

MINUTES
REGULAR MEETING OF APRIL 25, 2018
Incline Village General Improvement District

AS AMENDED

The regular meeting of the Board of Trustees of the Incline Village General Improvement District was called to order by Chairwoman Kendra Wong on Wednesday, April 25, 2018 at 6:00 p.m. at the Chateau located at 955 Fairway Boulevard, Incline Village, Nevada.

A. PLEDGE OF ALLEGIANCE*

The pledge of allegiance was recited.

B. ROLL CALL OF THE IVGID BOARD OF TRUSTEES*

On roll call, present were Trustees Matthew Dent, Peter Morris, Phil Horan, Tim Callicrate, and Kendra Wong.

Also present were District Staff Members Director of Public Works Joe Pomroy, Director of Finance Gerry Eick, Director of Human Resources Dee Carey, Director of Information Technology Jeremy Breeden, and Director of Asset Management Brad Johnson.

Members of the public present were Aaron Katz, Judith Miller, Margaret Martini, Bob Sendall, Gene Brockman, Joe and Kaye Shackford, Eric Severance, Bruce Simonian, Benicia Price, Gary Schmidt, Sara Schmitz, Frank Wright, Pete Todoroff, Steve Dolan, Dolores Holets, Andrew Whyman, John Eppolito, and others.

(38 individuals in attendance at the start of the meeting which includes Trustees, Staff, and members of the public.)

B.2. ROLL CALL OF THE CANDIDATES FOR IVGID BOARD OF TRUSTEES*

On roll call, present were Trustee candidates Tim Callicrate, Sara Schmitz, Bruce Simonian, and Kendra Wong. Trustee candidate Tony Robinson was absent.

C. PUBLIC COMMENTS*

Aaron Katz said that he was here to speak about General Business Item G.3, Removal of Correspondence, and that he strongly objects to it. Trustee Horan states that this item is pursuant to Long Range Principle 6 of the IVGID Strategic

Plan and he doesn't know if Trustee Horan has read it but he has and it is attached to his statement and he would challenge Trustee Horan to show him where it has anything to do with it. The District Clerk won't include correspondence in the Board packet or in successive packets so this doesn't sound like it is an improvement. He would ask if this is hiding communication from the community. Is this something that represents best practices? Written communications serve other purposes as it puts the public on notice of requests that have been made and now this is taking it all out which is depriving them. He wants to continue to have our written communications as it does not overwhelm the Board packet.

Judith Miller said there was a community meeting last week and the subject of the District's e-mail policy came up. Mr. Smith made a request and e-mails haven't been provided. It was stated that e-mails are not retained past thirty days and she asked about this at a Board meeting and didn't get an answer. Why hasn't Mr. Smith received the e-mails he has requested or been told why. It is inconceivable that it takes this long to respond to citizen requests. Frequently, we ask the Board to have a policy such that when a citizen asks a question and there is an answer available that the Board direct Staff to answer that member of the public.

Gary Schmidt said that he is a candidate for State Senator and is the longtime owner of Reindeer Lodge. There is a Senate resolution that is proposing to change the State Constitution regarding property taxes. If one owns a two million dollar home and twenty five percent of that is land value and it is sold, the property taxes will go up two and a half times. This will only happen when there is a property change such as a change in title. The resolution includes a lease option and if anyone would like more information, they should go online as it is a joint resolution so the Governor doesn't have veto power. It has to pass in two sessions then it goes on the ballot and he, if elected, will vote against it so replace him with the current Senator as he will vote against it. As to the Reindeer Lodge, he has a residence there for forty six years which is five years longer than his opponent has been alive. The residence was not damaged as it is behind it but he can't reside in it so he is residing in Washoe Valley. Mr. Schmidt concluded by stating he will talk about what is going to happen there in the second set of public comments.

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

Pete Todoroff said that he is leaving this Saturday at 6 a.m. for Bulgaria, Paris, Greece, and Amsterdam. Related to the topic mentioned by Ms. Miller, he has proposed to have a community forum with Assemblywoman Krasner, Senator Kieckhefer, and the District General Manager and he would like to set that date

when he returns from his trip so after May 15. And finally, he thought the Parasol matter was tabled and all finished.

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

Steve Dolan thanked the Board for the hard work they are doing, he is looking forward to their discussions, and he would like to be able to respond to those discussions when there are agenda items that are going to be voted upon. He would like the Board to initiate public comment after an item in order to give the Board a rest as well as a chance to listen to an outside of the box comment. Appreciate returning that to the agenda on voting issues.

Kevin Drake and Richard Romo said that they were here tonight because they have taken an interest in placing a bid for the alcohol concessions for the two beaches but they got no response so they got their hands on the contract which was renewed with a meeting. They would like to compete for the concession at the beaches. It is disturbing to find out that there was no RFP. In closing, they would like to request Staff to get back to us about the RFP timeline. In their going through of the contracts, they believe that there was seven thousand dollars left on the table and they submitted their calculations. In closing, they want no special treatment but they are more than qualified and they would like to see an RFP especially for food and beverage.

Andrew Whyman said if these last folks are accurate, the District should look into them. Mr. Todoroff failed to tell you that he is going to be a chaperone on Mr. Todoroff's trip. Mr. Whyman then said that tomorrow night and on May 5, there will be public discussions about opioids, at the library, and that it would be lovely if a few politic folks would show up. He has hit a dead end at Washoe County and he would love to hear them tell him he is wrong. There have been a number of deaths and overdoses within our community and our emergency room is not prepared to deal with people who are dealing with the opioid crisis as it is a stigmatized issue until it affects us personally.

Frank Wright said he was going to talk about some other things but after the presentation by Alibi gentlemen, he must say that he is shocked by this Board and that you should shot yourself and be sent out of town for not offering public bidding. We have an organization that has nice people and they don't get an opportunity to do a service for this community. He believes you can thank the District's General Counsel for this and he sees a huge lawsuit coming as it is taking competition away from one and giving to another so this is means the District is participating in white collar fraud/crime because of Staff and the Board which is not right. What is going

on here is not right and you Board members should be ashamed that you are representing this type of Staff as the taxpayers are paying the bills. Staff was on board with this decision and none of you is asking for accountability. Staff should be gone, should have gone, as the Nevada Appeal had a big article on secretiveness. He thinks something is wrong here so when are the Board members going to do their job and stop it. Every week it is something else and he is going to start asking for all the contracts to see what we have and noted that there will probably be another article.

John Eppolito said he wanted to agree with Mr. Dolan on the public comments. He too is very frustrated, feels the same, and doesn't think this practice is right. He also agrees with Mr. Todoroff on the community forum and he hopes you people show up and that it is unlike the one at the college which was one sided. He is also concerned with lack of respect with three Board members, District General Counsel and the District General Manager and what is happening in our community. He tends to agree with the two Board members who are out of the majority as they seem to make the most sense so he is frustrated. Mr. Schmidt, the candidate for Senator, the man he is running against, when not at the legislature, works for a law firm. What he has noticed is it is the lobbyists who are against us. The current Senator has done nothing in two sessions to protect student data. Our Assemblywoman is the first legislator who asked what she can do to help. Our Senator has never done anything to help us, said he didn't have to, and many of us know that isn't true. When you are voting, keep that in mind. Hoping Gary Schmidt comes to us, if he is talking about student data, we will help him.

D. APPROVAL OF AGENDA (for possible action)

Chairwoman Wong asked for changes to the agenda, none were made, so Chairwoman Wong said that the agenda is approved as submitted.

E. OTHER REPORTS*

- E.1. Donald W. Reynolds Community Non-Profit Center annual report prepared by the Parasol Tahoe Community Foundation; DWR Center building usage report for calendar 2017 and Parasol "By the Numbers" snapshot for calendar 2017 presented by Executive Director Claudia Anderson**

Executive Director Claudia Anderson gave a verbal presentation which is attached hereto.

Trustee Callicrate thanked Ms. Anderson for the presentation and stated that it did clear up a lot of questions from folks and that hopefully those watching on Livestream learned as well. Some of the needling/distrust is because there hasn't been an annual presentation to the Board and what isn't out in the public can fester and have mistruths. Next year, he would like the presentation moved to later in the year, so that all the financials can be presented. Having it in one piece that is easy to access would be a great first start. Thank you again for coming here and we all need to do a better job to have the financials available so let's switch this presentation from April to September so that can be put together which might help the process. Going back to the 2009 business plan, he would like Parasol to work with the Board and accept it and then have a more thorough process for annual reporting including the occupancy of the building as well as how much of the building is occupied as there is a perception that it is an empty facility. It is time to dispel the rumors and myths and we need to get the lease situation worked out; these are some of his observations.

Ms. Anderson said that she is more than happy to come here and happy to come when it is an agenda item. As far as time goes, she is open and will work to whatever is requested by the Board. The Parasol Tahoe Community Foundation has changed their fiscal year. As to the percentage of the space, the whole building is used by non-profits and they had one organization that had 551 meetings there. A lot of the non-profits are organizations where their programs are done out in the field and so this is an office building which would explain why some may not be there when one walks into the building; the whole building is a non-profit.

Trustee Morris thanked Ms. Anderson for a really thorough report and said that he appreciates it as it is really going to help to get a really good understanding and that he commends the team on what you do as it makes a huge difference in the community.

Chairwoman Wong thanked Ms. Anderson and said that she too appreciates all the work you and your team do and that she greatly appreciates your dedication to the community.

F. DISTRICT STAFF UPDATES

F.1. Verbal Update – Solid Waste Services (Director of Public Works Joe Pomroy)

Director of Public Works Joe Pomroy gave his verbal report.

Trustee Callicrate said he has been approached by people at Conversation Café about neighbors that want to give their yard waste stickers to their neighbors as there are folks that through the course of the season go through ninety six bags/stickers in a weekend and is that allowable. Director of Public Works Pomroy said that anyone can go and purchase additional stickers from Waste Management. District General Manager Pinkerton said that the stickers are not traced back to your property. Chairwoman Wong said so Waste Management isn't keeping track of the number of bags picked up at her house; District General Manager Pinkerton said no. Trustee Morris asked if there was one set of stickers sent out per year. Director of Public Works Pomroy said yes, it was done as a single mailing and one can use all of them the first day of the program and that is up to the recipient and that we are in year five of the sticker program.

Chairwoman Wong asked if there was any thought on extending bear box rebates. Director of Public Works Pomroy said that Staff is looking at doing rebates for new homeowners next year.

District General Manager Pinkerton said that there is also a method for a homeowner to do a bulk pick up and dump of their pine needles. Director of Public Works Pomroy said to find out more, please call Waste Management but basically you have a pickup truck full of needles and that equals X number of stickers so you have to bring those stickers when you come to dump. District General Manager Pinkerton said it is a way to get more in sticker value.

Trustee Horan thanked Director of Public Works Pomroy for getting the contract review posted on the website.

F.2. Verbal Update – Tahoe Water Suppliers Association – An Introduction (Director of Public Works Joe Pomroy)

Director of Public Works Joe Pomroy gave his verbal report.

Trustee Callicrate asked why are we such a large bleep. Director of Public Works Pomroy said because the homeowners association west of Burnt Cedar did a great job of eradication.

Trustee Morris asked about the status of the chemical weed control in the Tahoe Keys. Director of Public Works Pomroy said that they have been working on that process for nine years so he really can't sum it up. Tahoe Keys has a major aquatic weed invasion and they are looking at various remedies and that includes a chemical solution. They are located in a water body that is attached to Lake Tahoe and the lead agency is Lahountan. IVGID has been expressing our concerns about the impact to the water supply however ultimately Lahountan is the lead agency. There is more information on our website under TWSA.

Chairwoman Wong called for a break at 7:45 p.m.; the Board reconvened at 7:53 p.m.

F.3. Verbal Update – End of 2018 Ski Season Wrap Up (Diamond Peak Ski Resort General Manager Mike Bandelin)

Diamond Peak Ski Resort General Manager Mike Bandelin gave his verbal update.

Chairwoman Wong thanked the Diamond Peak team for the great season and stated that she enjoyed being at the ski resort and that she has only heard great things so thank you to you and your Staff.

Trustee Callicrate said he wanted to dovetail on what Chairwoman Wong said as everyone he spoke with raved and said the conditions were excellent and remarked how friendly Staff was and that they were brought in as a part of the family. You and your team did a great job in a trying season.

G. GENERAL BUSINESS (for possible action)

G.1. Review, discuss, and possibly approve an amendment to the grant agreement between IVGID and the Incline Tahoe Foundation to increase the total grant amount to \$1,208,071 for renovations at Incline Park (Requesting Staff Members: Director of Parks and Recreation Indra Winquest and Director of Asset Management Brad Johnson)

Chairwoman Wong said in the spirit of full disclosure that her husband is an unpaid, volunteer Board member with ITF and that she has discussed this fact with District General Counsel.

Director of Asset Management Brad Johnson gave an overview of the submitted materials.

Chairwoman Wong thanked the Duffield's for their generosity and it is her personal opinion that the benefits far outweigh the risks we could be incurring and that she appreciates Staff spending their time on bringing this project to fruition.

Trustee Morris said that he definitely wants to express his appreciation to Cheryl and David Duffield and noted that this is a fabulous addition to the community. Staff mentioned bringing up the field to collegiate levels so how does that compare on the full scale. Director of Asset Management Johnson said it was one of the goals at the base level and this increased level is about increasing the field size and while we can't get there because of geographical limitation we are working on that with the fencing so it will be an exciting and fun place to play. The user groups who have worked with us are very enthusiastic about the feel and play. Trustee Morris said so our contribution is just Staff time and thus with this expansion has that been factored in. Director of Asset Management Johnson said no and that the expanded scope is going to be a time suck in the best possible way as this is a wonderful enhancement. Staff is very proud of being a nimble team and that this has been a really rapid process which is a testament to the quality of Staff and the quality of the design team that has offices in Incline Village as well as the confidence in our funding partner, the Duffield Foundation. We have their full confidence to go for it. Trustee Morris said he appreciates that as it is a fabulous thing.

Trustee Callicrate thanked the Staff and the Duffield's and said that the District is fortunate to have this backing and to have bona fide baseball fields in this community. He also wants to specifically thank the Director of Asset Management and the Director of Parks and Recreation as this has been a pet project for him which he has worked on behind the scenes and that it is not about that but about the benefit to the entire community as this is over and above what the community has been talking about. In reading through everything, he is confident. He also wants to thank the ITF group for this project and for the pump track project. He would like to do a little more nailing down in our agreements so that the District is doing what we should be so

that any of our current and future donors are confident that their money is handled properly as there are some questions that are going to be asked so let's do something for the future projects to be upfront to the community. Director of Asset Management Johnson said if the Board is interested in opening up the Memorandum of Understanding, we can do that at a future project and/or before the next project comes up. He has participated in the budget development on both projects and our donors are very sharp and they have reviewed it and are comfortable with it. Trustee Callicrate said that was his concern.

Trustee Dent thanked Staff for the narrative and thanks to the Director of Parks and Recreation and he knows that both of you have been working on this effort. Thanks to Dave and Cheryl Duffield for their increase and this opportunity to add value to the community. On the Memorandum of Understanding, we heard from Parasol as they came here with their annual report so can we clump together all of our non-profits, i.e. Red, White and Tahoe Blue, etc. to be ensure they are all compliant and move forward and get all their information out there to ensure that all questions get answered. Trustee Dent then asked District General Manager Pinkerton if ITF has met all their annual reporting requirements that are set out in the Memorandum of Understanding; District General Manager Pinkerton said yes.

Trustee Callicrate made a motion to authorize an amendment to the grant agreement between IVGID and the Incline Tahoe Foundation (ITF) to increase the grant amount by \$448,071.00 from \$760,000 to \$1,208,071 to allow an expanded scope of work for the Incline Park Renovation Project **and** authorize the General Manager to execute all necessary grant agreement documents upon review by District Counsel and Staff. Trustee Morris seconded the motion. Chairwoman Wong asked for any further comments, receiving none, called the question – the motion passed unanimously.

Member of the public Steve Dolan spoke, without being called upon, and Chairwoman Wong asked him to please cease and sit down.

G.2. Review, discuss and possibly approve the required revision to Board Policy 3.1.0 as stated in the term sheet and proposed settlement and release agreement, with Governance Sciences Group, Inc. accepted by the Board of Trustees on March 28, 2018 (Requesting Staff Members: District General Manager Steve Pinkerton and District General Counsel Jason Guinasso)

District General Manager Pinkerton gave an overview of the submitted materials and noted that the word “noticed” in the draft policy include in the Board packet is incorrect and will be removed.

Trustee Callicrate said he is not understanding this change. District General Manager Pinkerton said that the text in the memorandum is correct. Chairwoman Wong added that the logic being that all our meetings have to be noticed.

Trustee Dent said, referencing agenda packet page 87, that the current policy, in f., states the wrong Nevada Revised Statute. Chairwoman Wong said that it not the agendized item for tonight. Trustee Dent said he would like to push this item to a future meeting. District General Manager Pinkerton said that it has no impact on the recommended action this evening.

Member of the public Steve Dolan spoke, without being called upon, and Chairwoman Wong asked him to please cease and sit down.

Trustee Morris made a motion to revise and amend Board Policy 3.1.0 to add section (h), which will read as follows:

New litigation: The General Manager must obtain Board of Trustees authorization at a public meeting to initiate any lawsuit.

Trustee Horan seconded the motion. Chairwoman Wong asked for any further comments.

Trustee Dent said before we go to vote, can we take some public comment to see if anyone has any comments. Chairwoman Wong declined this request.

Steve Dolan and Mike Abel both spoke without being called upon and Chairwoman Wong stated that they were out of line and being disruptive and asked both gentlemen to leave the meeting. Mr. Dolan said that this is your decision and that it is an incorrect legal decision. Chairwoman Wong asked him to leave the meeting as he is disrupting this meeting.

Trustee Callicrate said when he brought this up before the meeting, referencing agenda packet page 86, it was about authorization and that he wanted to clarify that. He started to ask before the meeting and that was the

concern that Trustee Dent brought up as he too is concerned about that and while he knows we have time frame and that this is a clerical error, it can be resolved in a meeting so this is a situation where we are accepting it and then it can come back at a later date. That is his concern because of the discrepancy in tonight's action. Chairwoman Wong said it is a typographical error that Staff will adjust and then bring to the next meeting.

Trustee Dent said before the Board votes, in reading the statute, the statute is pretty clear and that the Board must act to enter into litigation and that didn't happen so this is taking an obscure policy, adding clarity, and thus he will be voting in favor of this action. Chairwoman Wong asked District General Counsel to comment. District General Counsel Guinasso said that he stands by the legal arguments and that the legal opinion stands. Trustee Dent can disagree but the District General Manager had the authority to take the action he did prior to the adoption of this new language.

Hearing no further comments, Chairwoman Wong called the question – the motion passed unanimously.

G.3. Review, discuss and possibly approve an improved method of handling correspondence submitted to the Board of Trustees/District (Requesting Trustee: Vice Chairman Phil Horan)

Trustee Horan gave an overview of the submitted materials.

Chairwoman Wong asked if other agencies were looked at to see what they do and how does it get communicated back to the Board. Trustee Horan said it was only checked as being part of the Board packet not checked on how they handled it.

Trustee Callicrate said that the concern that was brought to his attention was about public records and that he knows there are a few individuals that could be cited for providing reams of paper for correspondence but that he didn't think that by not putting this in our packet or attaching them to our agendas the perception is everything and that is that we are trying to keep dissenting opinions out. He doesn't have an issue with how it is being handled now so he would like to keep this status quo and that he is against changing or revising this item. He likes it the way it is so he can look at it.

Trustee Dent said when you looked at this, you make this a potential important item but what is the problem we are solving and how are we improving what we currently have. Trustee Horan said this makes it a more streamlined approach and it doesn't impact the communities' ability to communicate with us. This is just his thoughts and he understands there are five of us so he does understand that there is going to be a difference of opinion.

Chairwoman Wong said she is indifferent on inclusion and that she does like items 1, 3, 4, 5, and 6 within the memorandum. We could consider aspects that we want to put into a policy so we all know we are on the same page.

Trustee Dent said that there is one other thing to improve and that is a plan on how to respond to comments. We hear no response quite often so does this need to be tracked in some way such that the Board is compliant. Chairwoman Wong said that she thinks that Staff has a tracking system. Trustee Horan said that the correspondence will still be acknowledged and that right now, if the District Clerk gets something, and assuming she is copied on it, she forwards it and it is part of correspondence which is acknowledged. District Clerk Susan Herron said she verbally acknowledges its receipt at the Board meeting. District General Manager Pinkerton added that Staff does follow up when there is a question however it gets tricky. The Open Meeting Law plays a role when copying other Board members so it is better to run it through Staff versus a meeting or responding to that e-mail. Staff does attempt to do what we can and try to take it off the Board but keep you informed.

Trustee Dent said he has a technical question – info@ivgid.org – how does it work. District General Manager Pinkerton said it comes to the District Clerk and is then routed, for response, accordingly.

Trustee Callicrate said that he appreciates the work done on this item however his feeling is that he doesn't see that there is a problem and that by trying to improve upon it, it is creating a bigger problem for themselves. While he appreciates this, he would like to leave things as they are.

Trustee Morris said he would certain like to clean up our correspondence and that he doesn't recall any correspondence that wasn't on an e-mail and that there is a reality and perception issue to deal with. Having seen the various comments that there is a move afoot to take away citizen's rights to communicate is that the first thing is that the correspondence is coming to

us, as a Board, and that our Board packet is not a publication mechanism. He often sees communications that border on libelous so to what extent are we confirming or agreeing with that in publishing that in the minutes of the meeting however everybody has a right say what they want. If people want to communicate with the Board of Trustees or to IVGID then those communications are available to anyone by just going to the District Clerk. This is not stopping anyone from communicating or having access to what was communicated to us if, as proposed, this went through. District General Manager Pinkerton agreed. Trustee Morris said that he doesn't want to stop anyone from communicating with them so he is open to hearing other points of how to do this.

Chairwoman Wong said that she would think that there is some sort of platform that correspondence could be logged or categorized along with the response. District General Manager Pinkerton said that the Board has given Staff feedback tonight and that they will take a look at this feedback and look at what others do and then bring it back when we can give you some more information. This was not an attempt to craft policy but rather about seeing what others have done.

Trustee Horan said he has no problem with doing that and that he simply brought forth his recommendation, based on the Board's request, and that he will take a deeper look.

Chairwoman Wong closed this item with no action taken.

H. DISTRICT STAFF UPDATE*

H.1. General Manager Steve Pinkerton

Chairwoman Wong said that if the Board pursued leasing on major pieces of equipment that could potentially negate the need for a bond in the future – is that correct. District General Manager Pinkerton said that under the current scenario, yes, that could mitigate the need for a bond however if we don't lease any one of those items then that could have an impact. Chairwoman Wong said she just wanted to ensure that she was interpreting the information correction; lease it now or bond it later down the road.

Trustee Morris said so if we elect to consider leases of items in the future and then one of them doesn't get a lease that puts us in some sort of jeopardy going forward and if at some point in the future, we decide to do a

bond, it would be one time. District General Manager Pinkerton said essentially that is correct.

I. APPROVAL OF MINUTES (for possible action)

I.1. Regular Meeting of April 11, 2018

Chairwoman Wong asked for any changes; Trustee Callicrate asked for a clarifying item on agenda packet page 126. No other changes would made so the minutes were approved with one clarifying item added.

J. REPORTS TO THE IVGID BOARD OF TRUSTEES*

J.1. District General Counsel Jason Guinasso

District General Counsel Guinasso said that the District received an order from Nevada Supreme Court on Katz vs IVGID and that Mr. Katz' request for a rehearing has been denied. Chairwoman Wong asked what does that mean. District General Counsel Guinasso said that Mr. Katz can ask for en banc consideration however it is highly unlikely of this being granted and that he does have ten days to get his request in for en banc hearing; following that, the court will rule.

Trustee Callicrate said he asked, at the last meeting, if there were any Open Meeting Law (OML) complaints that remained and it was stated that two remain open; do you have an update/follow up on those items. District General Counsel Guinasso said that at present there are two OML complaints that were responded to and the Attorney General hasn't rendered a decision on either of those; one is from November 2017 and the other is from January 2018. Trustee Callicrate said that he can't recall the protocol on these – is the Board of Trustees notified when it comes in and then on when a response is issued – if the complaints were sent, he missed them. District General Counsel Guinasso said since we received that feedback, we have made sure that the Board has received the complaints as well as notifying the Board that the response is available for review as it remains confidential and private. Trustee Callicrate said if the complaints were sent out, he overlooked them as he doesn't remember getting a copy and he would those sent out again. District General Counsel Guinasso said he will resend what he sent. Trustee Callicrate said he must have overlooked it and apologizes for that oversight. District General Counsel Guinasso said any Trustees can always call or e-mail him between meetings.

K. BOARD OF TRUSTEES UPDATE (NO DISCUSSION OR ACTION) ON ANY MATTER REGARDING THE DISTRICT AND/OR COMMUNITIES OF CRYSTAL BAY AND INCLINE VILLAGE, NEVADA*

There was no updates from any member of the Board of Trustees.

L. CORRESPONDENCE RECEIVED BY THE DISTRICT*

District Clerk Susan Herron stated that correspondence had been received from Aaron Katz and Frank Wright.

M. PUBLIC COMMENTS* - Conducted in accordance with Nevada Revised Statutes Chapter 241.020 and limited to a maximum of three (3) minutes in duration; see Public Comment Advisory Statement above.

For the record, Gary Schmidt, candidate for State Senate 16. Reindeer Lodge is going to have to wait. Let me first say that I have chaired many a meeting, attended thousands for the last forty six years that any public bodies counsel to speak only when asked to speak is never to address a member of the public. This man made a motion to open for public comments, the counsel addressed the public, the Chair did not dress him down or silence him therefore public comments were consented silently and all members you cannot allow one person to make public comments even your counsel without allowing the entire body – you have a clear Open Meeting Law violation. I hope that someone files it. Let me give you my experience most Boards allow written public comments to be submitted on an action item. If you allow public comments on an action item or under public comments through the mail, e-mail without an appearance – it is not a requirement of most Boards. Most entities, GID's, planning departments, you know, city councils, county commissions if there is a letter submitted on an agenda item, the Staff then includes that letter with the Staff report and it goes in the minutes. That's common practice. I said I am a candidate for Senate 16 here is one of my flyers here and on it it says a proponent of transparent government and open government and listens to and respects the wisdom of the people; I submit this and request that it be placed in the minutes. I would like to advise you that on the 29th of March there was a ruling unanimous by the State Supreme Court whereby any government business conducted by any member of any public body or any government employee whatsoever is disclosable unless there is a law stating that it is not and that includes your personal emails and your cell phone conversations on personal devices. Those are now clearly disclosable. One of his first bill drafts when he gets in the Senate (time expired) and Chairwoman Wong said thank you Mr. Schmidt

and that your time is up. Thank you. Mr. Schmidt continued that most bodies allow a person to finish a sentence in public comments.

Margaret Martini said in the Parasol presentation there were some very gray areas and highly suspect components. As she understood it, there is a lack of lease fulfillment with IVGID and them not being required to do an annual presentation. So who is at fault - the Board or Parasol for letting it slide. It is her opinion that it is Parasol because it is required. She feels that the public has been excluded from the information. On the ballfields, we have three first class ballfields so let's make Preston Field the dog park as there is enough parking, etc. and we are not making enough income on these fields. There is not enough need to warrant a separate dog park and buying the property along with the infrastructure will be a significant cost. We don't need four ball fields so run your numbers to see how much it would cost for the infrastructure for a dog park. The thickness of the Board packet – if that is the logic for not including people comments then that is just ridiculous.

Pete Todoroff said he started a community forum in September of last year and that his computer is full of e-mails with so many compliments on his minutes. He had TRPA Executive Director Ms. Marchetta, Assemblywoman Krasner, Washoe County Commissioner Berkbigler, and Senator Kieckhefer and they all had comments and everyone saw them. As far as Tahoe Keys goes, if people would have been on his mailing list, like Staff, they would have known that there has been four million dollars granted for this project and the cleaning up of invasive species and clams from the Federal Government. It is very important to have these comments and there are people who can't make it to his meeting and they have thanked him for putting out his minutes and it is very important to hold these meetings.

Mike Abel said that he would like to compliment Staff for an incredible ski season as he spent twenty six days up there and the Staff was extraordinary so kudos on the great job you did. On General Business item G.1., he too would like to thank the Duffield's for the donation and that he is curious as why the sentence was included to authorize the General Manager to execute all grant documents. He has served on many Boards and the Board should have the final say and that turning it over to the General Manager is an aberration of responsibilities. Thank the Board for taking out of consideration General Business item G.3. as he saw this as another anti-democratic move to quash public comment. He likes to have all the whining and complaining of the community and that it is the sixth member of the Board, District General Counsel, who is squashing public comment. On leases rather than bonding, leasing might be a way to do things that the public wouldn't

vote for otherwise. This meeting was wrapped up with crazy things and he doesn't understand why a Trustee would squash public opinion.

Sara Schmitz said that she wanted to thank Trustee Horan for putting forward his ideas and that when you are offering a suggestion or whenever you approach a situation, one should clearly identify what the problem is because when you don't identify that then one doesn't know what problem is being solved. Identification of the problem and then presenting a solution makes sense. The problem that needs to be put on an agenda is a contract for the District General Counsel because his contract is void so you need to get that on the agenda.

N. LONG RANGE CALENDAR

District General Manager Pinkerton said that Staff is moving the Red, White and Tahoe Blue discussion to May 23 as that entity still has things they need to do with Washoe County.

Chairwoman Wong asked that the Policy 3.1.0 edit mentioned earlier be agendized for the next meeting.

O. CLOSED SESSION* – The Board may consider a motion to enter into closed session to have a discussion regarding the Union Negotiations with the Operating Engineers of Northern Nevada pursuant to Nevada Revised Statutes 288.220

Trustee Callicrate made a motion to enter into closed session to have a discussion regarding the Union Negotiations with the Operating Engineers of Northern Nevada pursuant to Nevada Revised Statutes 288.220. Trustee Horan seconded the motion. Chairwoman Wong called the question and the motion was passed unanimously. The Board of Trustees entered closed session at 9:13 p.m.

Trustee Callicrate made a motion to exit closed session. Trustee Horan seconded the motion. Chairwoman Wong called the question and the motion was passed unanimously. The Board of Trustees exited closed session at 9:17 p.m.

P. ADJOURNMENT (for possible action)

The meeting was adjourned at 9:17 p.m.

Respectfully submitted,

Susan A. Herron
District Clerk

Attachments*:

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

Submitted by Aaron Katz (9 pages): Written statement to be included in the written minutes of this April 25, 2018 regular IVGID Board Meeting – Agenda Item G(3) – Hiding correspondence addressed to the Board from public purview under the guise of “improved handling”

Submitted by Gary Schmidt (1 page) – Campaign Materials

Submitted by Margaret Martini (1 page): IVGID April 25, 2018 BOT Meeting Public Comments by Margaret Martini – to be included with the Minutes of the Meeting

Submitted by Mike Abel (2 pages)

Submitted by Steve Dolan (1 page)

Submitted by Richard Romo (1 page)

Submitted by Claudia Andersen (29 pages): IVGID Board Presentation: Wednesday, April 25, 2018, Parasol Tahoe Community Foundation Annual Report to the IVGID Board of Trustees