIR SCHMITZ: May I ask a question real
20 quick?

21 MR. GOVE: Sure.

22 CHAIR SCHMITZ: Because I -- the minute
23 you started talking about this employee access
24 migration, I remember that being a feature that our
25 former HR director had talked about.

101

1 Did we review everything that we had
 2 purchased to confirm that we've actually received
 3 everything? Because this was one that was obviously
 4 missed. Have we gone back to review and make sure
 5 that we've gotten all the modules that we actually
 6 paid for and signed up for?

7 MR. GOVE: Yes. We've actually cut back
 8 on the modules that were initially scoped.
 9 We have received this website, it
 10 currently works, and we use it. This is an upgrade
 11 to the website to bring it up to date with the
 12 latest in what Tyler offers.

13 Moving on, there is an install fee. I'll
 14 move down to the professional services, which are
 15 the one-time fees. There is an install fee
 16 associated with the Open Finance portal.

17 And then further on, there's -- it's a
 18 really interesting title that they threw in here
 19 called "on site implementation," that is the
 20 implementation and the staff training on the Open
 21 Finance portal.

22 Those are one-time charges associated with
 23 the Open Finance portal. You'll notice the costs
 24 there. The annual recurring cost of the Open
 25 Finance portal is \$12,000. The renewal for OpenGov

102

1 that I received last year was in the nature of
 2 \$26,000, so this is actually a cost savings for the
 3 District as well.

4 Moving down to the other items which
 5 address that finance team's request for assistance.
 6 In meeting with Tyler, I actually had the
 7 opportunity to go to an in-person Tyler conference.
 8 Full disclosure, it was the first time I had the
 9 opportunity to speak to a Tyler employee face to
 10 face since they initially pitched the software
 11 three and a half years ago.

12 Sitting down with them, my number one
 13 request or concern with them was how we, as an
 14 organization, can fill attrition gaps within staff.

15 At the time, we were struggling with -- I
 16 don't want to say struggling, but we had gone
 17 through a few controllers, and the process of
 18 closing out months in the financial system and
 19 even at year end had been lost as those folks had
 20 left the District. And we were, as IT staff, trying
 21 to step in and, first, understand what that process
 22 looks like, but also assist them through that.

23 And so we really got the idea of these
 24 investment assessments through other customers and
 25 clients that were at the conference. This was

103

1 something that other clients and customers told my
 2 colleagues and I were extremely and powerful
 3 valuable to their teams. Having the Tyler staff
 4 that are sort of on the day-to-day use of the system
 5 versus the implementation staff, come and sit on
 6 site and actually with them through their daily
 7 workflows and how they're using the system. What
 8 that did was gave their executive management teams
 9 the opportunity to sit down and get a report from
 10 Tyler that outlines any areas of efficiencies or
 11 deficiencies with their usage of the ERP.

12 The ERP that we utilize is used by over
 13 2,600 cities throughout the United States. It's
 14 extremely and almost infinitively configurable for
 15 the processes of individual businesses. That's why
 16 I decided to start with these investment
 17 assessments. There's one for payroll and HR, as
 18 well as financials.

19 We requested three days of on-site support
 20 for those. And then there will be a write-up data
 21 date that staff will do remotely. That's the two
 22 24-hour sessions and then the two eight-hour
 23 sessions that are on that sheet.

24 Moving down through the phase two, these
 25 are items that, through my meetings with finance

104

1 team, were identified. What I basically did was sat
 2 down with the original scope of work and laid out
 3 the modules that we paid for and asked their
 4 comfortability or understanding of the modules.

5 Anywhere where they were a seven or above,
 6 we decided not to address that through this.
 7 Anything three or under was addressed through this
 8 project and requested through my contact at Tyler.
 9 That's why you see these items, the capital
 10 assessments implementation, the capital budgets
 11 training, the cash management implementation, the
 12 inventory implementation, as well as the invoice
 13 entry and two at the bottom there, the recruiting
 14 and onboarding.

15 I will just add, the invoice entry
 16 improvement and training and the recruiting
 17 onboarding will be our first priorities through
 18 this. It was really hard for me to get the quote in
 19 anything other than alphabetical order, which is how
 20 it's laid out here. But those two items will
 21 address the immediate request of the finance team in
 22 assisting them with their manual entry processes
 23 that they work through.

24 That's where we plan to focus first, as
 25 well as with the HR department in their recruiting

105

1 and onboarding which I'll go into in a minute.
2 Any questions about the finance items that
3 are listed again? There is a little bit more detail
4 provided on the table on the next page, the
5 following page.
6 CHAIR SCHMITZ: Trustee Tonking, did you
7 want to go ahead with your questions?
8 TRUSTEE TONKING: My question is
9 overarching with the whole contract. So if we're
10 done with the --
11 MR. GOVE: I would just like to add in
12 real quick. The recruiting and onboarding piece
13 that's here, that is to implement the applicant
14 tracking system which I spoke to earlier in the
15 website in the employee self-service so that
16 applicants to the District can put their
17 applications in digitally, and not have to have an
18 HR person manually entering their information into
19 our systems.
20 I didn't have much more to speak to. The
21 only other thing I would like to you know is the
22 fact that we did choose for all of this to be
23 on-site support. We felt like we could get
24 leverage, the Tyler support staff being in person,
25 much more than then experiences that we've had

107

1 refunded back and -- not refunded -- but they get
2 left in the balance of the contract through the
3 engagement. At that time, anything that we did
4 feel -- or excuse me -- anything that does come as a
5 deficiency through the investment assessment can be
6 addressed through those hours.
7 So I do feel like we really wanted to get
8 ourselves everything that we needed with this, so I
9 have a ton of confidence in what it was. I didn't
10 discourage anybody from bringing forth any kind of
11 feedback on the system. We really opened up the
12 doors to say let's get it fixed, let's get it done,
13 and let's kind of move on, so to speak.
14 TRUSTEE TONKING: That's really helpful.
15 And that's good to know that if some other things
16 come up as you're moving through this, there could
17 be potential to have things available.
18 MR. GOVE: I'm not opposed to coming back
19 in the future and requesting additional dollars, if
20 need be. This system is extremely widespread
21 throughout to use of the District.
22 TRUSTEE TONKING: Thank you so much.
23 CHAIR SCHMITZ: Any other questions for
24 Director Gove?
25 TRUSTEE TULLOCH: Work (audio drop) person

106

1 through previous remote support.
2 Happy to take your questions. Thank you.
3 CHAIR SCHMITZ: Thank for doing this and
4 putting this together.
5 TRUSTEE TONKING: I have a couple
6 questions and a statement.
7 First off, I'm glad that we are using --
8 asking about the Tyler public interface. I don't
9 really like the back end of Tyler technologies, but
10 they do have a really good, easy-to-use interface,
11 so I don't think it's a helpful lense.
12 When looking at all of this list, which I
13 think it a great comprehensive list, are there --
14 like, you took things where people were the least
15 comfortable, are there anything that you were
16 nervous that maybe we should add or think about
17 adding? And I will bring those up if we them.
18 MR. GOVE: I'm glad you asked that. Thank
19 you.
20 Another point I planned on making -- next
21 time I'm going to make notes for the things I want
22 to bring forth. The other thing I'd like to state
23 is that anywhere throughout the contract -- or
24 sorry -- anywhere throughout the engagement that we
25 save on time and hours, those hours actually get

108

1 that brought it forward. After speaking with
2 finance, I think all this work is important, that we
3 actually finally get the system working in a fashion
4 more similar to proper ERP. I think myself, along
5 with other board members have commented in the past
6 how previous boards just shortchanged it and we
7 didn't put the proper resources in.
8 You're confident this will resolve the
9 issues we've had and this meets the requirements of
10 finance?
11 MR. GOVE: I have the confidence that have
12 been relayed through the finance staff. Yes.
13 As I've said earlier, I have not paused
14 anyone in requesting for assistance. We took all
15 requests and did our best to put them into this
16 agreement so that kind of put this topic to bed, so
17 to speak.
18 TRUSTEE TULLOCH: Yeah. Thank you.
19 I think that's important we do a proper
20 job this time. We don't try to (audio drop)
21 something that we still know (audio drop). I
22 appreciate that.
23 This has my support.
24 TRUSTEE DENT: No questions.
25 Director Gove, thank you. This has

109

1 been -- this has been requested several times that
 2 we get this system moving. And, you know, several
 3 times, myself, Trustee Schmitz reached out to former
 4 directors of finance and asking, What can we do? Do
 5 you need more resources? And we were told no, right
 6 around the corner, it's going to happen.

7 I appreciate you running with this and
 8 being a leader on this issue and helping us solve
 9 the problem and take a huge step forward. It will
 10 be nice for a future boards to actually have reports
 11 that are readily available, staff to have
 12 information at their fingertips, and for the boards
 13 to actually understand where we are at financially.
 14 It's been a long time, a huge struggle.

15 Thank you for all your efforts on this.
 16 All I got.

17 CHAIR SCHMITZ: Thank you, Trustee Dent.
 18 I, too, thank you for taking a leadership
 19 role on this. This needs to be done. This -- you
 20 have my full support.

21 My question is going to be do we have to
 22 try to find the funds to cover the costs of this
 23 project, or was it something that was actually
 24 covered in our budget?

25 MR. GOVE: I will state, immediately

110

1 working with the finance department, that was the
 2 first question I had, where are we going to find the
 3 funds to cover this. I know that there's a very
 4 short response in the financial section of the memo.
 5 I was out sick last week and starting to feel better
 6 now.

7 Sue, do you want to come up?
 8 MS. GRIFFITH: Yes, we definitely have
 9 identified some funds. There's some consultant work
 10 that was put in the general fund budget for fiscal
 11 '26 that we are going to use for this important work
 12 instead.

13 And analysis of the general fund, we have
 14 overbudgeted for a couple of items that will provide
 15 the funds that we need for this. I just haven't
 16 been able to meet with GM Crocker yet to have her
 17 review and authorize to budget adjustments within
 18 the general fund to move those moneys around.

19 CHAIR SCHMITZ: Okay. Thank you for that.
 20 I just have a question and it may be for
 21 you. I just want to make sure that we are doing all
 22 that we can to help staff come up to speed and have
 23 the tools that they need with this Tyler system.

24 And, Mike, you said that you asked people
 25 what was below a three and was above a seven, but

111

1 I'm curious, there's things between three and seven,
 2 and do we have everything covered or are there still
 3 some things where somebody's sitting at a four or a
 4 six that should be included in this list?

5 MR. GOVE: Yeah. Full disclosure on that,
 6 that's the intention of the investment assessments.
 7 I would have to have a doctorate level of
 8 knowledge in Tyler to cover all of the modules that
 9 they have. I think any one person doing that and
 10 asking those questions like that, what I'm trying to
 11 say is the system is so complex, it's a multitude of
 12 folks that need to be involved, and that's what the
 13 investment assessments will bring forth is people
 14 that are at a five, are they actually at a ten and
 15 just don't have the confidence in the system to
 16 believe they're at a ten? Or are they truly at a
 17 two and we're utilizing the system?

18 I think the title on those items being
 19 "investment assessments," really gleans out the
 20 point in what they are trying to get to.

21 CHAIR SCHMITZ: If, perhaps, Tyler thinks
 22 that we need something more, that will be something
 23 that will come out of those assessments; is that
 24 correct?

25 MR. GOVE: Yes, absolutely. Yeah.

112

1 And to be really clear, there's kind of a
 2 lot of light shone on Tyler right now in the
 3 deficiencies. The District is using it and it does
 4 work well for what we're using it for.

5 We don't know what we don't know with that
 6 system. It is very, very complex and very powerful.
 7 I am really looking forward to being able to take
 8 full advantage of the technology that's there that
 9 the District invested in.

10 CHAIR SCHMITZ: Okay.
 11 And I wanted to share with the Board,
 12 Director Gove and I had a conversation this
 13 afternoon and I want to give the Board a heads-up
 14 that Director Gove is also working with RTP, which
 15 is the point of sale systems that are used, I
 16 believe, at ski and golf and our food and beverage.
 17 And he's in the process of getting an estimate which
 18 he anticipates being less than \$10,000 that would be
 19 conversion software going from RPT into Tyler so
 20 that our venue managers and the finance department
 21 can be relieved of doing their manual work that
 22 they've been doing to date.

23 Hopefully I summarized that correctly.
 24 But I just wanted to let the Board know that we do
 25 have another piece of this equation that still is

113

1 being worked on to try to help finance and the venue
 2 managers.
 3 MR. GOVE: Yeah. I don't know how much
 4 more detail I can go into that without talking off
 5 the topic of the agenda there. We are in the works
 6 of trying to resolve. That is specifically to the
 7 integration between the point of sale systems and
 8 Tyler, the uploads that some come out of the point
 9 of sale that go into the financial systems.
 10 CHAIR SCHMITZ: I wanted to mention it
 11 because I think it will be a huge benefit for staff,
 12 and I think that would be the next piece to try to
 13 tackle.
 14 Any other questions or comments?
 15 Seeing none, does anyone care to make a
 16 motion?
 17 TRUSTEE TONKING: I move we approve the
 18 Tyler contract as written.
 19 TRUSTEE NOBLE: Second.
 20 CHAIR SCHMITZ: All those in favor?
 21 TRUSTEE TONKING: Aye.
 22 TRUSTEE TULLOCH: Aye.
 23 TRUSTEE NOBLE: Aye.
 24 TRUSTEE DENT: Aye.
 25 CHAIR SCHMITZ: Aye.

114

1 I have a request for a five-minute break.
 2 Can we come back at a 8:45? We will come back at
 3 8:45. Thank you.
 4 (Recess from 8:40 p.m. to 8:55 p.m.)
 5 CHAIR SCHMITZ: Like to call the meeting
 6 back to order. Do we have Trustee Tulloch? Well,
 7 we have a quorum of the Board, so we will continue
 8 to move forward with G 5.
 9 G 5. Food and Beverage Blanket Purchase Orders
 10 CHAIR SCHMITZ: Diamond Peak Ski Resort
 11 General Manager to review purchase orders for food
 12 and beverage.
 13 MR. BANDELIN: This particular staff
 14 report in front of you tonight begins on page 452 of
 15 your packet. The staff recommendation includes a
 16 motion from the Board of Trustees to approve
 17 three blanket purchase orders where the amounts
 18 exceed the District General Manger's spending
 19 authority for Policy 3.1.0. The report includes a
 20 narrative of District policies and procedures,
 21 including NRS 332.115 related to this
 22 recommendation. And staff will note that this
 23 recommendation includes board approval for blanket
 24 purchase orders over to general manager's spending
 25 authority that have been a district best practice in

115

1 the past.
 2 The Board would normally see these types
 3 of reports from staff during like a June or end of
 4 June board meeting after the approved budget the
 5 prior fiscal year begins. Our last report that came
 6 when it was approved by the Board was on June 28th,
 7 2023, included a narrative more with the a larger
 8 scope and subject that included chemicals and fuel
 9 and blanket purchase order for costs of goods sold
 10 from -- for food to the venues. And also a list of
 11 the general manager's spending authority on other
 12 amounts.
 13 This particular staff report just focuses
 14 on items with approval amounts that exceed the
 15 general manager authority. And we have quite a list
 16 of attachments with this particular memo. We have
 17 the purchase order agreements for each one of the
 18 three items that we're seeking a motion for approval
 19 tonight and the pricing list. We've also included
 20 the relevant policy and the NRSs related to this
 21 particular staff report.
 22 We've also listed in the Attachment A, all
 23 of vendors that we would normally through best
 24 practices make purchase order, blanket purchase
 25 orders for, so we listed those so you can see.

116

1 We've listed the proposed amounts.
 2 And we have also included in the table in
 3 Attachment A the fiscal year '25 food budget and the
 4 beverage amount that's in your approved fiscal year
 5 '25 budget. And on to the right of that table, we
 6 list the requested amounts.
 7 Hopefully the staff report is clear. And
 8 I would say happy to answer any questions or if
 9 there's any questions -- I know counsel helped me
 10 kind of draft this to make sure we followed -- had a
 11 good subject item, so happy to answer any questions.
 12 CHAIR SCHMITZ: Thank you for putting this
 13 together.
 14 This is being done differently than
 15 in years past, as I understand it, and this is being
 16 done differently at the request and the suggestion
 17 of legal counsel; is that correct?
 18 MR. BANDELIN: That is correct. That's
 19 what I just tried to elude to in some of the
 20 statements, that this is specifically -- the subject
 21 includes the amounts and the vendors that we're
 22 seeking -- the motion relays to.
 23 And the one I spoke to on June 28, 2023,
 24 was more relevant to an attachment, so we tried to
 25 come forth with a very clean and concise subject and

117

1 recommendation for the Board.

2 CHAIR SCHMITZ: Thank you.

3 Sergio, does this approach meet the legal

4 constraints that you were looking for?

5 MR. RUDIN: Yeah, I think it does. What

6 Mike was discussing was our agenda item is more

7 descriptive as is our agenda title, and that's the

8 requirement under the OML.

9 Then, additionally, we now have the actual

10 blanket purchase order documents that are being

11 presented to the Board for review and approval, and

12 that's in accordance with the requirements under

13 District policy, the Board actually approve all

14 contracts that are above \$100,000, rather than just

15 generally provide some delegated authority.

16 CHAIR SCHMITZ: And it also has pricing

17 sheets, which I'm not sure we've had those in the

18 past.

19 MR. RUDIN: One of my recommendations to

20 staff was, in terms of having these blanket purchase

21 orders, that are -- purchase orders, which are

22 legally no different than contracts, include a

23 method by which the District will know how much it's

24 going to be charged for goods and services under the

25 purchase orders. That's just a best practice.

118

1 We're not just signing an agreement saying we're

2 going to pay whatever you'd like to charge us as

3 long as you provide us with food, which,

4 technically, would be a legal contract.

5 But this actually provides additional

6 protections to the District since it gets -- gives

7 an opportunity for the District to, one, negotiate

8 prices up front, and, two, have fixed prices for the

9 full fiscal year so you know the contract is not

10 going to violate NRS 354.66.

11 CHAIR SCHMITZ: Thank you for that

12 clarification.

13 Are there any questions for either legal

14 counsel or Mr. Bandelin?

15 Hearing and seeing none, would anyone care

16 to make a motion?

17 TRUSTEE TONKING: I move the Board approve

18 this item as written.

19 TRUSTEE NOBLE: Second.

20 CHAIR SCHMITZ: All those favor in?

21 TRUSTEE TONKING: Aye.

22 TRUSTEE TULLOCH: Aye.

23 TRUSTEE NOBLE: Aye.

24 TRUSTEE DENT: Aye.

25 CHAIR SCHMITZ: Aye.

119

1 Motion passes five to zero thank you.

2 Moving on to agenda item G 6.

3 G 6. Discounted use of Venues

4 CHAIR SCHMITZ: Formerly G 7, this is the

5 report on discounted use of the venues.

6 And I just wanted to share with you that I

7 don't think that we're trying to start charging

8 people for rooms. This report was to just show the

9 Board the organizations who are making use of

10 various venues, and right now, it's just primarily

11 The Chateau, but my feeling is that it should be all

12 of our venues, and to identify and to look at what

13 it is we're charging them for catering and are we

14 charging them with the same consistency.

15 From my perspective, I'd like to see this

16 report show the catering services because

17 that's what -- that's why we don't have room

18 charges, I believe, for many of the nonprofits is

19 because we have catering services of a certain

20 dollar amount.

21 So my suggestion is that staff make this

22 report more comprehensive so that the Board is

23 understanding and not have people misunderstanding

24 that our goal is just to start charging people for

25 the room, because I don't believe that's the Board's

120

1 intentions.

2 TRUSTEE TONKING: I was going to say also

3 to have staff do some analysis on what other places

4 are offering and how they think food and beverage

5 minimums, because a lot of these -- it's not hard

6 compared to other places to get in your car and

7 drive somewhere else.

8 And so just doing some lense of what does

9 it look like in the marketplace, and then also some

10 analysis on what happens if people go elsewhere,

11 just trying to understand what that looks like for

12 us.

13 CHAIR SCHMITZ: Yeah. Thank you.

14 Any other suggestions or things you would

15 have expected to be in this particular report?

16 TRUSTEE TULLOCH: Couple of comments.

17 This explains a lot because I remember when we were

18 looking through the budget, I was looking at the

19 revenues for facilities. And then when I did some

20 deeper diving and looked at what the actual net

21 revenues were, they were about 25 percent less than

22 the revenues been claimed. So that kind of shows

23 that it's -- we're using -- we're discounting these

24 but we're counting the full revenue prior to

25 discount and justifying it in the costs. We've got

121

1 to start looking more realistically what the real
 2 costs are. We've already seen that we're losing
 3 money on a lot of the facilities.
 4 I think this is maybe part of it, that
 5 we're overstating (audio drop) revenues when making
 6 up the budget. This certainly explains quite a lot.
 7 With regard to costs for renting venues,
 8 some of it depends if we've actually staffed the
 9 venue, the time that the venue is actually opened,
 10 or if we're incurring additional costs. There's two
 11 different situations.
 12 If we're having to open up our venue
 13 specially, yes, there's quite a bit of added costs.
 14 If it's something like a venue that's already
 15 opened, the additional cost is obviously less. I
 16 think we need to look at what all these situations
 17 are. It's kind of hard to just put a blanket on it.
 18 CHAIR SCHMITZ: Yeah. And I understand
 19 your point.
 20 And I think that I'd like to see this
 21 report but with the catering that goes along with
 22 it, because I don't know why -- I know that the golf
 23 courses and the golf groups, this is discounted to
 24 nothing because, I believe, that they have catering
 25 services.

123

1 CHAIR SCHMITZ: Well, this is one of the
 2 things that I would like to see in our pricing
 3 practice, is for food and beverage, what is the
 4 expected margin for external groups versus
 5 nonprofits and that is sort of thing so that we can
 6 understand why our revenues look the way that they
 7 do.
 8 If we know that we are doing a lot of
 9 venues or a lot of catering and things for our local
 10 nonprofits, well, we're making a conscious decision
 11 to offer them a significant discount compared to
 12 what we offered to external entities.
 13 TRUSTEE TULLOCH: Agreed. I think we need
 14 to understand what the picture is.
 15 The other question I had, I've seen
 16 several of these venues that, it's discounted for
 17 community benefit, but there's no description of
 18 what the community benefit is. It looks a bit like
 19 the -- not picking on any particular one, but I see
 20 a couple for Sotheby's realtors or something, and
 21 it's discounted for community benefit. Obviously
 22 these things, we should understand what the
 23 community benefit that has actually been offered or
 24 make sure we do have some understanding of what the
 25 terms are for that.

122

1 So then I look at other ones, like the
 2 Incliners, well, why isn't their room discounted to
 3 zero as well?
 4 And I think the intent is to just have
 5 transparency and consistency. And when we have
 6 catering, the same thing is true, we should only be
 7 up-charging catering at whatever we feel is needed
 8 for our nonprofits, and it should be consistent.
 9 I think we have to have the full picture
 10 to understand what's really going on here.
 11 TRUSTEE TULLOCH: Yeah. I think I would
 12 add to that. I think we need to understand what
 13 margins -- it's all very relative, yes, we make it
 14 up in the catering, but unless we have some set
 15 margins or set minimum margins to make sure that we
 16 are, we could end up (audio drop) business for the
 17 sake of it. Revenues like that doesn't help anyone.
 18 It doesn't help the groups, it doesn't help the
 19 District.
 20 You know, we need to be realistic about
 21 it. If we're actually giving people credits for
 22 food and beverage, we need to make sure they are
 23 sufficient to cover the venue, that we're actually
 24 covering the venue costs and things, not just giving
 25 away food and beverage as well.

124

1 CHAIR SCHMITZ: I agree.
 2 I think we also need to clarify
 3 501(c)3s versus a 501(c)7, we have some policies
 4 that require 501(c)3, and I know that others don't,
 5 so we don't have consistency.
 6 And I think, really, the interim General
 7 Manager is just trying to provide this so that we
 8 can see the information. What she says is her goal
 9 is to have consistency, which I agree with, but I
 10 think we need more information in this report to
 11 help us to understand how that is all being actually
 12 executed.
 13 TRUSTEE NOBLE: I agree that that
 14 additional information would be helpful in having a
 15 holistic view of what's going on with these
 16 nonprofits.
 17 I don't think there was any
 18 misunderstanding of the public about what this
 19 actual memo was doing because the recommendation was
 20 to start charging everybody the nonprofit rate.
 21 There was no misunderstanding there. Everybody was
 22 going to be charged.
 23 I think it's a good idea to take a step
 24 back, take a holistic view of what's going on here
 25 before we make any drastic changes.

125

1 CHAIR SCHMITZ: Understood.

2 TRUSTEE DENT: I don't have anything

3 further to add. I think everyone's touched on the

4 uncertainty with this. We need a little more time.

5 I think the idea is to just make sure that

6 it's being done fairly across the board.

7 TRUSTEE TULLOCH: I would agree. We need

8 to be transparent about it, and we need to be

9 demonstrating that we're fair and not just giving

10 special pricing to preferred supporters or anything

11 like that. We need to make sure it's transparent

12 that we're complying with policy on it, and so

13 people understand what it is.

14 I think to Trustee Noble's point, this

15 wasn't a board recommendation; this was a

16 recommendation from the General Manager, just to be

17 clear.

18 CHAIR SCHMITZ: Any other discussion on

19 this topic?

20 Seeing none, I will work with interim

21 General Manager to bring this back with the

22 additional information, and we can tackle that

23 later.

24 Moving on, then, to the long range

25 calendar.

126

1 I. LONG RANGE CALENDAR

2 CHAIR SCHMITZ: Are there any -- I sent

3 all of you a note about the things on the parking

4 lot and to review it. If any of you have things

5 that you want to have removed, you can either let me

6 know right now or just send me an email, and I'll

7 make sure the calendar gets updated accordingly.

8 Then moving on to trustee updates.

9 J. BOARD OF TRUSTEE UPDATES

10 CHAIR SCHMITZ: Are there any trustee

11 updates?

12 TRUSTEE TULLOCH: I can give an update.

13 I attended the TRPA Best in Tahoe award

14 for the Public Works department received an award

15 for the work on the effluent pipeline.

16 Thank you to the Public Works. It was

17 quite a few of the team appeared there.

18 Congratulations to them.

19 CHAIR SCHMITZ: Thank you for sharing

20 that.

21 Anything else?

22 Hearing none, seeing none, we will move on

23 to final public comment.

24 K. FINAL PUBLIC COMMENTS

25 MR. HOMAN: Thanks.

127

1 So I expect you're all shocked and

2 concerned about the bombshell that exploded tonight.

3 With no apparent justifiable reason, Sara requested

4 the GM publish the list of parcel owners delinquent

5 in payment. It looks like that's clearly to

6 discredit any trustee candidate.

7 The curtain has now been pulled down, Sara

8 does micromanage and she does direct staff on

9 important issues without other board members.

10 Both actions clearly demonstrate she

11 doesn't follow her own rhetoric, and both violate

12 District policies, obviously cast doubts on repeated

13 denials about her past behavior. But it's much

14 worse than that.

15 This happened at the same time the

16 narrative is floated by her supporters attempting to

17 discredit candidate Jezyski. To me, that looks like

18 it could be election interference.

19 And I want to know what legal and the

20 Board are going to do about this? Again, this

21 appears to be a clear violation of not only District

22 policy, but I also wonder whether it may violate

23 election-related laws.

24 More disturbing is that this being done

25 from the Board chair seat, and it dragged 484

128

1 residents through the mud.

2 So I guess I just wonder if legal and the

3 other trustees need to do a legal non-legal meeting

4 to consider a formal investigation of this and past

5 potential violations. Do we need to consider if the

6 Secretary of State needs to be involved?

7 This is serious, and we can't just walk

8 past it.

9 And just as an aside, she's also tried to

10 insert herself directly in the election in another

11 manner. She's asked all candidates to provide

12 directly to her their answer to all questions that

13 didn't get asked at the recent candidate forum so

14 that she can publish them on her site.

15 I think that also raises serious questions

16 in light of what we learned tonight. For obvious

17 reasons she's demonstrated by her actions tonight, I

18 will not be sending her my actions; I will be

19 publishing them on my website.

20 Thank you.

21 TRUSTEE TONKING: The other meeting is

22 frozen.

23 CHAIR SCHMITZ: Yes. It's not bad.

24 TRUSTEE TONKING: I can hear you guys, I

25 just can't see you.

129

1 MR. BELOTE: There we go.

2 MEMBER SWENSON: Harry Swenson, candidate

3 for trustee.

4 I want to talk about the last agenda item

5 you just talked about. As most of you know, I was a

6 member of the Golf Advisory Board. We looked into

7 food and beverage a lot early in our deliberations.

8 What of the things we notice was we -- our

9 food and beverage is currently very lowly -- it's

10 not utilized well enough. It needs to have at least

11 double to triple the amount of usage to make it even

12 close to profitable. So those are the things a food

13 and beverage manager or the general manager need to

14 figure out how to increase utilization of that

15 place.

16 I know the -- you're working on small

17 numbers when you're working on that fee that drove a

18 lot of -- almost all the golf clubs absolutely

19 insane. I had to pull some people off the ceiling

20 and say this is just information, they are not

21 proposing this yet.

22 Be careful when you post that type of

23 information. It can be -- and I'm not saying to

24 you, it can be taken way out of context very

25 quickly.

130

1 When you reconsider this in your

2 deliberations, do it in a way that you're looking at

3 options. That's all I have to say.

4 I'm happy to post my information on your

5 website, I'll post it on my website, every website I

6 can get, those answers. I spent a lot of time on

7 the full set of answers to everything in the

8 community -- the candidate's forum. I found it very

9 refreshing. It made me look up a lot of details on

10 NRS, and I can have a long debate with other

11 candidates with a lot more specific information.

12 Thank you very much.

13 TRUSTEE NOBLE: That is it for public

14 comments in the room.

15 MR. BELOTE: We have one in the queue.

16 MS. KNAACK: It's Yolanda Knaack, full-time

17 Incline Village resident.

18 Wow, I just -- pretty shocked at

19 Mr. Homan's accusations that he has no proof of,

20 that he just completely was accusing Sara of saying

21 things he has no proof of. And I just hope to god

22 that people see his negativity.

23 Thank you.

24 MR. BELOTE: That the last public comment

25 in the queue.

131

1 L. ADJOURNMENT

2 CHAIR SCHMITZ: With that, we will say

3 good evening, have a great evening.

4 Trustee Tonking, thank you staying up so

5 late.

6 It's 9:10, and we will adjourn the IVGID

7 Board of Trustees meeting.

8 (Meeting ended at 9:10 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 October 9, 2024, at

7 the of the Board of Trustees public meeting, via

8 Zoom, and took stenotype notes of the proceedings

9 entitled herein, and thereafter transcribed the same

10 into typewriting as herein appears.

11 That the foregoing transcript is a full,

12 true, and correct transcription of my stenotype

13 notes of said proceedings consisting of 132 pages,

14 inclusive.

15 DATED: At Reno, Nevada, this 28th day of

16 October, 2024.

17

18 /s/ Brandi Ann Vianney Smith

19

20 BRANDI ANN VIANNEY SMITH

21

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 55

Invoice Date: October 28, 2024

Payment Due: November 9, 2024

Amount Due (USD): \$1,142.00

Items	Quantity	Price	Amount
Base fee October 9, 2024 BOT meeting	1	\$350.00	\$350.00
Per page fee October 9, 2024 BOT meeting	132	\$6.00	\$792.00

Total: \$1,142.00

Amount Due (USD): \$1,142.00

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE
WRITTEN MINUTES OF THE IVGID BOARD'S SPECIAL OCTOBER 9, 2024
MEETING – AGENDA ITEM G(7) – GIVE DIRECTION TO PUT AN END
TO ALL DISCOUNTS AND FREEBIES TO NON-PROFITS AND OTHERS
BECAUSE WE CAN'T AFFORD IT!**

Introduction: Well here's yet "another one" as my friend DJ Kahled would say¹. 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 staff's attempts to carve out more discounts at our various recreational facilities for their favored collaborators; here non-profit, community and other groups of staff's liking. And to pass on the costs of these freebies to the prejudice of local parcel owners who are not staff's collaborators. And that's the purpose of this written statement.

My October 9, 2024 E-Mail to The Board²: On October 9, 2024 I sent the Board an e-mail challenging the propriety of Susan Herron having brought this matter to the Board under the guise of a modification to Policy 6.2.0 in an effort to carve out more discounts for her favored collaborators. Just look at the list which goes on and on and on. Using a deceitful cost pyramid which is anything other than an "industry standard" and has application only in those jurisdictions where the majority of their revenues come from property taxes.

Our finances are abysmal. We're losing millions of dollars annually, in part caused by the giveaway of the public's facilities while local parcel owners are forced to pay under the intentional misrepresentation that they're paying for their availability to and use of these facilities. Not the giveaway of the same to every Tom, Dick and Harry of Ms. Herron's liking. It's time to put an end to these giveaways once and for all. No other public agency I am aware of gives away the public's assets like these, and we can't afford it! I say to these takers of our community that if they're not willing to pay their fair share like the rest of us, go rent from Brad Johnson!

Conclusion: This staff behavior just keeps happening over and over and over again. Unqualified, incompetent and over compensated, and deceitful staff get replaced by even more unqualified, more incompetent, more over compensated, and more deceitful staff. Engaging in activities having nothing directly to do with furnishing facilities for our public recreation, yet costing local parcel owners dearly insofar as their Recreation ("RFF") and Beach ("BFF") Facility Fees are concerned. All because the ends justify the means and staff want to appease voters who will vote for

¹ 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>.

² That e-mail is attached as Exhibit "A" to a companion written statement I have submitted to be attached to the minutes of this meeting.

trustees who will keep the gravy flowing. Which means higher compensation for our staff, and a demand for less work product. As I've pointed out so many times before, these examples are all the "red flags" of a criminal syndicate³. And you wonder why your RFF and BFF continue as involuntary subsidies, and are as high as they are? Now I've provided more evidence.

Besides forthwithly taking the action requested, ending these giveaways, I must ask 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 (for the)...district is not complying with the provisions of...any...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 appointment of a receiver... or, (d) determine by resolution that management and organization of the district will remain unchanged?" Don't you think the time has come to act fiscally responsible by having the county assume supervision and jurisdiction over the district?

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

³ 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)."

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE
WRITTEN MINUTES OF THE IVGID BOARD'S SPECIAL OCTOBER 9, 2024
MEETING – AGENDA ITEM G(6) – POSSIBLE MODIFICATION OF
POLICY 6.2.0 – IT SHOULD BE RESCINDED INSTEAD**

Introduction: Well here's yet "another one" as my friend DJ Kahled would say¹. 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 staff's attempts to carve out more discounts at our various recreational facilities for their favored collaborators. And to pass on the costs to the prejudice of local parcel owners who are not staff's collaborators. And that's the purpose of this written statement.

My October 9, 2024 E-Mail to The Board²: On October 9, 2024 I sent the Board an e-mail challenging the propriety of Susan Herron having brought this matter to the Board in an effort to carve out more discounts for their favored collaborators by using a cost pyramid which is anything other than an "industry standard." And only used by true general governments which cover the costs of public recreation primarily by taxes rather than Rec Fees. Rather than recounting the substance of my comments, I refer the reader to said Exhibit "A."

And to demonstrate how past Boards have attempted to grapple with this issue by instructing staff that most of our public recreational facilities should operate on a cash neutral or positive cash flow basis, I have attached a sheet from the Board's October 7, 2013 meeting when staff were so instructed by a majority of Board members. The problem is that Board and future Boards have been ignored. And staff have given away the store to their favored collaborators at local parcel owners' expense.

Conclusion: This staff behavior just keeps happening over and over and over again. Unqualified, incompetent and over compensated, and deceitful staff get replaced by even more unqualified, more incompetent, more over compensated, and more deceitful staff. Engaging in activities having nothing directly to do with furnishing facilities for our public recreation, yet costing local parcel owners dearly insofar as their Recreation ("RFF") and Beach ("BFF") Facility Fees are concerned. All because the ends justify the means and staff want to appease voters who will vote for trustees who will keep the gravy flowing. As I've pointed out so many times before, these examples

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

are all the “red flags” of a criminal syndicate³. And you wonder why your RFF and BFF continue as involuntary subsidies, and are as high as they are? Now I’ve provided more evidence.

Besides forthwithly taking the action requested, I must ask 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 (for the)...district is not complying with the provisions of...any...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 appointment of a receiver... or, (d) determine by resolution that management and organization of the district will remain unchanged?” Don’t you think the time has come to act fiscally responsible by having the county assume supervision and jurisdiction over the district?

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

³ 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"

Re: Oct 9, 2024 BOT Meeting - Agenda Item G(6) - Proposed Changes to Policy 6.2.0 Designed to Benefit Susan Herron's "Favored Collaborators" to The Detriment of Local Parcel Owners

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>, Mick <homan4ivgid@gmail.com>, Michelle <jezycki4ivgid@gmail.com>, harry <harryswenson4ivgidtrustee@gmail.com>, Crocker Karen <kmc@ivgid.org>
Subject: Re: Oct 9, 2024 BOT Meeting - Agenda Item G(6) - Proposed Changes to Policy 6.2.0 Designed to Benefit Susan Herron's "Favored Collaborators" to The Detriment of Local Parcel Owners
Date: Oct 9, 2024 3:29 PM

Chairperson Schmitz, Other Honorable Members of the IVGID BOT, and Trustee Candidates Mick, Michelle and Harry:

Here we have worthless employee Susan Herron tweaking a Board policy to benefit her favored collaborators (i.e., nonprofits, community focused organizations, the Rec and Tennis Centers, programming, etc.). Rather than complying with direction provided by the BOT.

First of all, let's call a spade a spade. This woman is a cancer in our community. She holds a totally worthless job with the District created as a pay off for past allegiance to a previous GM. Her job description doesn't permit her to be working on matters such as this one. And she is grossly over compensated to the nth degree contributing towards massive overspending requiring even greater financial subsidies from local parcel owners. Put an end to her! And put an end to her self-serving endeavors allegedly made in the name of clueless staff. Who by and large aren't familiar with Ms. Herron's ways.

Second of all, who asked for these changes? What's the real need Ms. Herron is attempting to address? "Paragraphs...requested." Which now she tells us "have been incorporated with the practice and requirements for information." Bueller? Bueller?

Third of all, staff's reference to the "pricing pyramid" IS TOTAL CRAP! This is a vehicle developed by a private consultant to assist public agencies who finance recreational facilities and services with tax subsidies rather than Rec Fees, in setting a pricing methodology. So Indra hijacked this pyramid vehicle to use it here in IVGIDville even though the financing of our recreational facilities and services is funded by the involuntary special tax we know as the Rec Fee. This cost recovery pyramid has no business being employed for anything we do here in Incline Village. IT SHOULD BE KILLED once and for all.

Fourth of all, NONE of our money losing recreational facilities nor the money losing programs offered thereat should be made available to ANYONE for ANY PURPOSE for free or at a cost which is less than the public's actual cost. Pure and simple! But that's not Ms. Herron's narrative. Just look at her proposed language insofar as discounts are concerned.

Fifth of all. You DON'T sanction the donation of any public funds to anyone, whether focused nonprofits or otherwise. No complimentary lift tickets to Diamond Peak for local students or a round of golf at the Mountain Golf Course. And no monetary contributions (i.e., donations) to Community Focused NonProfits or other entities to the extent permitted by NRS 318 and other applicable law."

This now takes away the mandate that direct costs be recovered! And the gall to provide for cash donations of public funds to focused nonprofits? And allegedly to the extent permitted by NRS 318 when Ms. Herron knows there's NOTHING in NRS 318 which sanctions the donation of public funds! The simple solution to this problem is to DELETE discounts to any users, including "community-focused non-profits. Ms. Herron and her colleagues don't get it. Or maybe, they do? No discounts to anyone. Pay your fair share. And if you don't like the cost, go rent from Brad Johnson!

Rather than modify this policy, it should be ELIMINATED. If venue managers can't figure out how to price their products, then they shouldn't have been employed in that capacity. We don't need to be telling them what they should already know. Do what you need to do so each of our public recreation venues can generate a neutral or positive cash flow.

Don't tell me that public agencies aren't supposed to operate their public recreational venues at a loss. Because public agencies aren't supposed to break even or make a profit on them Whiner Riner. And don't tell me the same thing because each of our public recreational facilities are part of a portfolio which aren't supposed to break even or make a profit because they're amenities rather than commercial for profit businesses Mick Homan. Past Boards have grappled with this issue and declared that most of our recreational facilities must be operated at a break even or positive cash flow. I reference the Board's October 7, 2013 meeting where that's exactly what they declared. And how exactly did staff respond? They swept the Board's directive under the rug.

Policy 6.2.0 serves no real purpose other than to sanction the giveaway of our public recreational facilities were user/other fees are charge resulting in more losses to local parcel owners. We don't need a policy that so sanctions this behavior and for this reason it should be rescinded. NOW!

Respectfully, Aaron Katz

EXHIBIT “B”

2014-2015 BUDGET PRIORITIES

October 7, 2013

How do you feel about the various venues and programs within IVGID? Do you feel they should generate a profit, break even, or simply provide value? Please check the appropriate box for each venue or program.

(H) Hammerel (W) Wolfe (Sm) Smith (Si) Simonian (D) Devine

Venue or Program	Value	↔	Break Even	↔	Profit
Championship Golf			(H) (Sm) (D) (Si)		(W)
Mountain Golf			(H) (Sm) (D) (Si)		(W)
Chateau	(H) (Sm)		(D)		(W) (Si)
Aspen Grove	(H)		(D)	(Sm) (Si)	(W)
Food & Beverage			(H)		(W) (Sm) (D) (Si)
Diamond Peak Ski Resort			(H)	(D)	(W) (Sm) (Si)
Parks	(H) (Sm)	(W) (D) (Si)			
Tennis		(W)	(H) (Sm) (Si)	(D)	
Youth Programs	(H)	(W) (D)	(Si)	(Sm)	
Adult Programs	(H)	(W) (D)	(Si)	(Sm)	
Senior Programs	(H)	(W) (D)	(Si)	(Sm)	
Recreation Center	(Sm) (Si)		(H) (W) (D)		
Beaches	(H)	(D)			(W) (Sm) (Si)
(H) Winter golf course usage	(H) (Sm) (Si)				
(H) Create IVGID land use policy	(H) (Sm) (Si)				
(H) Mobile POS			(H) (Sm) (Si)		
(H) Grant writer			(H) (Sm)		
(H) District-wide pass/resort charge			(H) (Sm)		
(H) District-wide bike racks	(H) (Sm)				
(H) Electric car chargers	(H) (Sm)				
(W) Keep rec/beach fee level			(Sm)		
(D) Wildlife			(Sm) (D)		

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE
WRITTEN MINUTES OF THE IVGID BOARD'S SPECIAL OCTOBER 9, 2024
MEETING – AGENDA ITEM C – PUBLIC COMMENT – WE'RE DOOMED
TO DISASTER IF TRUSTEE CANDIDATE MICK HOMAN IS ELECTED
BECAUSE HE DOESN'T KNOW WHAT HE'S TALKING ABOUT**

Introduction: Well here's yet "another one" as my friend DJ Kahled would say¹. 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 consideration of a candidate for IVGID Trustee who doesn't know what he's talking about, although he speaks as if he does. And that's the purpose of this written statement.

My October 7, 2024 E-Mail to The Board²: On October 7, 2024 I sent the Board an e-mail bringing members' attention to the misstatements of fact asserted by Mick Homan in last Friday's edition of the Tahoe Daily Tribune Newspaper. I fear that if implemented, Mr. Homan's platform will result in a disaster for local parcel owners. Rather than recounting the substance of my comments, I refer the reader to said Exhibit "A."

Conclusion: If our community doesn't wake up and understand Mr. Homan's program for addressing IVGID's financial/other woes, he's going to try passing over \$50 million in new recreation general obligation bonds, and pay their servicing costs with the District's Recreation ("RFF") and Beach ("BFF") Facility Fees TIMES THREE. All so he and his buddies can enjoy the benefits of a private golf country club, without having to pay the massive membership fees and monthly dues. Because he will have forced these payments upon his neighbors, many of whom are not as well off financially as Mr. Homan. Thanks neighbor! And you wonder why your RFF and BFF continue as involuntary subsidies, and are as high as they are? Now I've provided more evidence.

Voter beware!

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

¹ 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.>

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

EXHIBIT “A”

October 9, 2024 IVGID BOT Meeting - Agenda Item C - Public Comment - We're Doomed to Disaster if Mick Homan Gets Elected Because He Really Doesn't Know What He's Talking About - And He Refuses to Learn Because He Thinks He's Superior to The Rest of Us

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>, Mick <homan4ivgid@gmail.com>, Michelle <jezycki4ivgid@gmail.com>, Harry <harryswenson4ivgidtrustee@gmail.com>, Crocker Karen <kmc@ivgid.org>
Subject: October 9, 2024 IVGID BOT Meeting - Agenda Item C - Public Comment - We're Doomed to Disaster if Mick Homan Gets Elected Because He Really Doesn't Know What He's Talking About - And He Refuses to Learn Because He Thinks He's Superior to The Rest of Us
Date: Oct 7, 2024 11:25 AM

Chairperson Schmitz, Other Honorable Members of the IVGID Board, and Trustee Candidates Mick, Michelle and Harry -

I am very concerned about the upcoming election for a number of reasons. But the most compelling is Mick Homan. And here's why.

Let me start by saying I have no ill will personally for Mick. Further, I have reached out to him on several occasions to discuss his views on whatever, in the hope the two of us may learn more from each other and work together to fix our community. But by and large my efforts have been ignored. Which tells me he has no interest. He knows so much, and I know so little. A sense of superiority when we're all supposed to be neighbors. And equal.

So here I am going to share some of Mick's views, and I will demonstrate where he is 100% wrong. Mick may know much about financial reporting in the private sector. However, when it comes to public agencies in Nevada, I am afraid he has much to learn.. Let's go to his comments in last Friday's edition of the Tahoe Daily Tribune. There Mick tells us:

1. We need increased Rec Fees "to get the general fund solvent." Really Mick. How do you propose doing this? The Board and a couple of us know that the RFF gets assigned to the Community Services Fund, and the BFF gets assigned to the Beach Fund. Both of these funds are enterprise funds. So if Mick intends to "raid" these fees from these enterprise funds, to shore up the looming insolvency in the general fund, he will be violating NRS 354.613! Look it up Mick. And guess what? If you were to pull a stunt like that, it would be unlawful. That's right. Read NRS 354.626(1)! Mick is not familiar with governmental finance.

2. Mick also tells us Rec Fees are necessary to make our facilities (I guess he means all facilities, whether recreational or otherwise) "sustainable at the total district level." What he's really telling us is that without the financial subsidy of the Rec Fee, "at the total district level," maintenance and operation of our facilities are unsustainable. And I agree with this observation. But what Mick doesn't realize is that he is also telling us is that we need to generate more revenue in order to shore up this financial deficiency. And the way he proposes generating that revenue, rather than cutting expenses, operations and personnel, is to use the Rec Fee. In other words, to him the true purpose of the Rec Fee is to generate revenue. And I agree with this observation as well.

But one of the things Mick doesn't know is the difference between a fee and a tax. And quite frankly, he doesn't care. To him we've got a District to run, and we need the money to run it. So whether it's a tax or a Rec Fee or user fees or grants, it makes no difference. It's revenue. Unfortunately for him and his followers. But to the rest of us, once an involuntary exaction is imposed and its primary use is to generate revenue, it's a tax. And since the Rec Fee is not determined by applying a tax rate to assessed valuation, and then equalized by the Dept't of Taxation, it's an invalid tax! Does Mick care that he's promoting an invalid tax as the vehicle to keep this money losing operation going? Don't we pay enough Mick? First we pay Washoe County its ad valorem tax. Then we pay IVGID its ad valorem

tax. Then we pay the fire district its ad valorem tax. And if we want to use any of the District's recreational facilities, we have to pay user fees. And still this isn't enough. So we need to pay the Rec Fee as well. Maybe that's okay with the 3 M's running for trustee, but it's not okay with me. Nor a number of other parcel owners that I know.

3. Finally, Mick doesn't know what a GID is. And he doesn't know what IVGID is. And he doesn't know the extent of powers he may legitimately exercise. At past Board meetings he has described IVGID has only "quasi-government." At the most recent town hall we learned there is no such beast. Moreover, we were told IVGID is 100% public; no quasi about it.

But Mick isn't deterred. In the Tribune he tells us "IVGID is a common interest community." Really? For those of you who don't know what this term means, Mick is telling us IVGID is an HOA. No we're not Mick. We're 100% government. Now where does the term "common interest community" come from? Why don't you take a look at NRS 116? That's where the term is described. And it's what most of us know as an HOA. Now maybe Mick wished he had purchased into a HOA? Or he would have preferred purchasing back in the early 1960s when Crystal Bay Development Co. told all purchasers they would be buying into a HOA? But that's not what we have here. So please don't impose the obligations of an HOA upon the rest of us.

So we see that at every stage of the process, Mick is wrong. And the less knowledgeable in our community blindly march to Mick's drum because he's so convincing. And knowledgeable. When in reality, he's really a fish out of water. Maybe he hob knobbed with the elite in his professional career. But here he has to survive with the rest of us. Who aren't elite like him. So if you expect to represent all of us Mick, how is it you expect to address our concerns?

he purpose of this e-mail is to share these facts with the community as a whole. And maybe Mick will admit some of his views may be wrong? And if so, and he's elected, he can address reality with reality. And that's that the IVGID model is un-sustainable. At least financially. I don't care if you treat all of our facilities together on a "total district level," or you break them up venue by venue. At the end of the day we are unable to generate the revenues we require to responsibly maintain and operate all that we have. And Mick can't change this unless he starts massively cutting costs. And massively cutting personnel. And disposing of the facilities which are causing the greatest financial drain. Which means reducing the type of service Mick and his friends demand. We have too much. It's that simple.

And now we all know. So unless Mick changes his platform, a vote for Mick is a vote for disaster.

Now Michaela doesn't care, because she doesn't pay a Rec Fee. So it's easy for her to make her neighbors subsidize her lifestyle.

And apparently Michelle doesn't care either. Because she doesn't pay. Although she does own local properties which are assessed Rec Fees, she's not being assessed enough (several of her parcels are duplexes, yet she is only assessed one Rec Fee), and she doesn't pay it anyway. At least in a timely manner as evidenced by her failure to pay the first installment of her ad valorem taxes and Rec Fee until October 2.

So that leaves Mick. And the question. Do you want a trustee who talks a big game but in reality, he doesn't know what he's talking about? And do you want a second trustee who can't even handle her personal financial affairs in a responsible manner, yet she's competent to administer a \$50+ million IVGID budget? And do you want a third trustee who doesn't feel the pain of the farce we call a Rec Fee like the rest of us?

Remember. You get what you pay for.

Respectfully, Aaron Katz

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE
WRITTEN MINUTES OF THE IVGID BOARD'S SPECIAL OCTOBER 9, 2024
MEETING – AGENDA ITEM C – PUBLIC COMMENT – IF YOU'RE NOT
GOING TO ENFORCE OUR ORDINANCE 7 BY REVOKING THE
RECREATIONAL PRIVILEGES OF THE OWNERS OF THE 515
LOCAL PARCELS WHO WERE DELINQUENT IN THE
PAYMENT OF THEIR REC FEES BY OCTOBER 1,
2024, IT'S TIME TO END THIS FARCE!**

Introduction: Well here's yet "another one" as my friend DJ Kahled would say¹. 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 justification for charging the rest of us Rec Fees when staff refuses to revoke the recreation privileges of the 515 local parcel owners who's Rec Fees were not current as of October 1, 2024. All as mandated by paragraphs 44-45 of Ordinance 7. And that's the purpose of this written statement.

My October 5, 2024 E-Mail to The Board²: On October 5, 2024 I sent the Board an e-mail bringing members' attention to the fact that at least 515 local parcel owners were delinquent, as of October 1, 2024, in paying their Rec Fees to, and as a result, their recreation privileges should be revoked in accordance with Ordinance 7. Since staff refuses, it makes a mockery of the entire system and if that's what the District is going to do, it's time to eliminate the farce we call a Rec Fee. Rather than recounting the substance of my comments, I refer the reader to said Exhibit "A."

Conclusion: This staff behavior just keeps happening over and over and over again. Unqualified, incompetent and over compensated, and deceitful staff get replaced by even more unqualified, more incompetent, more over compensated, and more deceitful staff. Engaging in activities having nothing directly to do with furnishing facilities for our public recreation, yet costing local parcel owners dearly insofar as their Recreation ("RFF") and Beach ("BFF") Facility Fees are concerned. All because the ends justify the means and staff refuse to take action against local parcel owners who champion the former's interests. Which makes a mockery of the entire farce we call a Rec Fee. And as I've pointed out so many times before, these examples are all the "red flags" of a criminal syndicate³. And you wonder why your RFF and BFF continue as involuntary subsidies, and are as high as they are? Now I've provided more evidence.

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³ 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)."

Besides forthwithly taking the action requested, I must ask 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 (for the)...district is not complying with the provisions of...any...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 appointment of a receiver... or, (d) determine by resolution that management and organization of the district will remain unchanged?" Don't you think the time has come to act fiscally responsible by having the county assume supervision and jurisdiction over the district?

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

EXHIBIT "A"

Re: Oct 9, 2024 BOT Meeting - Agenda Item C - Public Comment - The Farce of The RFF/BFF - Clean it Up or Kill it!

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>, Mick <homan4ivgid@gmail.com>, Michelle <jezycki4ivgid@gmail.com>, harry <harryswenson4ivgidtrustee@gmail.com>, Crocker Karen <kmc@ivgid.org>
Subject: Re: Oct 9, 2024 BOT Meeting - Agenda Item C - Public Comment - The Farce of The RFF/BFF - Clean it Up or Kill it!
Date: Oct 5, 2024 8:25 AM

Chairperson Schmitz,

So I've just demonstrated one farce about your beloved RFF/BFF; do as I say, not as I do.

So let's continue the farce to demonstrate it needs massive cleaning up. Because like nearly everything else here in IVGIDville, "here's another one."

1. NRS 318.203 instructs that if the BOT is informed of a parcel which is receiving services, yet not paying it's fair share of the fees associated therewith, the BOT shall impress those fees thereupon after notice and an opportunity to be heard. So I and others have informed staff and the BOT of parcels in our community which are not being assessed the RFF/BFF. And what have the two of you done about it? NOTHING! It's time to clean up your act because you're forcing the rest of us who are compelled to pay to subsidize the free ride of others.

2. Not all parcels with multiple dwelling units are being assessed multiple RFFs/BFFs. I and others have informed staff and the BOT of this state of affairs. And yet what have the two of you done? NOTHING again!

3. How about this one? Most residential parcels with multiple units are charged multiple RFFs/BFFs. Yet identical mixed-use parcels are not being charged multiple RFFs/BFFs. Take a look at the condos located on Country Club Dr. across from the Hyatt. The downstairs portion of each condo is used for retail purposes. Like the Paddlewheel, Inclined Spirits, le Bistro. The upstairs portion is used as dwelling units. The owner(s) of each of these condos is able to charge two sets of rents for use of its single parcel. Yet they are only charged one RFF/BFF. In contrast the owner(s) of a tri-plex is able to charge three sets of rents for use of its single parcel. Yet they are charged three RFFs/BFFs.

4. The beach deed expressly gives beach access to the occupants of all hotel/motel rooms in town. The reason this language appears in the deed because it was pre-arranged that the owner(s) of hotels/motels would be assessed a RFF/BFF for each and every hotel/motel room occupied by persons. That was the quid pro quo. And that took place until 1982-83. When an under the table agreement was reached between the IVGID/Hyatt GMs which reduced the number of RFFs/BFFs hotels/motels were charged to one per parcel.

Isn't it time for you people to correct the wrong which took place in 1982-83? Start charging every hotel/motel room in town a separate RFF/BFF. That's the price for beach access for all of your clients (i.e., Incline Lodge).

5. Stop impressing the RFF/BFF against parcels. The NRS the BOT uses each year to collect the RFF/BFF is NRS 318.201. This NRS allows GIDs to collect rates, tolls and charges against those parcels which are specially benefited. Translation: unless an assessed parcel is specifically benefited by a rate, toll or charge, there is no justification for collecting the same thereagainst. So what are the special benefits delivered to local parcels which are assessed the RFF/BFF?

If you examine the resolution the BOT passes each year which adopts the RFF/BFF you will see that the "so called" special benefits represented thereby are furnished to PEOPLE rather than property.

Basically admission to the beaches, and discounts on user fees charged at our public recreational venues. So what's the justification for involuntarily collecting the RFF/BFF against property? It's time to end this fraud. Since people are the ones benefited, start charging those people.

6. There is no such thing as a NRS 318.197 fee for the availability to access and use FACILITIES. Although there is such authority for the availability to access and use SERVICES, that's not what the RFF/BFF represent. Again, if you examine the resolution the BOT passes each year which adopts the RFF/BFF, you will see that they represent fees for the availability to access and use FACILITIES. Since there is no statutory justification for this charge, it's time to end this fraud.

7. Moreover, the RFF/BFF are not NRS 318.197 fees. Your attorney should tell you that just because you've labled the RFF/BFF "fees," doesn't necessarily make them so. The nature of all exactions, is determined by their incidence and effect. In other words, their labels are immaterial. So what is the incidence and effect of the RFF/BFF? Isn't it to act as a financial subsidy covering the deficiency between budgeted revenues and intentional overspending? After all, they deliver no special benefit limited to just those real properties which are involuntarily assessed. Right? That makes the purpose of these fees generating revenue. Right? And once you come to this conclusion, you must conclude the RFF/BFF are taxes (probably special taxes) rather than fees.

Now take a long look at NRS 318 and tell me where GIDs are authorized to levy special taxes? Yes NRS 318.225 allows GIDs to levy an ad valorem tax. But since that's not what the RFF/BFF are, the answer is NOWHERE. Since there is no statutory justification, it's time to end this fraud.

8. But the ends justify the means, don't they? NO THEY DON'T! If you're compassionate to those parcel owners who were in default insofar as the payment of their taxes and Rec Fees as of October 1, 2024, then how about being compassionate to the rest of us? Our community is deeply divided over this issue and you've done nothing to bring us all together. So there's only two ways left. The least divisive is a NRS 43.100 court petition to determine the RFF's/BFF's validity. Otherwise, it's another lawsuit by one or more affected parcel owners. Which will cost the District hundreds of thousands of dollars, and possibly put an end to everything we currently know as IVGID. So why do you refuse to do the right thing?

9. This issue is about to fracture our community even more because Mick Homan, Trustee Noble and probably Michelle Jezycki favor tripling what the Rec Fee really should be, according to them. That's three times \$830 or nearly \$2,500. Don't you find it odd there are limits on the maximum ad valorem taxes IVGID can assess? Yet according to Mick & Co., there are none insofar as the maximum Rec Fee IVGID can assess?

10. One final point. Mick Homan has come up with a "model" which instructs we massively spend on our money losing beach/recreational facilities and we cover the financial shortfall with a new round of bonds whose servicing costs are covered by an enhanced Rec Fee. He says this used to be the model the District successfully employed for decades until the current board came along. Well just like interim GM Karen Crocker, Mick is wrong. Here's the model. Because it came out of the father of Incline's (Harold Tiller's) mouth when he sought the basic power to furnish facilities for public recreation from the county Board of Commissioners back in 1968:

All recreational facilities in Incline Village but for the beaches and public parks will be PRIVATELY owned, operated and financed. So why did the BOT start violating this tenet starting back in 1976? And how come we're not returning to the historical "model" upon which IVGID was created?

Like I said. When do you intend to start addressing the injustices of the RFF/BFF?

Respectfully, Aaron Katz

**WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE
WRITTEN MINUTES OF THE IVGID BOARD'S SPECIAL OCTOBER 9, 2024
MEETING – AGENDA ITEM E(1) – GM'S MONTHLY REPORT – ENFORCE
OUR ORDINANCE 7 BY REVOKING THE RECREATIONAL PRIVILEGES
OF THE OWNERS OF THE 515 LOCAL PARCELS WHO WERE
DELINQUENT IN THE PAYMENT OF THEIR PROPERTY
TAXES AND REC FEES ON OCTOBER 1, 2024**

Introduction: Well here's yet "another one" as my friend DJ Kahled would say¹. 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 staff's refusal to monitor and revoke the recreation privileges of the 515 local parcel owners who's property taxes and IVGID Rec Fees were not current as of October 1, 2024. As mandated by paragraphs 44-45 of Ordinance 7. And that's the purpose of this written statement.

My October 5, 2024 E-Mail to The Board²: On October 5, 2024 I sent the Board an e-mail bringing members' attention to the fact that at least 515 local parcel owners were delinquent, as of October 1, 2024, in paying their property taxes to Washoe County and their Rec Fees to the county on IVGID's behalf. And as a result, their recreation privileges should be revoked in accordance with Ordinance 7. Rather than recounting the substance of my comments, I refer the reader to said Exhibit "A."

Conclusion: This staff behavior just keeps happening over and over and over again. Unqualified, incompetent and over compensated, and deceitful staff get replaced by even more unqualified, more incompetent, more over compensated, and more deceitful staff. Engaging in activities having nothing directly to do with furnishing facilities for our public recreation, yet costing local parcel owners dearly insofar as their Recreation ("RFF") and Beach ("BFF") Facility Fees are concerned. All because the ends justify the means and staff refuse to take action against local parcel owners who champion the former's interests. And as I've pointed out so many times before, these examples are all the "red flags" of a criminal syndicate³. And you wonder why your RFF and BFF continue as involuntary subsidies, and are as high as they are? Now I've provided more evidence.

¹ 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>.

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

³ 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)."

Besides forthwithly taking the action requested, I must ask 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 (for the)...district is not complying with the provisions of...any...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 appointment of a receiver... or, (d) determine by resolution that management and organization of the district will remain unchanged?" Don't you think the time has come to act fiscally responsible by having the county assume supervision and jurisdiction over the district?

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

EXHIBIT "A"

Oct 9, 2024 BOT Meeting - Agenda Item E(1) - GM's Monthly Report - Direct Staff to Terminate the District's Recreation Privileges to The Owner(s) of The 515 Delinquent Parcels in The Interim General Manager's Report

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>, Mick <homan4ivgid@gmail.com>, Michelle <jezycki4ivgid@gmail.com>, harry <harryswenson4ivgidtrustee@gmail.com>, Crocker Karen <kmc@ivgid.org>
Subject: Oct 9, 2024 BOT Meeting - Agenda Item E(1) - GM's Monthly Report - Direct Staff to Terminate the District's Recreation Privileges to The Owner(s) of The 515 Delinquent Parcels in The Interim General Manager's Report
Date: Oct 5, 2024 7:01 AM

Chairperson Schmitz, Other Honorable Members of the IVGID BOT, and Trustee Candidates Mick, Michelle and Harry:

At pages 22 and 23-26 of the packet of materials prepared in anticipation of the upcoming October 9, 2024 BOT meeting, our interim GM tells the BOT and the public that "the Department has been working on the following items...examination of (the) parcel tax report dated September 26, 2024. (And as a result thereof, a) list of the (515) unpaid parcel numbers as of this date is attached." Because the Board chose to appoint a person (Karen Crocker) to the position of interim GM, who really isn't qualified to hold this position, she states "Residents have until October 7, 2024 to make payment to Washoe County."

Insofar as the District's beach and recreation privileges are concerned, NO THEY DON'T Ms. Crocker.

We have an Ordinance 7. Paragraphs 43-44 make it clear that a parcel subject to the District's Beach ("BFF") and/or Recreation ("RFF") Facility Fee(s) LOSES its beach and recreation privileges when its owner(s) fail to keep all taxes and RFFs/BFFs current. And October 1 of each current year becomes relevant because beach and recreation privileges are lost for the entire remaining fiscal year even if a delinquent parcel's taxes and fees are brought current thereafter. Because Ms. Crocker tells us something to the contrary, she's wrong. And the fact she doesn't know she's wrong raises the question why is she interim GM?

Since the parcel tax report provided is as of September 26, 2024, the BOT needs to direct Ms. Crocker to obtain an updated report as of Tuesday, October 1, 2024 at 12:00 midnight. And then all delinquent parcels which are reflected on that updated report must have their beach and recreation privileges revoked for the balance of this 2024-25 fiscal year! That's what Ordinance No. 7 instructs, and we should all expect Ms. Crocker and the remainder of our public employees to adhere to this Board policy. Because if they are allowed to get away with this violation, it makes a mockery of the system insofar as the remainder of us are concerned.

I don't want to hear excuses. The Ordinance says what it says. Many past BOTs have reaffirmed its provisions. In fact, this BOT actually modified the Ordinance. So don't tell me no one knew. As Mick Homan would tell us, everyone knew what the RFF was when they bought here. Well everyone knew what paragraphs 43-44 of Ordinance 7 said as well (right Mick?).

People in this community need to learn some lessons. And here's one of them. Since so many of you are so enamored with the RFF/BFF, if you don't make your payments on time, you lose your beach and recreation privileges. It's that simple! Maybe by suffering the consequences, delinquent parcel owners will begin to understand the fraud represented by the current RFF/BFF. Because if it's not a valid fee, what difference does it make if it is paid? Or when?

Respectfully, Aaron Katz

October 9, 2024

Good evening, I am Patti McKinnon. My husband and I have made Incline Village our home for 4 years. I am the president of the Teesters' golf club. I want to address the agenda topic of charging the golf clubs \$500 to use a room at the Chateau. I have listened to several of the board meetings this year. It is a consistent theme that village financials are not in good shape. I believe the current board is hyper focused on solving all the financial problems by increasing revenues. I suspect the real problem is a lack of focus on the expense side of the p&ls. My husband and I ran a successful business for more than 20 years.... our success was primarily attributed to controlling expenses.

The Teesters currently have about 5-6 lunches at the Chateau. We are the smallest of the golf clubs. We probably spend around \$5-\$6K dollars just on the food at the Chateau. This doesn't count the bar beverages and meals we have individually. It is convenient for us to have our gatherings at the Chateau after we play golf. We want to support the golf course and the Chateau, but adding an additional \$500 per luncheon to our bill is simply not a good value for our club. We will take our existing luncheon budget and spend those dollars at other local restaurants that offer more competitive options.

This \$500 charge will not increase revenue for the Chateau....it will in-fact decrease revenue. You are cutting off your nose to spite your face!

Patti McKinnon
900 Golferspass Rd Unit 2
405-623-4822
Mckinnon6@cox.net

Mick Homan

Incline Resident and Candidate for Trustee

I'm responding to allegations Mr. Katz made against me.

He says my support for the facility fee is illegal

- that the fee itself is an illegal tax

- and that it can't be used to subsidize general fund expenses.

Well – the fee is authorized by NRS 318.127

And NRS 354.613 allows us to transfer money **from** enterprise funds **to** the general fund to cover cost allocations for employees, equipment or other resources related to ~~the purpose of~~ the enterprise fund.

We currently allocate \$3.7 million of central service costs from the general fund to other funds.

Between Fleet, Engineering and Building services, we allocate another \$3.6 million.

A large portion of these allocations are charged to recreation venues – and are partially paid by the facility fee.

So it **is** legal and we currently do it.

And if you understand basic finance, you know the board majority's decision to slash the facility fee by 50% isn't sustainable.

The fees **are not** sufficient to cover capital and operating needs of the recreation facilities.

Needed maintenance is being deferred and improvements are being kicked down the road.

Mr. Katz also claims I don't know what a General Improvement District is because I used the term "quasi" with government.

NRS 318 governs general improvement districts.

Paragraph 15 says that each district organized under that statute is, in fact, a **quasi**-municipal corporation.

IVGID's own LinkedIn page says it's a **quasi**-public agency.

Finally, he says I'm wrong by calling IVGID a common interest community because we're not an HOA.

I was simply saying that the recreation assets owned by IVGID – and therefore us – are for the common use and interest of all of us.

I think Mr. Katz's allegations are driven by his clearly articulated agenda – to dissolve IVGID and turn everything over to the county.

He knows I won't let that happen.

So it's not surprising he's trying to damage my candidacy, along with candidates Michelle Jezycki and Michaela Tonking in favor of his preferred candidates.

Harry Swenson has publicly repeated and made some of the same allegations as Mr. Katz in recent weeks. I would expect a Trustee to do their research and not simply follow the lead of another's misinformation.

Harry's also protested alleged lies about himself, while at the same time, spreading misinformation that I support an exorbitant facility fee.

All I said was that the facility fee is a bargain at 2-3 times the current amount.

I haven't opined on what the fee should be.

But I believe it **should** be based on what the District needs to properly serve the community, not some arbitrary figure with no basis in reality.

But that's what makes democracy great. We can all have a view.

And if you listen to what the candidates say and how they treat staff and residents, the choice in this election couldn't be more clear.

If you want to continue down the path of Cliff Dobler controlling a board majority, that operates under the mode of Chair Schmitz and acts on misinformation, vote for Harry Swenson and Frank Wright.

But if you want a board that will invest in IVGID and move us forward in a collaborative, constructive and civil manner, please vote for Michaela Tonking, Michelle Jezycki and Mick Homan.

But whatever you do, please get out and vote.

Thank you

Backup Support

NRS 318.015 Legislative declaration.

1. It is hereby declared as a matter of legislative determination that the organization of districts having the purposes, powers, rights, privileges and immunities provided in this chapter will serve a public use and will promote the health, safety, prosperity, security and general welfare of the inhabitants thereof and of the State of Nevada; that the acquisition, improvement, maintenance and operation of any project authorized in this chapter is in the public interest and constitutes a part of the established and permanent policy of the State of Nevada; and that each district organized pursuant to the provisions of this chapter shall be a body corporate and politic and a quasi-municipal corporation.

IVGID Linkein page

IVGID is a quasi-public agency established under Nevada Revised Statutes Chapter 318

NRS 318.197 Rates, tolls and charges; liens; regulations governing connection and disconnection for facilities and services of district; collection of charges and penalties.

1. The board may fix, and from time to time increase or decrease, electric energy, cemetery, swimming pool, other recreational facilities, television, FM radio, sewer, water, storm drainage, flood control, snow removal, lighting, garbage or refuse rates, tolls or charges other than special assessments, including, but not limited to, service charges and standby service charges, for services or facilities furnished by the district, charges for the availability of service, annexation charges, and minimum charges, and pledge the revenue for the payment of any indebtedness or special obligations of the district.

NRS 354.613 Enterprise funds: Loan or transfer of money in or associated with fund; increase in amount of fee imposed for purpose of fund; compliance reports; remedy for violation; regulations; applicability;

plan to eliminate certain transfers from fund. [Effective through June 30, 2024.]

1. Except as otherwise provided in this section and [NRS 354.59894](#), the governing body of a local government may loan or transfer money from an enterprise fund, money collected from fees imposed for the purpose for which an enterprise fund was created or any income or interest earned on money in an enterprise fund only if the loan or transfer is made:

(a) In accordance with a medium-term obligation issued by the recipient in compliance with the provisions of [chapter 350](#) of NRS, the loan or transfer is proposed to be made and the governing body approves the loan or transfer under a nonconsent item that is separately listed on the agenda for a regular meeting of the governing body, and:

(1) The money is repaid in full to the enterprise fund within 5 years; or

(2) If the recipient will be unable to repay the money in full to the enterprise fund within 5 years, the recipient notifies the Committee on Local Government Finance of:

(I) The total amount of the loan or transfer;

(II) The purpose of the loan or transfer;

(III) The date of the loan or transfer; and

(IV) The estimated date that the money will be repaid in full to the enterprise fund;

(b) To pay the expenses related to the purpose for which the enterprise fund was created;

(c) For a cost allocation for employees, equipment or other resources related to the purpose of the enterprise fund which is approved by the governing body under a nonconsent item that is separately listed on the agenda for a regular meeting of the governing body; or

Central Service Cost Allocations

From fiscal 2025 budget documents on IVGID website.

Total central service costs allocated from general fund	<u>\$3,742,044</u>
Amount allocated to community services	\$2,045,972
Amount allocated to Beach	\$ 224,424
Amount allocated to utilities	\$1,471,647

Fleet/Engineering/Building Costs allocated from Internal Services Fund

From Open Gov Application on IVGID website – fiscal 2024

Fleet services – Charged to other funds	\$1,564,777
Engineering services – Charged to other funds	\$1,015,200
Building services – Charged to other funds	<u>\$1,004,646</u>
Total	\$3,584,623

Good evening, Michelle Jezycki full time resident and Candidate for IVGID Trustee.

What a week it has been...

Unlike some in politics, I'm willing to own my mistakes. My spouse and I accidentally missed our property tax payment and promptly corrected it when we discovered the error. As it turns out, we weren't alone—484 others made the same mistake. It was an honest human error, not malicious intent or gaming the system. But what happened next is where things get ugly.

Imagine my surprise when, before the official due date of October 7th, (never mind the 10 day grace period) a list of delinquent parcels—never posted before—suddenly appeared in a public board packet. What was the motive behind this? The witch hunt and gotcha mentality is alive and well as it became clear that this was nothing more than a targeted political attack. This smear campaign pulled 484 others into the mudslinging, all to take aim at me. I must be seen as a real threat if people are resorting to these tactics.

From social media slander to political luncheons and backroom whispers, the attempts at public humiliation continue. One so-called "local leader" is even advising voters to game the system by voting for only one candidate, while abandoning the power of your other two votes. This meddling is reckless and irresponsible. Meanwhile, some have taken it upon themselves to remove or destroy campaign signs, with one candidate even suggesting that these signs be taken to the Sheriff's office—a completely illegal act. Just days ago, a car with campaign magnets had them removed and thrown over a fence while the car was keyed and vandalized.

This kind of behavior is not just dirty politics—it's an attack on the integrity of our community. Parents, grandparents, even great-grandparents are engaging in these underhanded tactics. Is this the example we want to set for our children and grandchildren? It's time for serious reflection.

I apologize to the 484 parcel owners who were dragged into this mess. It's unfortunate that some in our community are so focused on finding mud to use as cherry picked slander rather than focusing on the competencies and professional experience the candidates are willing to bring and share with our community to move us forward. To those leading these vile efforts, I want to thank you—you've reaffirmed my commitment to run for this office and lead with integrity. We are better than this. Our village deserves better, and on November 5th, we have a chance to prove that we are indeed better.

As for the approach on the agenda item on interviewing the GM Candidates, I recommend interviewing twice. Perhaps one for out of town candidates but another in person. This position is too key to our success to not have the opportunity to delve deeper and ensure we are hiring the right candidate. You might even consider reaching out to the community who has plenty of HR experience to serve on the first panel interviews; not only for inclusion but to tap into their expertise.

Thank you and I wish you a productive meeting. Michelle Jezycki

10/09/2024 | Kristie Wells | Incline Village Resident

At the August 6th meeting, Trustee Schmitz blindsided the community by introducing the Troon Management Services proposal. Informed and engaged residents quickly voiced their strong opposition, calling out the proposal for what it is—radical and, frankly, absurd. This ill-conceived idea has ignited outrage across the community.

Out of 43 public comments made that evening, 38 were against the idea. A candidate running for the Board praised it - even if he now says otherwise - and we can assume outsourcing and/or privatizing our facilities is what his supporters want for this District. This disconnect between the board majority, their surrogate candidate, and the community has sparked heated discussions for two months now, with most people still opposing it.

Despite the community's concerns, IVGID proceeded to issue a formal RFP to gather additional proposals. During the September 24th Town Hall, Schmitz assured attendees that the board would discuss the proposal at tonight's meeting; however, it is not on the agenda.

I filed a public records request to determine how many responses were received for the RFP. As of September 25, 2024, there was none. I also learned that Joe Goodrich from Troon emailed HR Director Erin Feore, indicating that Troon had opted not to "officially" respond to the RFP. In his email, Mr. Goodrich noted it would be in the best interest of our community to postpone any decisions regarding the RFP until after the new Board is in place. Even Troon recognized that a change in leadership was imminent, making it prudent to defer this matter. If only Trustee Schmitz had demonstrated the same level of foresight.

This board majority has a history of proposing ideas without adequate support, crafting narratives to fit their agenda, and then watching as those ideas fizzle out. IVGID Staff is forced to pursue these unproductive projects while Board members express surprise when essential tasks remain incomplete.

Hey, speaking of ideas that [should] fizzle out ... the interview process for a new General Manager should be delayed until our new Board is seated. This Board has two months of service left and should not select our next General Manager who will be in place for [hopefully] years to come. End your cycle of inefficiency now.

Our community deserves leadership that listens to diverse voices and prioritizes meaningful issues. I encourage you to consider voting for Michaela Tonking, Michelle Jezycki, and Mick Homan. They will lead IVGID with integrity and transparency, reject the 'gotcha' approach to oversight, and put an end to the threats, public shaming, and micromanagement of staff. Their commitment includes investing in our facilities and developing a long-term plan to meet the community's needs. These three candidates are the leadership we need on the board.

I wanted to comment about staff's recommendations regarding facility fees. I believe there is a reason why these fees have been canceled out for the golf clubs up to this time. It is the industry standard that when a group utilizes the golf course and pays for a round of golf then utilizes the facility by paying for a group meal there is never a facility fee that is charged. Again this is the industry standard. Please do your research. If you were to proceed with charging a facility fee in this situation you would become the only golf course with this type of charge and would put our community at a distinct disadvantage. You should take a look at the spreadsheet that is included in your packet and realize that there will be a significant number of the listed events that will not be playing golf at our course, but you will also lose a significant number of catering events, which are fully paid for at the present time. I sincerely doubt that the revenue that you would receive from the facility charge for those that continue to utilize our facilities would offset your losses in catering income. For those that did not pay green fees on the day of the event, such as a wedding, would of course be obligated to pay the facility fee. Please look into this further before making a final decision. Thank you.

Steven Ross