NOTICE OF MEETING

The regular meeting of the Incline Village General Improvement District will be held starting at **6 p.m.** on **Wednesday, October 25, 2017** in the Chateau, 955 Fairway Boulevard, Incline Village, Nevada.

A. PLEDGE OF ALLEGIANCE*

B. ROLL CALL OF THE IVGID BOARD OF TRUSTEES*

C. PUBLIC COMMENTS* - Conducted in accordance with Nevada Revised Statutes Chapter 241.020 and limited to a maximum of three (3) minutes in duration.

Public Comment Advisory Statement – *A public body has a legitimate interest in conducting orderly meetings. IVGID may adopt and enforce reasonable restrictions on public comment to ensure the orderly conduct of a public meeting and orderly behavior on the part of persons attending the meeting. Public comment, as required by the Nevada Open Meeting Law, is an opportunity for people to publicly speak to the assembled Board of Trustees. Generally, it can be on any topic, whether or not it is included on the meeting agenda. In other cases, it may be limited to the topic at hand before the Board of Trustees. Public comment cannot be limited by point of view. That is, the public has the right to make negative comments as well as positive ones. However, public comment can be limited in duration and place of presentation. While content generally cannot be a limitation, all parties are asked to be polite and respectful in their comments and refrain from personal attacks. Willful disruption of the meeting is not allowed. Equally important is the understanding that this is the time for the public to express their respective views, and is not necessarily a question and answer period. This generally is not a time where the Board of Trustees responds or directs Staff to respond. If the Chair feels there is a question that needs to be responded to, the Chair may direct the General Manager to coordinate any such response at a subsequent time. Finally, please remember that just because something is stated in public comment that does not make the statement accurate, valid, or even appropriate. The law mitigates toward allowing comments, thus even nonsensical and outrageous statements can be made. However, the Chairperson and/or General Counsel may cut off public comment deemed in their judgment to be slanderous, offensive, inflammatory and/or willfully disruptive. Counsel has advised the Staff and the Board of Trustees not to respond to even the most ridiculous statements. Their non-response should not be seen as acquiescence or agreement just professional behavior on their part. IVGID appreciates the public taking the time to make public comment and will do its best to keep the lines of communication open.*

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

The Board of Trustees may make a motion for a flexible agenda which is defined as taking items on the agenda out of order; combining agenda items with other agenda items; removing items from the agenda; moving agenda items to an agenda of another meeting, or voting on items in a block.

-OR-

The Board of Trustees may make a motion to accept and follow the agenda as submitted/posted.

E. DISTRICT STAFF UPDATES*

1. Update on the Community Services Master Plan including the Community Services Master Plan survey results presentation presented by Parks and Recreation Director Indra Winquest

2. Community Services Update presented by Parks and Recreation Director Indra Winquest

3. Post Audit Report presented by Director of Finance Gerry Eick

4. Solid Waste Services Update (Presenting Staff Member: Director of Public Works Joe Pomroy)

F. GENERAL BUSINESS (*for possible action)*

1. Receive, review and discuss supplement from Megan Fogarty of Holland and Hart LLC regarding modification to the lease between Parasol Tahoe Community Foundation and IVGID, responses to Board of Trustees questions related thereto, as well as related covenants, conditions, restrictions and encumbrances of record relating to the leased property and the proposed lease modification (Requesting Trustee: Chairwoman Kendra Wong) *****SUPPLEMENT FROM MS. FOGARTY WILL BE DISTRIBUTED AT THE MEETING*****

2. Review, discuss and possibly vote on each of the following questions regarding the Parasol Tahoe Community Foundation request for modification to their 30-year ground lease: (Requesting Trustee: Chairwoman Kendra Wong)

A. Is there a justifiable need for additional recreation space? Is there a justifiable need for different administration space?
B. Are there other spaces in IV/CB, either for rent or purchase, that meet the needs of IVGID?
C. Would it be advantageous for IVGID to design and build space that meets our specific needs?
D. Is the Parasol proposal an economically viable option?
E. Are the terms and conditions of the Parasol proposal the most advantageous for IVGID?

3. Review, discuss and possibly approve the Ethics Law Announcement on future agendas (Requesting Trustee: Vice Chairman Phil Horan) **– pages 5 - 6**

4. Review, discuss, and possibly approve the Diamond Peak Ski Education Foundation agreement (Requesting Staff Member: General Manager Diamond Peak Ski Resort Mike Bandelin) **– pages 7 - 23**

5. Review, discuss, and possibly approve the goals for Fiscal Year 2017/2018 for the District General Manager (Requesting Staff Member: District General Manager Steve Pinkerton) **– pages 24 - 47**

6. Review and discussion of the submitted Elected Official and Governing Board Self-Evaluation Tool (Requesting Trustee: Chairwoman Kendra Wong) **– pages 48 - 54**

G. DISTRICT STAFF UPDATE

1. General Manager Steve Pinkerton
   - Financial Transparency
   - Capital Projects Update

H. APPROVAL OF MINUTES *(for possible action)*

1. Regular Meeting of August 22, 2017 **– pages 55 - 106**

I. REPORTS TO THE IVGID BOARD OF TRUSTEES*

1. District General Counsel Jason Guinasso

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

NOTICE OF MEETING

K. CORRESPONDENCE RECEIVED BY THE DISTRICT* **- pages 110 - 116**

L. 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.

M. REVIEW WITH BOARD OF TRUSTEES, BY THE DISTRICT GENERAL MANAGER, THE LONG RANGE CALENDAR *(for possible action)* **– pages 107 - 109**

N. ADJOURNMENT *(for possible action)*

CERTIFICATION OF POSTING OF THIS AGENDA

I hereby certify that on or before Friday, October 20, 2017 at 9:00 a.m., a copy of this agenda (IVGID Board of Trustees Session of October 25, 2017) was delivered to the post office addressed to the people who have requested to receive copies of IVGID's agendas; copies were either faxed or e-mailed to those people who have requested; and a copy was posted at the following seven locations within Incline Village/Crystal Bay in accordance with NRS 241.020:

1. IVGID Anne Vorderbruggen Building (Administrative Offices)
2. Incline Village Post Office
3. Crystal Bay Post Office
4. Raley's Shopping Center
5. Incline Village Branch of Washoe County Library
6. IVGID's Recreation Center
7. The Chateau at Incline Village

/s/ *Susan A. Herron, CMC*
Susan A. Herron, CMC
District Clerk (e-mail: sah@ivgid.org/phone # 775-832-1207)

***Board of Trustees**: Kendra Wong, Chairwoman, Tim Callicrate, Peter Morris, Phil Horan, and Matthew Dent.*

***Notes:** Items on the agenda may be taken out of order; combined with other items; removed from the agenda; moved to the agenda of another meeting; moved to or from the Consent Calendar section; or may be voted on in a block. Items with a specific time designation will not be heard prior to the stated time, but may be heard later. Those items followed by an asterisk (*) are items on the agenda upon which the Board of Trustees will take no action. Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to call IVGID at 832-1100 at least 24 hours prior to the meeting. Copies of the packets containing background information on agenda items are available for public inspection at the Incline Village Library.*

IVGID'S agenda packets are now available at IVGID's web site, www.yourtahoeplace.com; go to "Board Meetings and Agendas". A hard copy of the complete agenda packet is also available at IVGID's Administrative Offices located at 893 Southwood Boulevard, Incline Village, Nevada, 89451.

*******NRS 241.020(2) and (10): 2.Except in an emergency, written notice of all meetings must be given at least 3 working days before the meeting ...10. As used in this section, "emergency" means an unforeseen circumstance which requires immediate action and includes, but is not limited to: (a) Disasters caused by fire, flood, earthquake or other natural causes; or (b) Any impairment of the health and safety of the public.*

MEMORANDUM

TO: Board of Trustees

FROM: Phil Horan
Vice Chairman

SUBJECT: Review, discuss, and possibly approve the Ethics Law Announcement as a standard item, read by District General Counsel, on each of the Incline Village General Improvement District's Board of Trustees meeting agendas

DATE: October 10, 2017

I. RECOMMENDATION

That the Board make a motion to approve the following Ethics Law Announcement for inclusion on each of the Incline Village General Improvement District's Board of Trustees meeting agendas and to be read by District General Counsel.

ETHICS LAW ANNOUNCEMENT (to be read by District General Counsel)

Trustees are reminded that, if with respect to any matter or any person coming before the Board today:

1. You have received a gift or loan,
2. You have a pecuniary interest,
3. You have a commitment in a private capacity such as a family, employment, business or similar relationship, or
4. You provided representation or counseling that is reasonably related to the matter being considered to a person or entity for compensation before another agency within the immediately preceding year,

You must disclose that gift, loan, interest, commitment, or prior representation at the time the matter is being considered. And you must furthermore abstain from deliberation or voting on the matter if it is clear that the gift, loan, interest, commitment or prior representation would materially affect the independence of judgment of a reasonable person.

II. BACKGROUND

At the August 22, 2017 Board meeting, Vice Chairman Phil Horan made the suggestion that the Board look into having an Ethics Law Announcement, similar to what Washoe County does, on each of their agendas. At the September 26,

2017 Board meeting, it was included on the agenda, the agenda was approved, and when it came time to read it, there was an objection from Trustee Callicrate that it was his recollection that the request was to bring it forward for review, discussion and possible adoption prior to it being on an agenda. The reading of the announcement was suspended and it was agreed that this item would be brought forth on the Board's next agenda.

III. RELEVANT LAW

Washoe County Planning Commission has similar language included on their agendas and Vice Chairman Phil Horan obtained that language and provided it to Staff for incorporation. There is no law requiring this Board to include this on our agendas however it was suggested as a possible best practices.

MEMORANDUM

TO: Board of Trustees

THROUGH: Steven J. Pinkerton
General Manager

FROM: Mike Bandelin
Diamond Peak Ski Resort General Manager

SUBJECT: Review, discuss and possibly approve the agreement between the Diamond Peak Ski Education Foundation (DPSEF) and the Incline Village General Improvement District covering the period November 1, 2017 to June 30, 2022

STRATEGIC PLAN: Long Range Principle #4 – Service

DATE: October 2, 2017

I. RECOMMENDATION

That the Board of Trustees makes a motion to:

1. Approve agreement between DPSEF and the Incline Village General Improvement District covering the period November 1, 2017 to June 30, 2022.

2. Authorize the District General Manager to execute the agreement upon review by Staff and General Counsel.

II. DISTRIC STRATEGIC PLAN

Long Range Principle #4 – Service – The District will provide superior quality service and value to its customers considering responsible use of District resources and assets.

III. BACKGROUND

The Board of Trustees authorized an agreement between the DPSEF and the Incline Village General Improvement District on December 10, 2014 for a three

winter season term beginning on December 1, 2015 and expiring at the end of the 2017/2018 winter season. The attached agreement includes an additional one year from the previously approved agreement for a total of five winter seasons covering the period November 1, 2017 to June 30, 2022.

DPSEF was established as a non-profit organization for the purpose of providing ski race training, education and events with their home ski resort being Diamond Peak Ski Resort. The DPSEF exists as an independent entity which conducts operations largely at the property and facilities of Diamond Peak Ski Resort. The DPSEF maintains its own facility, hires, pays, trains and supervises its own staff and designs and implements its own programs and price structures. Ski team program participants purchase their season passes from Diamond Peak at applicable rates.

The outside expertise of DPSEF provides entry level programs as well as advanced level ski race training for children and adults of all ages, with over 130 community members participating. DPSEF is fulfilling the recreational needs of a substantial number of local families through a well established public-private partnership.

Since its inception in approximately 1990, DPSEF has entered into an agreement relationship with the Diamond Peak Ski Resort to conduct race training and events at the resort. The agreement, as it stands, outlines the responsibilities, operating procedures, and policies of both Diamond Peak and DPSEF as well as the limits of liability for both parties.

V. FINANCIAL IMPACT AND BUDGET

The financial impact to the resort is minimal. Season pass and ticket considerations are more than off-set by the incremental business brought by the increase in business in season pass and ticket sales (during races).

VI. ALTERNATIVES

Approve the agreement based on required revisions.

VII. COMMENTS

DPSEF has been fixture at Diamond Peak for decades providing ski racing and training programs to our community. DPSEF has committed themselves to the development and implementation of a set of core values with the focus and intent on developing the athletes and participants of the program; character, intregrity, improvement, teamwork and sportsmanship are their core values. Diamond Peak appreciates the commitment and willingness to communicate these values to the DPSEF participants and staff, as they are ambassadors of the ski resort.

Listed below are notable changes included in the recommended agreement.

- The current DPSEF agreement was approved by the IVGID Board on December 10, 2014.
- The proposed agreement if approved will increase from a 3 year to 5 year term.
- The amount of coaches passes provided by Diamond Peak will increase from 25 to 40
- The amount of Race Day volunteer tickets provided by Diamond Peak will increase from 20 to 30.
- The District may provide an additional four (4) parking spaces.
- During the ski season, at the discretion of the District's General Manager, the District may provide DPSEF up to six (6) parking spaces on District Property, off-site from DPSR (at a location to be determined by the District General Manager), for DPSEF's parking of its team transport vehicles and equipment trailers. DPSEF may keep its team transport vehicles and equipment trailers on DPSR grounds during the off-season, at a location determined by the DPSR General Manager.

VII. BUSINESS IMPACT

This item is not a "rule" within the meaning of Nevada Revised Statutes, Chapter 237, and does not require a Business Impact Statement.

Diamond Peak
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Diamond Peak Ski Race Team Agreement

This agreement is between the Incline Village General Improvement District, a political subdivision of the state of Nevada ("District"), which owns and operates the Diamond Peak Ski Resort, 1210 Ski Way, Incline Village, NV 89541 ("DPSR"); and the Diamond Peak Ski Education Foundation, Post Office Box 5591, Incline Village, NV 89450 ("DPSEF"), for the purpose of conducting a ski education program at DPSR.

District and DPSEF hereby agree to the following terms and conditions:

I. DPSEF'S RESPONSIBILITIES

District will allow DPSEF to undertake activities on its property and at DPSR, as follows:

A. Provide all services pertaining to the coaching and training needs of all DPSEF programs, including Masters, U19, U16, U14, U12, U10, Mighty Mites, Freeride/ All Mountain, and Skier Cross Teams. DPSEF will not compete with DPSR programs.

B. DPSEF will prepare schedules of competitions to be hosted by DPSEF and held at DPSR for submittal to the Mountain Operations Manager of DPSR or their designee by November 1 of each year for review and approval. Changes to this schedule must be submitted and approved no less than 48 hours prior to the event or cancellation of the event may result.

C. DPSEF will conduct race meetings subject to U.S.S.A. standards for sanctioned races and provide services as needed for non-sanctioned races.

D. DPSEF will formulate necessary practices and procedures for use of equipment, facilities, training and competition, for review and approval by the Mountain Operations Manager of DPSR or their designee. All practices and procedures must be approved in writing by the 1st of October each fall prior to the winter season.

E. DPSEF representatives will adhere to the dress and conduct codes as set for all DPSR employees.

F. DPSEF representatives and participants will adhere to the code of conduct as set for all DPSR employees and will conduct themselves in this manner at all times.

G. DPSEF representatives and participants understand and abide by the "Your Responsibility Code" as well as all safety regulations of DPSR. DPSEF representatives shall further be responsible for insuring that all participants understand and abide by the "Your Responsibility Code" as well as the safety regulations set by DPSR.

H. DPSEF will maintain the appearance and cleanliness of race department headquarters.

I. DPSEF will reimburse DPSR or District for utility charges for the race department headquarters building.

J. DPSEF representatives will be responsible to ensure that all DPSEF participants carry a valid season pass or a current day pass whenever they are using the ski area facilities.

K. DPSEF will provide all of the necessary alpine training equipment.

L. DPSEF will seek final approval by DPSR General Manager for any materials utilizing the DPSR logo. DPSEF will use the names DPSR on all race related equipment including but not limited to: race bibs, banners, gate panels and patches.

M. DPSEF will designate one individual by 1 November of each operating season as the program "Head Coach". This person will act as the primary liaison with DPSR for the purposes of scheduling as well as daily supervision and conduct of program participants.

N. The two designated parking spots provided by the District to DPSEF in the upper level parking lot at DPSR (Paragraph II (J), below) will be managed by the DPSEF staff, and not the DPSR staff, other than snow removal.

II. DISTRICT'S RESPONSIBILITIES

A. District, through DPSR, will make available portions of the mountain for production of the following races:

- Approximately four (4) Far West race events; and
- Approximately four (4) non-U.S.S.A. race events.

The location and scheduling of races will be by mutual agreement of DPSR and the DPSEF.

Initial slope grooming will be provided by DPSR for all DPSEF sponsored races. All other race production costs will be at DPSEF'S expense.

B. DPSR will make available portions of the mountain for ski race training. Routine slope grooming will be provided, but is not guaranteed as to frequency or quality.

C. DPSR will provide up to forty (40) photo ID (non-transferrable season ski passes) to DPSEF for the sole use of their race coaching staff. Two transferable season passes will be provided to the DPSEF as recruiting and marketing tools for use by the DPSEF to attract new youth to the program.

D. DPSR will provide up to thirty (30) race day ski comp tickets to be used by DPSEF race volunteers on the day of a DPSEF race only. In addition, DPSR will provide one race day ski comp ticket per eight (8) athletes registered to be used by visiting coaches on the day of a DPSEF race only. It is DPSEF'S responsibility to see that these comp tickets are

used only in conjunction with a DPSEF race. It will be the sole responsibility of DPSEF to assure that these tickets are never sold through any method currently available or yet available, particularly through the Internet. To assure this compliance, all these tickets will be date restricted

E. DPSR will supply office space and a locker room for the DPSEF race staff on the grounds of DPSR. DPSR and DPSEF will work collaboratively to identify opportunities for facilities needed by both organizations. Any direct costs regarding feasibility of these alternatives will be shared equally by DPSR and DPSEF.

F. All DPSEF race program participants who are IVGID Picture Pass Holders may purchase season ski passes from DPSR at the then-current picture pass holder rates. Members of DPSEF who are not IVGID Picture Pass Holders may purchase season ski passes from DPSR at a cost equal to the applicable, then-current IVGID Picture Pass Holder rate, plus $10. Parents and legal guardians of DPSEF members who are not IVGID Picture Pass Holders may likewise purchase season ski passes from DPSR at a cost equal to the applicable, then-current IVGID Picture Pass Holder rate, plus $10.

G. Diamond Peak Ski Resort will provide and facilitate the sale by DPSEF of Discounted Daily Lift Tickets ("DDL*T')* to participants in DPSEF racing events and, in the case of youth races U18 and younger, for the race participants' parents. DDLT per-day-ticket- pricing will be established once each ski season by agreement between DPSEF and DPSR management no later than November 1 prior to the start of the ski season ("DDLT Price"). Revenue from DDLT sales will be split 50%/50% between DPSEF and DPSR. This split will be achieved by the following billing and payment method: DDLT lift ticket requests must be submitted to DPSR no less than 2 days before race day. Prior to each race day, DPSR will print a -block of DDLT tickets for sale by DPSEF in the morning of each race. DPSR will invoice DPSEF for the DDLT at 50% of the DDLT Price. DPSEF will then sell the DDLT each morning on race days. Any unused or unsold DDLT will be returned to DPSR within one week after conclusion of the race event, for a full credit against the price so invoiced. Payment for all DDLT per the invoice will be made by DPSEF to DPSR within 30 days after each race, with full credit for the DDLT so returned.

Example: Assume that DPSR prints and delivers 300 DDLT for a Tahoe League Race, and assume that the DDLT Price that season is $35. DPSR will invoice DPSEF 300 x $17.50 for that block of tickets. (i.e., $35 x 0.5 = $17.50.) If DPSEF sells only 200 of those tickets, it will return the 100 unsold tickets to DPSR within seven days after the race, along with a written report stating the number of tickets sold from that block (i.e., 200). (See Part VII (D), below.) DPSEF will remit 200 x $17.50 to DPSR within thirty days after the race.

H. DPSR will make available the base lodge for DPSEF team functions as may be agreed by DPSR General Manager and DPSEF. Any such function will be conducted during times that are outside of DPSR's normal operating hours and require no DPSR staff labor to support, such as clean up, set up, etc. DPSEF may use the "Fireplace Room" in the base

lodge for lunches, training breaks, meetings, athlete video analysis, etc., when not in use by the DPSR Sierra Scouts lunch program or other events /programs scheduled by DPSR or the District.

I. DPSR will provide forty (40) identified non-transferrable fifty percent (50%) off food passes for the DPSEF coaches. These passes cannot be used to purchase food and/or non-alcoholic beverages for anyone but the passholder. DPSR shall have the exclusive right, and at its discretion, to revoke any pass at any time for any reason. Any purchases made for anyone other than the passholder is an example of when revocation could occur.

J. The District will provide DPSEF certain designated/reserved parking spaces, as follows:

(i) The District will provide DPSEF two (2) designated parking spaces in the upper level parking lot at DPSR in close proximity to the DPSR base lodge for use by DPSEF at DPSEF's sole discretion, including DPSEF's assignment of the use of the spaces to anyone determined by DPSEF.

(ii) During the DPSR ski season, at the discretion of the District's General Manager, the District may provide DPSEF up to six (6) parking spaces on District Property, off-site from DPSR (at a location to be determined by the District General Manager), for DPSEF's parking of its team transport vehicles and equipment trailers. DPSEF may keep its team transport vehicles and equipment trailers on DPSR grounds during the off-season, at a location determined by the DPSR General Manager.

III. STANDARDS OF OPERATION

A. Standards for routine race training will be followed as set forth in the "Standards of Operation for Routine Ski Race Training" hereto attached as **Exhibit A**.

B. Standards for ski race production will be followed as set forth in the "Standards of Operation for Race Production" hereto attached as **Exhibit B**.

C. DPSEF will not have exclusive rights or access to the DPSR facilities. Use of the DPSR facilities by DPSEF is under the sole discretion of the DPSR General Manager.

D. The administration and organization of the DPSEF race program will be the direct responsibility of the DPSEF Head Coach. All activities taking place on the grounds of DPSR will require the approval, in advance, of the Mountain Operations Manager of DPSR or their designee.

E. The DPSEF ski team will be identified as the "Diamond Peak Ski Team, a/k/a "DPST" and "DPSEF"."

F. DPSR reserves the right to produce its own races.

G. Prior written consent must be obtained from the General Manager of DPSR before any event to be held on the premises may be scheduled or advertised by DPSEF.

H. Any DPSEF use of DPSR equipment (including, but not limited to copy machine, typewriters, paper goods, etc.) will be allowed by DPSR only on a second priority basis after the needs of DPSR: its prior consent is required. Paper may be purchased per 500-piece unit at cost from DPSR. The copy machine may be used at cost at $.05 per individual copy. The FAX machine may be used at a cost per phone call. All costs are payable upon receipt of monthly invoice.

I. At no time is the DPSEF to compete with or infringe upon the program offers of the DPSR Child Ski Center. DPSEF will not allow enrollment of any child in its program that will not be at least six (6) years of age by January 1" of the pertinent ski season, unless the following conditions are met to the satisfaction of DPSR General Manager:

The child must have completed and successfully "graduated" from the DPSR Child Ski Center programs

If the child has relocated to the area and has already successfully completed a training program with another ski area or ski areas, the child must complete and pass a "ski off' test to be administered by the DPSR Child Ski. Center Manager or appropriate designee.

Children under six (6) entering the DPSEF will need to demonstrate that they are able to load and unload safely from a quad chairlift.

Standards for loading and unloading chairlifts is attached as **Exhibit C.**

IV. TRAINING PROGRAMS

DPSEF will provide a list of its alpine skiing programs, including price structures, at least once annually to the DPSR General Manager. DPSEF participation fees do not include the required season ski pass to DPSR.

DPSR realizes that some modifications to programs may be necessary due to participants' unknown future needs and demands. DPSEF must obtain prior consent from the DPSR, General Manager before any changes are made in the types of athletic programs and activities being offered by DPSEF.

V. CHILD ABUSE PREVENTION

DPSEF agrees to comply with the District's personnel policy and ensure that any of the DPSEF personnel, eighteen (18) years or older, who supervises or have routine contact with children

under the age of sixteen (16) years, will undergo background checks conducted by DPSEF and approved by the District. Any DPSEF staff member who fails to pass the background check or fails to cooperate in those checks will be terminated by DPSEF. All expenses incurred in conducting these background checks will be the responsibility of DPSEF.

VI. COMPLIANCE WITH LAWS

A. DPSEF will comply with all local, state and federal laws pertaining to the operation of a business of its type (i.e., an athletic education foundation) and will obtain any permits or licenses required.

B. DPSEF will meet all local, state and federal laws pertaining to minimum wage, workers' compensation insurance, unemployment insurance, taxes, social security and any other mandated employer contributions.

VII. COLLECTION OF ALL RACE EVENT FEES

A. Collection of DPSEF race program tuition will be the responsibility of the DPSEF.

B. All DPSEF race program tuition will be the property of the DPSEF.

C. All race fees, head taxes and any additional fees will be collected by DPSEF.

D. Ski Lift ticket sales for event entrants will be conducted by DPSEF staff with daily sales reporting provided to the DPSR Ticketing Department within one (1) week of the event. See Part II (G), above.

E. All race fees will be the property of DPSEF.

F. Payment of any required fees and dues to the U.S.S.A. will be the responsibility of DPSEF.

G. Lift ticket revenue collected by DPSEF will be disbursed to DPSR within (30) days of the event.

VIII. INDEMNIFICATION

DPSEF agrees to indemnify and hold harmless District, and the DPSR, and all of its Trustees (past and present), its officers, employees, and agents from and against any and all claims, demands, losses, defense costs, or liability of any kind or nature against or incurred or which may be imposed upon any of them for physical or emotional injury or the death of any person(s), or damage or loss to any property as a result of or arising out of performance under the terms of this contract, excepting only liability arising out of the sole negligence of DPSR.

IX. INSURANCE

A. With respect to performance under this agreement, DPSEF shall maintain the following insurance:

1. Comprehensive general liability insurance with a combined single limit of not less than $1,000,000 per occurrence. Such insurance shall include products/completed operations liability, blanket contractual liability, personal injury liability, and broad form property damage coverage. Such insurance shall:

   a. Name District/DPSR as additional insured; and
   b. Be primary with respect to any insurance or self-insurance programs maintained by District/DPSR; and
   c. Contain standard cross liability provisions.

2. Workers' compensation insurance which complies with the CDS of Nevada regulations.

B. DPSEF shall furnish properly executed certificates of insurance to DPSR prior to signing this agreement. Such certificate shall:

1. Clearly evidence all coverage required above, including specific evidence of a separate endorsement naming District and DPSR as an insured, as well as all exclusions to the policies;

2. Indicate whether coverage provided is on a claims-made or occurrence basis;

3. Provide that such insurance shall not be materially changed, terminated or allowed to expire except on thirty (30) days' prior written notice to District; and

4. Be forwarded to:

   Incline Village General Improvement District
   Director of Finance, Accounting and Risk Management
   893 Southwood Boulevard
   Incline Village, Nevada 89451

C. If DPSEF, for any reason, fails to maintain insurance coverage which is required pursuant to this agreement, the same shall be deemed a material breach of contract. District at its sole option, may terminate this agreement and obtain damages from the DPSEF resulting from said breach. Alternatively, District may purchase such required insurance coverage, and charge DPSEF for the premiums incurred.

X. INDEPENDENT STATUS

DPSEF in all respects shall serve as an independent contractor and shall not in any respect serve as an agent or employee of District or DPSR. DPSEF shall have no authority to financially obligate District or DPSR, or otherwise commit any of District's resources for any purpose whatsoever. DPSEF will hold District and DPSR harmless from any and all claims or liability and indemnify them from any liability arising out of DPSEF's activities on the hill, whether under this contract or otherwise.

XI. DEFAULT

In the event of default of any terms of this agreement by DPSEF, District and DPSR reserve the right to cancel all programs and races listed in this agreement after providing DPSEF with written notice of default and the opportunity to correct same within fourteen (14) days.

XII. ACCESS TO RECORDS

DPSEF shall keep adequate financial records to account for the collection and expenditure of funds under this agreement. DPSEF shall make these financial records available to District and its agents, upon request.

XIII. AMENDMENTS

Both the DPSEF and District hereto reserve the right to make amendments to this agreement after execution of the agreement. Any amendments will be effective only when made in writing and approved and signed by both the DPSEF and District.

XIV. TERM

This agreement shall be binding upon its execution by both parties. The term of this agreement shall commence on **November 1, 2017**, and expire on **June 30, 2022** (i.e., **five (5)** winter ski seasons).

DPSR makes no warranty as to the amount of snow or length of season and it is at the sole discretion of DPSR whether or not to open the ski resort for any activities whether or not the DPSEF has races scheduled or not.

District reserves the right to suspend or terminate the agreement, or services hereunder, for default, upon written notice as per paragraph XI. Upon termination, District reserves the right to award all or any portion of the agreement to another party.

XV. ASSIGNMENT

This agreement will not be assigned by DPSEF without the written agreement of District. No part

of this agreement may be subcontracted by DPSEF, without the prior written approval of District. The agreement shall automatically terminate upon the sale or lease of DPSR for operation other than by the District.

XVI. SIGNATURE REQUIREMENTS

Authorized representation of DPSEF shall be indicated on all documents by the presence of two (2) signatures: the signature of the President and the signature of the Secretary.

XVII. ATTORNEY'S FEES

Should any dispute arise hereunder the prevailing party shall be entitled to recover, along with any damages it may incur, its actual costs and a reasonable attorney's fee.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names on this day, this ___ day of _____, 2017.

Incline Village General Improvement District

By: _____
Steve Pinkerton
District General Manager

Approved as to Form:

By: _____
Jason Guinasso
District General Counsel

Diamond Peak Ski Education Foundation

By: _____
DPSEF President

By: _____
DPSEF Secretary

EXHIBIT A

Standards of Operation For Routine Ski Race Training As Established by Diamond Peak Ski Resort Management
(Standards of Operation, Paragraph III (A))

1. Space for race training courses may be restricted or canceled due to weather, crowds, and snow conditions. Setting of race courses is at the discretion of the DPSR Mountain Operations Manager or his designee.

2. The responsible race coach will check for instructions with the DPSR Mountain Operations Manager or his designee before any training course is set. Race training schedule will be submitted to the Mountain Operations Manager and approved weekly one (1) week prior to taking effect.

3. Training gates and equipment will be taken up the lift only by the responsible coach unless permission is obtained from the DPSR Lift Supervisor or DPSR Mountain Operations Manager.

4. After training, the course will be side slipped to the satisfaction of the DPSR Mountain Manager or his designee. Adequate time will be allotted by the responsible coach so as not to delay lift opening or closing time.

5. The average number of training courses will be two (2), though some flexibility may be allowed at the discretion of the DPSR Mountain Operations Manager or his designee.

6. Use, type and display location of any sponsorship materials may be approved by DPSR General Manager.

EXHIBIT B

Standards of Operation For Race Production
As Established by Diamond Peak Ski Resort Management
(Standards of Operation, Paragraph III (B))

1. Races at DPSR will not be scheduled by the DPSEF without prior consent by the DPSR Mountain Operations Manager or his/her designee.

2. A Race Information Sheet will be circulated to the DPSR Mountain Operations Manager at least two (2) weeks before a scheduled race.

3. All pre-race and race day registration will be the responsibility of the DPSEF. Race Registration must be set up and operational at least three (3) hours prior to race start. Race Registration location will be cooperatively determined by DPSEF and DPSR General Manager or their designee. As soon as Registration is complete, DPSEF will return the area to its proper order.

4. Machine grooming of the race course will be the responsibility of DPSR. The final machine groomed surface will not be guaranteed because of changing weather or snow conditions. Final course preparation (side slipping, boot packing and course setting) will be the responsibility of the DPSEF race department.

5. Installation of all crowd control fencing will be the responsibility of the DPSR Ski Patrol. "B- Netting" and speed control fencing will be the responsibility of DPSEF.

6. All race courses, start and finish areas, and line up area clean-up will be the responsibility of the DPSEF race department to the satisfaction of the DPSR Mountain Operations Manager.

7. Lift line cutting privileges will be only at the discretion of DPSR General Manager.

8. Use, type and display location of sponsorship materials may be approved by DPSR General Manager.

EXHIBITC

Standards of Lift Operations as Established by DPSEF (Standards of Operation, Paragraph III (I))

Diamond Peak Ski Team Lift Procedures (must always be followed):

1. Obey all the Signs and Procedures maintained and established by the Resort.

2. Sit all the way back on the seat with back against back of seat. (Yes, we know that this is not comfortable for smaller kids, as their legs will be straight out in front and not bent at the knees, but it is the safest position).

3. Hold on to the side arms or center bar.

4. Sit facing forward.

5. Pay attention •• do not fuss with clothing, equipment or food.

6. Absolutely no horseplay will be tolerated.

7. When a coach is loading with children, and a child does not make it safely onto the chair before the end of the loading zone, the coach is not to attempt to pull them onto the chair. Misloaded children should be guided into the catch pits at the end of the loading zones.

8. Children under 51 inches (measured with skis and helmet on) will not be allowed to ride any lift by themselves, regardless of age or ability level.

Diamond Peak Ski Team Lift Guidelines (Children, parents and staff must use their own judgement as to when to apply):

1. Follow the Guidelines established by the Resort according to your own judgement.

2. Smaller children should sit in seats 1 and 4 (outside seats) so that they can grab the side arms.

3. On lifts equipped with a chair bar, children who are large and strong enough to lower and raise the bar safely should lower the safety bar.

Coaches will be encouraged to do the following:

1. During early load mornings and whenever lift lines permit, U12, U10, Tahoe League and Mighty Mites will ride 2 children per chair unless accompanied by an adult (coach, parent or reasonably proficient bystander).

EXHIBIT C
Standards of Lift Operations as Established by DPSEF
(continued)

Parents are encouraged to do the following:

1. Talk to your kids about assuming responsibility for their actions.

2. Speak with coaches and Ski Patrol to determine for yourself if you want your children to lower the bar when unaccompanied by an adult.

3. Speak with coaches and Ski Patrol to determine for yourself if you want your children to ride in positions other than 1 and 4 on the chair.

4. Ride the lift with your children when you feel appropriate for example on very windy, icy, rainy, cold times when the chairs are the most slippery.

5. Report horseplay to coaches or Ski Patrol when you see it.

MEMORANDUM

TO: Board of Trustees

FROM: Steve Pinkerton
General Manager

SUBJECT: Review, discuss, and possibly approve the General Manager Goals for Fiscal Year 2017-2018

DATE: October 12, 2017

I. RECOMMENDATION

The General Manager recommends that the Board of Trustees accept the General Manager's proposed goals for Fiscal Year 2017-2018 as follows:

- Ensure that the Strategic Plan is implemented in an effective and timely manner;
- Execute all the implementation actions outlined in the Strategic Plan;
- Monitor external factors and reassess elements of the Strategy, as necessary; and
- Focus appropriate energies on the elements of the Plan which require the highest level of direct involvement from the General Manager.

II. BACKGROUND

My employment contract, as amended by the Board of Trustees on December 10, 2014, includes the following provision:

> *IVGID will publicly evaluate the EMPLOYEE at least annually, during the 1st meeting of the Board of Trustees in August every year. EMPLOYEE will provide the Board of Trustees with a report of proposed goals during the first Board of Trustees meeting in October every year.*

My annual review was held this year on September 13, 2017 and I received a meets expectations rating from the Board of Trustees.

Attached is a final progress report dated August 15, 2017 on the General Manager's Goals for Fiscal Year 2016/2017.

III. COMMENTS

On September 23, 2015, the Board of Trustees adopted the District's 2015-2017 Strategic Plan.

On August 24, 2016 and April 17, 2017, I provided the Board of Trustees with a progress report on the Strategic Plan (attached).

As the General Manager, my primary goal for the upcoming year is to ensure that the Strategic Plan continues to be implemented in an effective and timely manner.

The Strategic Plan included the following sections:

- Introduction
- Strategic Planning Process
- Statements
- Long Range Principles
- Implementation
- Reassessment

The final three sections of the updated version of the Strategic Plan provide the template for my 2017-2018 goals.

The District's six Long Range Principles each include specific objectives for the next two years and budgeted initiatives for the current year.

The implementation section of the Strategic Plan outlines the means for tracking the progress of each element of the Plan. It specifically notes that: *"The District's General Manager will have the responsibility of being the Strategic Plan Manager to ensure successful implementation."*

As the Strategic Plan Manager, my goal will be to ensure that I take the appropriate actions to be consistent with the implementation plan outlined in the Strategic Plan including:

- Performing an annual review and documentation of progress on initiatives.
- Providing an annual update on the Plan's implementation and results.
- Conducting staff meetings on a quarterly or semi-annual basis to review the Plan's progress and results.
- Providing periodic reports to the Board of Trustees on the Plan's progress and results.

- Ensuring that the performance appraisal process should reflect the execution of the Strategic Plan.
- Tracking measurements related to the Plan on a quarterly basis, where feasible. Provide an annual narrative about the results. Adjust measures as necessary.
- Creating baseline results after first year and provide targets for future years.
- Re-tooling Plan process as necessary to ensure that it remains consistent with District's priorities. Ensure changes are reflected in annual budget process.
- Ensuring that regular staff meetings include a discussion of the Strategy.

In addition, it will continue to be my responsibility to monitor external factors such as the economy and community issues and reassess elements of the Strategy accordingly, as necessary.

The annual review of the Strategic Plan is done in conjunction with the Evaluation Process for the General Manager as the General Manager's review would logically include all of the annual updates noted above.

While I have overall responsibility for the implementation of the Strategic Plan, the Senior Team will be responsible for the execution of the Plan. Upon the Board's acceptance of this report, I will be delegating the appropriate responsibilities to the appropriate member of the Senior Team. Senior Team members will be evaluated on their success in executing the goals and objectives of the Plan.

Besides serving as the conduit to the Board of Trustees regarding the progress of plan as noted in the Implementation Section above, I anticipate focusing my energies in the following areas:

- Communications and Public Relations
- IVGID Code
- Performance Metrics
- Information Technology Management
- Master Plan Implementation
- Culture Training
- Marketing/Branding

IV. CONCLUSION

In summary, my proposed goals for Fiscal Year 2017-2018 include:

- Ensure that the Strategic Plan is implemented in an effective and timely manner;
- Execute all the implementation actions outlined in the Strategic Plan;
- Monitor external factors and reassess elements of the Strategy, as necessary;
- Focus appropriate energies on the elements of the Plan which require the highest level of direct involvement from the General Manager.

V. ATTACHMENTS

- General Manager Goals for Fiscal Year 2016-2017 – Progress Report
- IVGID Strategic Plan 2015-2017 – Report #2 dated April 17, 2017

INCLINE VILLAGE
GENERAL IMPROVEMENT DISTRICT
ONE DISTRICT – ONE TEAM

GENERAL MANAGER GOALS FOR FY2016-2017

Updated as of 8/15/2017

General Manager Goals for Fiscal Year 2016-2017 were approved with a 5-0 vote by the Board of Trustees on October 26, 2016.

Summary of Goals

- Ensure that the Strategic Plan is implemented in an effective and timely manner;
- Execute all the implementation actions outlined in the Strategic Plan;
- Monitor external factors and reassess elements of the Strategy, as necessary; and
- Focus appropriate energies on the elements of the Plan which require the highest level of direct involvement from the General Manager.

Highlights

General

- IVGID Strategic Plan update on August 24, 2016 and April 17, 2017.
- All Objectives for 2015-2017 either completed or in process.
- All Budgeted Initiatives for 2016-2017 completed or in process.
- Adopted a Fiscal Year 2017-2018 Budget that is fully aligned with District Strategic Plan.
- Overall District Revenue exceeded original budget by over $4 million and Net Operating Sources exceeded original budget by over $4 million.
- All Major Fund Budgets (General, Utility, Community Services, Beach) exceeded originally budgeted Net Operating Sources.

Long Range Principle #1 -Resources and Environment

- Board of Trustees approved updates to Ordinance 1 on December 14, 2016.
- Board of Trustees approved new Franchise Agreement with Waste Management at the July 7, 2016 meeting; includes enhanced recycling program.
- Completed work associated with State Lands Grant for environmental improvements/creek restoration to Incline Creek at Championship Golf Course.
- Continued to play lead role in Tahoe Water Suppliers Association's efforts to ensure an environmentally sound remediation plan for Tahoe Keys.
- Secured grant funding for water system improvements through continued participation in the Community Fire Prevention Partnership.

Long Range Principle #2 – Finance

- Completed Implementation of Fund Accounting for Community Services. Revised budget document format to reflect new accounting method.
- Received Government Finance Officers Association certificate for Comprehensive Annual Financial Report.

INCLINE VILLAGE
GENERAL IMPROVEMENT DISTRICT
ONE DISTRICT – ONE TEAM

GENERAL MANAGER GOALS FOR FY2016-2017

Updated as of 8/15/2017

- Updated Performance Measures District-wide in conjunction with 2017-2018 Budget. Dashboards updated quarterly and included in budget document for all major functional areas.
- Conducted multiple budget workshops with Board of Trustees leading up to budget adoption.
- Provided Board of Trustees with five-year financial projections for capital improvements and debt service.
- Combined Cost of Recreation/Beach Facility remained flat for the eighth consecutive year.

Long Range Principle #3 – Workforce

- Conducted employee engagement survey to assist with sustainability of staff and enhance support of managers and supervisors.
- Incorporated Customer Care Council recommendations into employee incentive programs.
- Continued to closely monitor staffing hours to ensure consistency with Affordable Care Act requirements.
- Employee Health and Wellness Program continues to pay dividends as District health care costs did not increase in 2016.
- Employee Safety program continues to assist in keeping risk insurance premium and workers compensation rates flat.
- Department Head Evaluations further retooled and aligned with Strategic Plan and District Values/Culture.

Long Range Principle #4 – Service

- Continue to monitor and update performance metrics established to better measure service levels at each venue/operation.
- First annual Community survey performed to establish baseline Net Promoter Scores and additional metrics for all venues. Survey results indicated high level of satisfaction with IVGID services and programs.
- Record revenues at Diamond Peak for second consecutive year.
- Second year of more customer-centric Point of Sale Systems in place at Ski, Recreation Center, and Chateau Grille. System implemented at Golf Courses in May 2017.
- Memorandum of Understanding between IVGID and Red, White, and Tahoe Blue approved by Board of Trustees on April 25, 2017.
- Adopted Fiscal Year 2017-2018 budget that included specific service enhancement options at the beach facilities as directed by the Board of Trustees on February 22, 2017.
- Adopted Fiscal Year 2017-2018 budget that includes further refinement of "scalability" for Food & Beverage expenditures.

Long Range Principle #5 – Assets and Infrastructure

INCLINE VILLAGE
GENERAL IMPROVEMENT DISTRICT
ONE DISTRICT ~ ONE TEAM

GENERAL MANAGER GOALS FOR FY2016-2017

Updated as of 8/15/2017

- Initiated Beach House design as part of the Beach Facilities Plan approved by Board of Trustees on February 24, 2016. Project update, survey results, and preliminary design schemes presented to the Board of Trustees on March 23, 2017. Additional public information sessions at Incline Beach planned for July and August 2017.
- Tennis Facilities Study completed approved by Board of Trustees on August 24, 2016.
- Community Services Master Plan consultant contract approved by Board of Trustees on July 27, 2016, implementation underway.
- Condition assessment of thin-walled effluent pipeline segments completed with near term repairs planned to be completed as a component of NDOT's East Shore Bikeway project in the Fall of 2017. Condition assessment of the thick-walled pipeline segments planned for 2018.
- Updated rate studies completed, water and wastewater rates approved by Board of Trustees on April 25, 2017 continue to set aside appropriate amounts for facility maintenance and replacement.
- Updated Facility Naming Policy approved by the Board of Trustees on September 28, 2016.
- Memorandum of Understanding executed with Incline Tahoe Foundation (ITF) to construct and maintain the Incline Bike Park project; approved by Board of Trustees on March 8, 2017. Naming policy between ITF and IVGID was approved by Board of Trustees on June 28, 2017.
- Diamond Peak Master Plan Update submitted to the Tahoe Regional Planning Agency and United States Forest Service (USFS) on March 30, 2016. Plan application accepted by the USFS on March 29, 2017. Next steps, including environmental consultant selection by TRPA, still being coordinated with USFS.
- Diamond Peak culvert design underway with LiDAR (light detection and ranging) condition assessment completed in October 2016.
- Preliminary design of Ski Way improvements underway with a presentation to the Board of Trustees planned for the Fall of 2017.

Long Range Principle #6 – Communication

- Quarterly community meetings initiated as directed by the Board of Trustees.
- Well attended Face-to-Face with the Trustees held on February 15, 2017.
- Hosted interactive public workshops on the Community Services Master Plan on November 30, 2016 and June 24, 2017.
- Solicited participation in Community Services Master Plan community survey.
- Provided Community survey results at the Board of Trustees meeting on January, 18, 2017.
- GM's Corner published in *North Lake Tahoe Bonanza* on a biweekly basis.
- Financial Transparency page on IVGID website continues to add additional information as requested by the Board of Trustees and public.
- Proposed 2017-2018 budget released on opengov.com portal on IVGID website.

INCLINE VILLAGE
GENERAL IMPROVEMENT DISTRICT
ONE DISTRICT ~ ONE TEAM

GENERAL MANAGER GOALS FOR FY2016-2017

Updated as of 8/15/2017

- Employee Newsletter expanded.
- IVGID Quarterly mailed to all property owners and distributed in *North Lake Tahoe Bonanza* – over 52,000 copies in FY 2016-2017.
- Branding Study approved by Board of Trustees on July 7, 2016; implementation underway.
- Provided staff support to GM Subcommittee on Communications.
- Expanded interaction with social media outlets and engagements (Facebook, Talk2IVGID, Nextdoor.com).

INCLINE VILLAGE
GENERAL IMPROVEMENT DISTRICT
ONE DISTRICT ~ ONE TEAM

Strategic Plan

2015 - 2017

Report #2 dated April 17, 2017

yourtahoeplace.com

Long Range Principles

LONG RANGE PRINCIPLE #1
Resources and Environment

Initiating and maintaining effective practices of environmental sustainability for a healthy environment, a strong community and a lasting legacy.

- Review and upgrade District policies and practices to encourage or require waste reduction, recycling and environmentally preferable purchasing.
- Develop sustainability measures, goals and metrics to create and/or maintain a sustainable District.
- Provide the community with environmental education and technical services on watershed protection, water conservation, pollution prevention, recycling and waste reduction.

Objectives for 2015-2017

1. Form a Sustainability Committee comprised of representatives from each Department to plan sustainability efforts, prioritize projects, and coordinate internal efforts to implement the best practices relating to sustainability.

Reporting Status - August 24, 2016: In progress
Reporting Status - April 17, 2017: In progress

2. Prepare a policy for review and approval by the Board of Trustees to purchase environmentally preferable products, reuse durable products, reduce the waste stream and prevent pollution.

Reporting Status - August 24, 2016: Resolution 1836, Environmental Sustainability Statement, was adopted on April 29, 2015.
Reporting Status - April 17, 2017: In progress

Budgeted Initiatives for 2015-2016

A. Defensible Space, in partnership with the North Lake Tahoe Fire Protection District, protecting District lands and the Tahoe Basin watershed.

B. Providing leadership for the Tahoe Water Suppliers Association.

Reporting Status - August 24, 2016: Complete

Budget Initiatives for 2016-2017

A. Weekly single stream recycling beginning in October 2016, increase from every other week.
B. Green waste recycling expanded from 12 to 16 weeks for residents
C. Continue implementing operational changes to enhance sustainability and achieve the Sustainable Tourism Operations STOKE Certificate for the 2016/2017 ski season.

2016 Statistics

Single stream recycling - 1,052 tons
Electronic waste recycling – 29 tons
Appliance Recycling – 7 tons
Scrap metal recycling – 4 tons
Christmas tree chipping program – 25 tons
Green waste recycling – 337 tons
Biosolids recycling – 299 tons
Household hazardous waste disposal – 33 tons

2016 Community Recycling Rate = 22.4%

Budget Initiatives for 2017-2018

A. Continue to make adjustments to the Franchise Agreement with Waste Management to better serve our customers.
B. Continue implementing operational changes to enhance sustainability and achieve the Sustainable Tourism Operations STOKE Certificate for 2017/2018 ski season.

LONG RANGE PRINCIPLE #2
Finance

The District will ensure fiscal responsibility and sustainability of service capacities by maintaining effective financial policies for operating budgets, fund balances, capital improvement and debt management.

- Adhere to Government Generally Accepted Accounting Principles.
- Comply with State and Federal regulations.
- Maintain Performance Measurement.
- Report results and demonstrate value.
- Develop and maintain a long term plan to sustain financial resources.

Objectives for 2015-2017

1. Identify appropriate performance measurement that goes beyond dollars and units of service, to demonstrate quality as well as quantity.

Reporting Status - August 24, 2016: This objective is complete; dashboards created.
Reporting Status - April 17, 2017: Quarterly updates are being issued; the next one will be given to the Board on February 17, 2017 (Quarterly dashboards).

2. Utilize the new financial reporting structure to build understanding of the different aspects between operations, capital improvement and debt service.

Reporting Status - August 24, 2016: Begun with Fiscal Year 2015/2016 Budget, use will be ongoing.
Reporting Status – April 17, 2017: The Annual Audit Opinion included a paragraph with emphasis that the changes were properly applied and presented in those financial statements.

3. With allocated resources, equate service expectations and the capability to deliver.

Reporting Status - August 24, 2016: Begun with Fiscal Year 2015/2016 Budget, use will be ongoing.
Reporting Status - April 17, 2017: Ongoing.

4. Prepare a five year projection of financial results and performance measures for operations, capital improvement and debt service as a part of budget deliberations.

Reporting Status - August 24, 2016: Begun with Fiscal Year 2015/2016 Budget, use will be ongoing.
Reporting Status - April 17, 2017: Refinement and expansion continues.

Budgeted Initiatives for 2015-2016

A. Maintain the allocation of Facility Fee components for operations, debt service and capital expenditure to provide resources for each important aspect of District activities.

Reporting Status - August 24, 2016: Complete

B. Prepare a Comprehensive Annual Financial Report to provide financial position and results of operations to a variety of users and information needs, with an independent auditor opinion.

Reporting Status - August 24, 2016: Complete

C. Comply with Nevada Revised Statutes and Administrative Code requirement for the budget process and document content.

Reporting Status - August 24, 2016: Complete
Reporting Status – February 17, 2017: Began the process for the 2017-18 Budget using updated form set 4404LGF as issued by the State in January 2017.

D. Actively manage planning and financial reporting to inform users for decision making to sustain a strong financial base for operations and increasing net assets.

Reporting Status - August 24, 2016: Complete

Budgeted Initiatives for 2016-2017 (ongoing in 2017-2018)

A. Maintain the allocation of Facility Fee components for operations, debt service and capital expenditure to provide resources for each important aspect of District activities.
B. Prepare a Comprehensive Annual Financial Report to provide financial position and results of operations to a variety of users and information needs, with an independent auditor opinion.
C. Comply with Nevada Revised Statutes and Administrative Code requirement for the budget process and document content.
D. Actively manage planning and financial reporting to inform users for decision making to sustain a strong financial base for operations and increasing net assets.
E. Enhance quarterly reporting on Capital Expenditures by refining discussion and analysis included with the financial reports.
F. Popular reporting instituted by May 2017 and that will be ongoing.

LONG RANGE PRINCIPLE #3
Workforce

Attract, maintain and retain a highly qualified, motivated and productive workforce to meet the needs of District venues:

- Staff will evaluate open position job descriptions, for need to fill, level of and related compensation for the position.
- Re-evaluate, during the budget process, the optimum level of Staff and related total compensation, necessary to each department based on industry standard and levels of service.
- Comply with State and Federal regulations.
- Continue to provide a safe environment and continue to strive for low workers compensation incidents.
- Identify individuals for retention and growth for management succession within the District.

Objectives for 2015-2017

1. Implement a rotating schedule for evaluating each position to ensure District is competitive with its total compensation and benchmarks.

2. Create a plan for cross training at all venues for Management level succession planning.

Reporting Status - April 17, 2017: In progress.

3. Identify potential changes of status and retention for year round Diamond Peak Summer Operations.

Reporting Status - April 17, 2017: Project Entitlement process continues; see 2017-2018 budget initiatives.

Budgeted Initiatives for 2015-2016

A. Constantly review the fundamentals of seasonal positions, including length of service, rates of pay and eligible benefits.

Reporting Status - August 24, 2016: Complete

B. Evaluated job descriptions and related effects anytime we have turnover in a full time position.

Reporting Status - August 24, 2016: Complete

C. Consider the affects of the Affordable Health Care Act and how its requirements can be managed to the best use of public funds.

Reporting Status - August 24, 2016: Complete

D. Maintain the District's core values for employees of Teamwork, Integrity, Service, Excellence and Responsibility.

Reporting Status - August 24, 2016: Complete

Budgeted Initiatives for 2016-2017

A. Constantly review the fundamentals of seasonal positions, including length of service, rates of pay and eligible benefits.
B. Evaluated job descriptions and related effects anytime we have turnover in a full time position.
C. Consider the affects of the Affordable Health Care Act and how its requirements can be managed to the best use of public funds.
D. Maintain the District's core values for employees of Teamwork, Integrity, Service, Excellence and Responsibility.
E. Review the budget, number of positions as it relates to salary and benefits of the full time year round employees to ensure that we are able to continue to attract, maintain and retain highly qualified employees.

Budgeted Initiatives for 2017-2018

A. Constantly review the fundamentals of seasonal positions, including length of service, rates of pay and eligible benefits.
B. Evaluated job descriptions and related effects anytime we have turnover in a full time position.
C. Consider the affects of the Affordable Health Care Act and how its requirements can be managed to the best use of public funds.
D. Increased need/efforts for recruiting for all positions related to housing, pay scale increase, etc. has shifted to all Community Services venues.
E. Review the budget, number of positions as it relates to salary and benefits of the full time year round employees to ensure that we are able to continue to attract, maintain and retain highly qualified employees.
F. Conduct employee engagement survey measurements to assist with sustainability of staff, improve communication and relationships and right sizing of departments with an emphasis on management training and support to engagement growth.

LONG RANGE PRINCIPLE #4
Service

The District will provide superior quality service and value to its customers considering responsible use of District resources and assets.

- Provide well defined customer centric service levels consistent with community expectations.
- Apply Performance Management to meet or exceed established venue customer service levels.
- Utilize best practice standards for delivery of services.
- Commit to evaluate customer loyalty/satisfaction to demonstrate the value of results.
- Maintain customer service training for new, returning and existing employees.

Objectives for 2015-2017

1. Establish metrics through key performance indicators for each venue.

Reporting Status - August 24, 2016: Complete

2. Establish specific performance indicators to evaluate customer loyalty/satisfaction.

Reporting Status - August 24, 2016: Complete

3. Align performance metrics through industry benchmarking.

Reporting Status - August 24, 2016: Complete

4. Analyze the net effect of established service levels on the District operations and apply changes as needed and encourage/reward continuation of appropriate performance.

Reporting Status - August 24, 2016: Complete

5. Explore comprehensive Customer Service measurement tool for the District.

Reporting Status - August 24, 2016: Complete

Budgeted Initiatives for 2015-2016

A. Each venue has time budgeted for new, returning and existing employees to participate in Customer Service Training.

Reporting Status - August 24, 2016: Complete

B. Service levels are expected to remain at or above current levels. The emphasis is on providing the best customer experience.

Reporting Status - August 24, 2016: Complete

C. The District is continuing the Customer Care program for all of Community Services, which includes empowerment for any actions that generate a hard cost to remedy a customer satisfaction issue.

Reporting Status - August 24, 2016: Complete

Budgeted Initiatives for 2016-2017

A. Each venue has time budgeted for new, returning and existing employees to participate in Customer Service Training.
B. Service levels are expected to remain at or above current levels. The emphasis is on providing the best customer experience.
C. The District is continuing the Customer Care program for all of Community Services, which includes empowerment for any actions that generate a hard cost to remedy a customer satisfaction issue.

Budgeted Initiatives for 2017-2018

A. Cyclical review of service level alternatives.
B. Use/correlate Annual Community Survey with service level alternatives.

LONG RANGE PRINCIPLE #5
Assets and Infrastructure

The District will practice perpetual asset renewal, replacement and improvement to provide safe and superior long term utility services and recreation activities.

- Maintain, renew, expand and enhance District infrastructure to meet the capacity needs and desires of the community for future generations.
- Maintain, procure and construct District assets to ensure safe and accessible operations for the public and the District's workforce.
- Maintain current Community Service and Public Works master plans.
- Maintain a 5-Year and 20-Year capital improvement plan.
- Conduct planning and design, in advance of undertaking projects or procurement, to ensure new District assets meet operational requirements and enhance the customer experience.
- Maintain an asset management program leveraging technology, as appropriate by venue/division, to ensure timely and efficient asset maintenance.
- Comply with regulatory requirements and industry standards.

Objectives for 2015-2017

1. Set direction for the proposed Diamond Peak master plan.

Reporting Status - August 24, 2016: Done; entitlement process underway and more decision points ahead.

2. Begin the update of the Community Service master plan.

Reporting Status - August 24, 2016 - Underway.

3. Complete condition analysis and project scoping for the Effluent Export Project – Phase II.

Reporting Status - August 24, 2016 - Underway.

Reporting Status - April 17, 2017: Condition assessment of thin-walled pipeline segments is complete with near term repair process underway. Planning for thick-walled pipeline segment condition assessment is underway with work planned for Fall 2017 or Spring 2018.

4. Investigate asset management/work order software for Community Service venue operations to determine applicability and resources required for implementation.

Reporting Status - August 24, 2016 - Under review; Diamond Peak likely first candidate.

Budgeted Initiatives for 2015-2016

A. Continued use of the Five Year Rate Study as a way to ensure proper funding of capital projects such as the Effluent Pipeline replacement.

Reporting Status - August 24, 2016: Complete

B. Allocate capital expenditures in Community Services to maintain service levels, while planning for some facility replacement for facilities that are crossing 20 years in service.

Reporting Status - August 24, 2016: Complete

C. Begin the update of the Master Plan for the Beach Venues.

Reporting Status - August 24, 2016: Complete

D. Begin the update of the Master Plan for Parks and Recreation Venues.

Reporting Status - August 24, 2016: Complete

E. Work through the approval process of the proposed Diamond Peak Master Plan.

Reporting Status - August 24, 2016: Complete

Budgeted Initiatives for 2016-2017

A. Continued use of the Five Year Rate Study as a way to ensure proper funding of capital projects such as the Effluent Export Pipeline Replacement Project.

Reporting Status - April 17, 2017: The five year Utility Rate Study was completed and presented to the Board of Trustees on February 8, 2017.

B. Allocate capital expenditures in Community Services to maintain service levels, while planning for some facility replacement for facilities that are crossing 20-years in service.
C. Continue work on the Community Service Master Plan.
D. Continue to work through the environmental clearances and regulatory approval process for the Diamond Peak Master Plan.
E. Set direction on final design of the Incline Beach House Project.
F. Begin final design of the Incline Creek Culvert Rehabilitation at Diamond Peak.

G. **Begin preliminary design for rebuilding Ski Way.**

Budgeted Initiatives for 2017-2018

A. Continued use of the Five Year Rate Study as a way to ensure proper funding of capital projects such as the Effluent Export Pipeline Replacement Project.
B. Allocate capital expenditures in Community Services to maintain service levels, while planning for some facility replacement for facilities that are crossing 20-years in service.
C. Continue work on the Community Service Master Plan.
D. Continue to work through the environmental clearances and regulatory approval process for the Diamond Peak Master Plan.
E. Set direction on final design of the Incline Beach House Project - on the Board's agenda for March 8, 2017.
F. Complete final design and construction permitting of the Incline Creek Culvert Rehabilitation at Diamond Peak.
G. Complete preliminary design for rebuilding Ski Way and set direction for final design approach.

LONG RANGE PRINCIPLE #6
Communication

The District will engage, interact and educate to promote understanding of the programs, activities, services, and ongoing affairs.

- Promote transparency in all areas including finance, operations and public meetings.
- Provide clear, concise and timely information in multiple, publicly accessible formats.
- Ensure that both internal and external communication is responsive, comprehensive and inclusive.

Objectives for 2015-2017

1. Create function and dedicate full time staff to communications.

Reporting Status - April 17, 2017: Complete

2. Invest in technology to improve access to information, better track citizen requests and inquiries and streamline customer service operations at venues.
3. Employ tools to enhance internal communications.
4. Implement best practices for sharing information with the public.

Budgeted Initiatives for 2015-2016

A. Expand the District's approach to communication decisions for the entire District for sales, marketing and communications. All venues and Funds will be served by the new Communications Coordinator.

Reporting Status - August 24, 2016: Complete

B. The District will be utilizing several online tools to improve Citizen Request Management and Financial Transparency.

Reporting Status - August 24, 2016: Complete

C. The District will replace existing Point of Sales systems to improve service delivery and extend capacity for registration and purchases.

Reporting Status - August 24, 2016: Complete

Budgeted Initiatives for 2016-2017

A. Branding – complete a community wide process to provide better recognition and utilization of District recreational venues.

Reporting Status - April 17, 2017: Initiated.

B. Community Services Master Plan – conduct an 18-month to two year process of community surveys, workshops, and planning to understand and document the communities desires and expectations for recreation and facilities in the next ten to fifteen years.

C. Customer Services Annual Survey – craft a community wide survey instrument to identify satisfaction with all IVGID provided services and facilities which will be implemented yearly.

Reporting Status - April 17, 2017: Completed the baseline survey in 2016 with report delivered to the Board of Trustees on January 18, 2017. In 2017, we plan to add in tenants to our survey pool.

Budgeted Initiatives for 2017-2018

A. Continue to maintain and expand list of residents to do instant surveys (expand our database).

Reporting Status - April 17, 2017 - Underway.

B. Implement a Community Event Calendar.

Reporting Status - April 17, 2017 - Underway.

C. Conduct the Board of Trustees Quarterly Community Workshops.

Reporting Status - April 17, 2017 - Conducted 1st Community Workshop - Face to Face with Your IVGID Trustees; 2nd Community Workshop scheduled for the Community Services Master Plan sometime in June 2017.

D. Complete the codification of IVGID's ordinances, policies, procedures, etc. thus to create an easy to work with and update IVGID code.

Reporting Status - April 17, 2017 – First step will be for the District's General Counsel to work with the District's General Manager and District Clerk to develop an outline and we anticipate that to begin in June of 2017.

INCLINE VILLAGE
GENERAL IMPROVEMENT DISTRICT
ONE DISTRICT ~ ONE TEAM

Incline Village General Improvement District

893 Southwood Boulevard

Incline Village, Nevada 89451

Telephone Number: 775-832-1100

Questions: info@ivgid.org

yourtahoeplace.com

Elected Official and Governing Board Self-Evaluation Tool
Incline Village General Improvement District
Board of Trustees Meeting of October 25, 2016

A. Establish and Promulgate Organizational Vision and Values

WONG	HORAN	DENT	CALLICRATE	MORRIS
In Progress	In Progress	In Progress	In Progress	In Progress

EVIDENCE

WONG
The Board and district adopted a strategic plan in 2015. All of our Board decisions include a link to the strategic plan. Each year since 2015 we have evaluated process towards achieving goals in the strategic plan. At the beginning of 2017, the Board began updating the strategic plan again since the membership of the board changed with the recent election. So far, we have gathered information for the Board Work Plan and will continue to progress on the areas we have selected.

HORAN
The Board adopted a strategic plan in 2015. In 2017 it is in the process of being updated.

DENT
Only two members of this Board contributed to the development of the strategic plan back in 2015, we need to revisit this.

CALLICRATE
Unless and until this Board begins to operate as a cohesive unit that abides by its individual trustees' campaign promises; i.e. Zero Based Budgeting, complete fiscal transparency, operating within our District's limited financial resources and pursuing the wishes and direction of the majority of the Electorate by actually reaching out and listening to ALL residents we, the Board will continue as a fractious 3/2 body.

MORRIS
A core tenant of our Values statement is that IVGID will act "... with integrity and teamwork". The Board is not actively working as a team. While differences in opinions are to be expected, it would behoove us to maintain civility, order, discipline and respect in our debates regarding all matters. Dysfunction and disrespect during board activities does not approach our vision statement to "...enhance the reputation of our community as an exceptional place to live, work, invest, and play."

Elected Official and Governing Board Self-Evaluation Tool
Incline Village General Improvement District
Board of Trustees Meeting of October 25, 2016

B. Develop and Promulgate Relevant Governing Policies

WONG	HORAN	DENT	CALLICRATE	MORRIS
In Progress	In Progress	In Progress	In Progress	In Progress

EVIDENCE

WONG
After direction from the Board, our staff and legal counsel have been working to codify the policies and procedures of the District into the IVGID Code. That project is nearing completion and will enable the board to identify conflicting or outdated policies.

HORAN
Early in 2017 the Board recognized the need to update policies and practices. This work is ongoing and in process.

DENT
In establishing the 16'/17' and 17'/18' budget the Board did not follow budget policy. We consistently fail to follow Board policy when it comes to putting items on the agenda along with many other policies.

CALLICRATE
Again, this Board continues to operate outside its own Board Policies; i.e. specifically Policy 3.1.0, 5.1.0 and most recently the egregious withholding and/or destruction and/or retention of emails and relevant public documents as required by NRS 318. Additionally, until the Board requests our General Manager to hire an attorney completely well-versed in Nevada Revised Statutes pursuant to our GID and its attendant responsibilities and who has vast experience **prior** to employment, we will continue to operate under a severe legal handicap.

MORRIS
We refer to and follow our policies as the basis for all our decision-making efforts. It is the case however, that these policies need to always reflect current values, laws and regulations as well as sensibilities within our District. The current review of policies therefore, is well timed, if perhaps a little overdue, to ensure the Board continues to develop and promulgate relevant policies.

Elected Official and Governing Board Self-Evaluation Tool
Incline Village General Improvement District
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C. Monitor Expected Organizational Outcomes

WONG	HORAN	DENT	CALLICRATE	MORRIS
Meets Expectations	Meets Expectations	In Progress	In Progress/Meets Expectations	In Progress

EVIDENCE

WONG
The strategic plan guides organizational outcomes. From a financial perspective, the budget reflects the resources needed to achieve organizational outcomes. The District has a robust budget process in which the Trustees had significant input during the past year. From an operational perspective, the District implemented performance metrics that are measured in addition to financial metrics.

HORAN
Budgets are prepared in detail for the various venues and measured monthly and variances identified. Adjustments made where required.

DENT
What we measure, we can manage, and right now we are not measuring. This needs to be improved and we need to compare out venues costs to other businesses. Golf expenses continue to outpace revenues year after year. This is not sustainable.

CALLICRATE
While some areas of the District's organization (specifically Public Works) have appropriate organizational metrics in place to determine performance objectives, our most customer intensive (Community Services) has been in a holding pattern with its entire metrics-based performance objectives. We have been continually told by our GM that everything is just about in place. It's been over a year now. Not to mention it's been over 3 years since the District has completely answered the concerns relating to Ordinance 7.

MORRIS
An important indicator of monitoring expected outcomes is for board members to be actively engaged with the General Manager to review progress on those outcomes and thereby assure that we are fully aware and briefed on them in order to make the best and most appropriate decisions. Not meeting with the General Manager on these matters, in my opinion, reduces the wider knowledge and more broader perspectives available to Trustees in order to better monitor, set and revise those outcomes the Board determines to be important.

Elected Official and Governing Board Self-Evaluation Tool
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D. Responsible Management of Resources

WONG	HORAN	DENT	CALLICRATE	MORRIS
Meets Expectations	Meets Expectations	In Progress	In Progress	Meets Expectations

EVIDENCE

WONG
The board receives monthly financial updates through a financial package and published information on OpenGov. The board also receives monthly venue status updates and quarterly reports related to capital improvement projects. The General Manager also provides a verbal update on a monthly basis. All reports are available to the Board and the public through the district's website. The District also has non-financial performance metrics.

HORAN
In addition to what was mentioned above the GM and or Venue managers give verbal updates at Board meetings.

DENT
The District has taken huge steps backwards when it comes to transparency. The recently developed transitory 30 day email policy was established by staff a couple months ago even though it does not meet the minimum requirements set by NSLA. It appears we are still concealing public records. This is very troubling.

CALLICRATE
Again, instead of completely attending to all the assets and operations IVGID **currently** is responsible for, the majority of this and the 2 previous Boards have been hell-bent on taking on new operations; specifically summer operations at Diamond Peak and the purchase of the Parasol building. Both are wildly unpopular with our Community and are fiscally irresponsible given our extremely depleted reserves at this time.

MORRIS
The availability of senior staff to meet with Board Members and discuss all topics including budgets, resources, values and needs enables me to better discharge my fiduciary obligations. However, the lack of 100% participation by all Trustees in the District's budgeting process denies the district the full fiduciary engagement it deserves from the Board. The Board receives high quality and thorough staff presentations regarding responses to Board questions as well as staff requests, suggestions, recommendations and general updates. As a result, we are able to appraise overall administrative management and determine, measure and refine strategic priorities. The data and information made available to any interested party via the District's 'Open Gov' system delivers upon our goals for financial transparency.

Elected Official and Governing Board Self-Evaluation Tool
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E. Community Engagement and Communication

WONG	HORAN	DENT	CALLICRATE	MORRIS
In Progress	In Progress	In Progress	In Progress/Meets Expectations	Meets Expectations

EVIDENCE

WONG
In my mind, this area will always be in progress. In a world where information is always at your fingertips, we need to continue to identify effective ways to engage our community. The Communications Coordinator does an excellent job of disseminating information in the community through the IVGID Quarterly, NextDoor.com, community emails, Facebook communications, etc. I have heard and seen several compliments about how she presents information in a neutral manner to correct misinformation. We need to proactively send accurate information to the community and dispute misinformation quickly. Many members of the public are appreciative when I show them where to find information, especially as it relates to financial information and the proposed Parasol lease modification.

HORAN
We can always do more. Our Communications Coordinator continues to increase the posting of District activities and responds effectively to community inquiries.

DENT
The Board has done a lot in years past to lose the trust of the community. There have been a lot of mistakes involving: lack of consistency, lack of transparency, failed execution of large projects, expired bonds, neglecting to upkeep District's assets, concealing public records, etc.

CALLICRATE
Misty Moga and her support crew have done their best to provide accurate, timely and important information to our Community! I commend her for accomplishing a daunting task. I feel that her job has greatly aided the Board in accruing information from our citizenry and, in turn the Board has been able to put forth relatively timely information regarding pressing issues it faces. Where I do take issue is the GM's Corner which goes out to the Bonanza without Board oversight. Many discrepancies have been discovered and it is not helpful to the District. While attempts have been made to further engage the Community through special meetings, Community Workshops, etc., a more concerted effort needs to be made in having focused,1/2 item Townhalls in the Spring and Fall as originally proposed over 3 years ago.

MORRIS
Outreach to the internal and external community to communicate the District's direction, mission, vision and core values is very broad and thorough. Using multiple approaches including publications, online postings, emails, newspaper columns, flyers, advertising etc., we manage to address a very large audience. The receipt of community input is also very good, with events such as the IVGID community meetings, focus groups, 'meet and greets' before board meetings etc. It is the case however, that even though it can be challenging at times, within the community and with other officials we Trustees need to keep in mind it is our duty to represent the interests of the organization and the Board decisions collectively over our own interests.

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F. Board Operations

WONG	HORAN	DENT	CALLICRATE	MORRIS
In Progress	In Progress	In Progress	In Progress	Meets Expectations

EVIDENCE

WONG
There have been multiple instances where a Board member acted outside the authority as a Board member. This led to the training from the Attorney General's office. I am not confident that all Board members adhere to confidentiality. There have been instances where I hear topics discussed in legal non-meetings from members of the public. For the most part, I think that Board members come to meetings prepared – having read the Board packet and met with the General Manager. I think that each Board member needs to better at communicating the reason behind making decisions. This is probably best done during discussion after a motion and second are made.

HORAN
As a new Board we have had multiple opportunities to learn about the duties and responsibilities of a Board member. It is important for each of us remember that the Board is responsible for overseeing governance not operations.

DENT
We have a diverse group which is good, however, we need to do a better prioritizing what is the community would like us to do and really listed to the folks that elected us.

CALLICRATE
In this past year I have noticed an alarming disregard for Trustees being able to request agenda items and actually have them put on the agenda in the original format requested. In fact, at the last regular Board meeting in September, 4 items by Trustee Dent were removed by the majority of the Board. Unprecedented! And it shows an abuse of power by our current Board Chair Wong. Unfortunately, it **seems** to 2 of us on the Board that some type of complicit activity has occurred prior to the last several Board meetings. Again, until this type of activity by the Chair and other Trustees ceases, I feel this Board will continue on a 3/2 track. So much for hearing, and respecting, the views of **all** members of the Board.

MORRIS
In general the Board works well together during deliberations. It typically meets with all Trustees in attendance who arrive prepared to discuss all matters on the agenda. We promote discussion and actively listen to each Trustee. At times however, Trustees do need to work on maintaining decorum and civility.

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G. Building and Sustaining an Effective Relationship with the General Manager

WONG	HORAN	DENT	CALLICRATE	MORRIS
In Progress	Meets Expectations	In Progress	In Progress/Meets Expectations	In Progress

EVIDENCE

WONG
A majority of board members have a good working relationship with the General Manager. Most of us meet with the General Manager on a regular basis. I think that it is incumbent that each board member meet with the General Manager. Each time I meet with Steve, I appreciate his expertise and commitment to the IV/CB community.

HORAN
I am only speaking to my relationship with the General Manager. I meet and speak to the General Manager on a regular basis and have always found him to be open and well informed with a strong commitment to his responsibilities.

DENT
Relationships are built on trust; trust is established not based on what one says but what they do. When ones actions do not align with what they say it becomes difficult to trust.

CALLICRATE
Again, the majority of the Board seems to have a phenomenal relationship with the GM. I do not share in that opinion. I have been diligent in this past year to seek common ground with our GM but it has come to no avail. I have been blatantly lied to on numerous occasions by the GM and it has made it difficult to **not** question his integrity and credibility. That being said, I will continue to be civil with our GM and only hope that he realizes there are issues yet to be resolved.

MORRIS
Trustee relationships with the General Manager are mixed in the extreme, ranging from effective and cordial to bordering upon hostility. The majority of the Trustees, including myself, maintain effective relationships with him and by doing so communicate with him regularly and effectively. We respect his responsibilities and collaborate with him to understand issues, resolve problems and evaluate processes across the District. The Board also sets clear goals and objectives by which the General Manager can be, and is, measured. A minority of the Trustees appear to have little to no relationship with or respect toward the General Manager and having none, in my view are consequently not able to collaborate with him on any matters.

MINUTES

REGULAR MEETING OF AUGUST 22, 2017
Incline Village General Improvement District

The regular meeting of the Board of Trustees of the Incline Village General Improvement District was called to order by Chairwoman Kendra Wong on Tuesday, August 22, 2017 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 Communications Coordinator Misty Moga, Director of Human Resources Dee Carey, Director of Public Works Joe Pomroy, Parks and Recreation Director Indra Winquest, General Manager Diamond Peak Ski Resort Mike Bandelin, Director of Golf Michael McCloskey, and Director of Asset Management Brad Johnson.

Members of the public present were Jack Hubbard, Chuck Otto, Darryl Dworkin, Andy Whyman, Gail Krolick, Ken Viel, Barbara Stedman, Gayle Holderer, Frank Wright, Alan Tiras, Cliff Dobler, Paul Smith, Margaret Martini, Pete Todoroff, Natalie Tiras, Steve Price, Steve Dolan, Bruce Simonian, John Krolick, Iljosa Dobler, Jon Bigelow, Ramona Bigelow, Greg Flanders, Bill Devine, Gene Brockman, Linda Newman, Bill Ferrell, Mark Newman, Sara Schmitz, Judith Miller, and others.

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

C. PUBLIC COMMENTS*

Ben Dosseff said he wanted to ask the city if they would more or less get Incline Village cleaned up of trash as trash is being thrown out of car windows and dropped by visitors and by people who live here. He has worked hard on trying to get it cleaned up and it is not working to well therefore he is asking the city for help on cleaning up Incline Village and also some way of keeping up with the

trash being dropped out there. Mr. Dosseff continued that he is a walker for exercise and that he sees quite a bit of trash that one doesn't notice when driving but that when you get out and walk around you see it. There is a lot of trash everywhere and he is here to ask for either help or a solution to the problem. He can show anybody where these areas are at and where it is really, really bad and basically that is what he came here for - to report it. We all live in a beautiful place known as Lake Tahoe and it is hard to believe it is going on and nothing is being down about it.

Sara Schmitz said that she has received a trash violation and requested a review of the policy regarding trash carts and yard waste.

Pete Todoroff said he is a thirty seven year resident in Incline and he wants to speak about disturbing the meeting. He heard there was a problem with a sign out front. He wants the money put into the infrastructure and not bail out Parasol. It is troubling that there was a problem and he doesn't understand why this would happen. Money should be put into infrastructure not Parasol.

Darryl Dworkin read from a prepared statement which is attached hereto.

Jack Hubbard read from a submitted statement which is attached hereto.

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

Judith Miller said that she had a written statement to give to the Board from Aaron Katz; District General Counsel refused the statement and Chairwoman Wong said that Mr. Katz had to be here to submit his own written statement. Ms. Miller then said that she was out of town during the Parasol lease amendment meeting but that she did heart about it. Even Ms. Anderson said that the building had no value as there is no one, other than IVGID, that could occupy the building. She heard that our General Manager said that the land use restriction wasn't a problem nor was it in the past. It is a big concern and is especially now so because of the original land use amendment that allowed the building and the occupancy was based on a false document. Someone signed that document from Gardena Supply Company which was dissolved ten years earlier. Why was that sought because no one wanted to go to the courts instead they fooled the citizens to think we had the land use amendment. If you ignore the land use amendment, the land is for recreation and related purposes. Administrative services has much more to do with recreation but we can't have our Staff occupy that land as it is against the restrictions and this opens up the District to liability. Any citizen could come forward, challenge it, and then we will have legal costs.

This is against the laws in the State of Nevada so the Board needs to read those very carefully, hear from your attorney, and understand every legal matter that the District is involved in.

Frank Wright said that he is submitting Mr. Katz's written comments and handing those to the District Clerk right now. Chairwoman Wong said that they will not be entered into the record. Mr. Wright responded that there will be an Open Meeting Law complaint. Chairwoman Wong asked that Mr. Wright's time be reset and that the submitted written comments not be attached to these minutes. Mr. Wright said that there are so many things going on that have to be fixed and right now District General Counsel, Staff, and the Chairwoman are taking us down a path that is unacceptable. He asked Mr. Clark why he held the forum on the Parasol building and if he was getting something from it, Mr. Clark responded $150,000 so that begs the question to our General Manager – how much are you getting. This could be his buy out and an exit plan and that exit plan is being brought by the Chairwoman because he will be out of here soon. Maybe all Staff should have exit plans. The District has four Open Meeting Law complaints that the Board members who are violating it haven't been consulted by our Counsel. There is criminal activity with public records not being given and even more criminal activity in that e-mails are being destroyed. Mr. Katz has proposed three different proposals/offers and none have left the desks of our District General Counsel or Staff. Do you understand what you have to done to the litigation? One hundred percent on the dollar is being offered and not one Board has been privy to these offers which have been rejected unilaterally. This is criminal and illegal in the State of Nevada and he really doesn't know why the others were elected. You have been left out of the loop. When the opinions on these four Open Meeting Law complaints come down it is not going to be pretty. Counsel, you are in big trouble.

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

Ellie Dobler – read from a prepared statement which is attached hereto.

Mark Newman said that the history of America is that when elected officials go against the wishes of the people, bad things happen to those officials. It appears we have three of them on the IVGID Board. The Diamond Peak Master Plan and now Parasol are these projects of the puppet master of these three Trustees. Eventually, the puppet master will be exposed. Goodwill will triumph, the whistleblower will get immunity and will come forward, and we all know what happens next, watch yourselves.

Linda Newman – read from a prepared statement which is attached hereto.

Gail Krolick said she has been a resident for twenty eight years and she would like to take you all back to January 2000. The Parasol lease was signed by her as Chair, it is a contract, and one she expected all to abide by. She is imploring this Board not to go forward with a purchase of a building that is already owned by this community. Parasol has done good work in this community, to ask this Board to change the lease, heard them all, truth is somewhere in the middle which is your job to figure out. She wants to be very clear that she is not representing anyone else and noted that she is currently the President of Board Realtors. Mr. Simonian made it very clear that you need to get the facts and then make sure to call us back. If someone is calling you, return the call whether it is uncomfortable or not. She remembers when she last saw the Sheriff at a meeting and that was when we were going to tear the Chateau down. The community is divided and her husband is a very smart man who suggested that perhaps a special election is needed. She would urge that a special election be discussed and she thinks that is the route that this Board should go - let the community vote. Lastly, she is asking that the community have respectful dialogue and that she apologizes for her outburst. In closing, she is asking again to speak with your constituents and follow up.

Wayne Hooper said he is a forty year resident of Incline Village and that he is very disappointed in our current Board and General Manager. The Board and the General Manager have a responsibility to the parcel owners and not Parasol Tahoe Community Foundation. To consider a plan that would cost the residents six million dollars after a retrofit is very irresponsible. Incline Village residents want our facilities maintained rather than a building for administrative employees. Is it really necessary for IVGID employees to work in a Taj Mahal building? He doesn't understand the urgency when it wasn't on the plan approved two weeks ago. He also doesn't understand moving ten employees out of the Recreation Center to accommodate employees. There is a building across the street for lease. There are a lot of expenses as the golf course in need of repair, Mountain Clubhouse pushed over for several years, and cart paths are in disrepair. There are multiple areas at Championship Golf Course after this last winter. Because of the large amount of this purchase and borrowing, he suggests going to the public for a vote. Finally, the General Manager's contract was extended for three years, which took effect April, why are you considering these contract changes at this time? What is going on here? Where is the justification for a new contract?

Shelia Bowman-Meyer said that she is homeowner association board member and that she is here because of General Business Item 3., the easement, which

is going to be between her property and the Recreation Center. Only request is she would like to have an actual fire gate as she doesn't want a pedestrian gate and that she wants to have an actual gate to keep people from getting in there. Yes, we have it to accommodate Lake Tahoe School but that she doesn't want people traipsing through her property.

Bill Ferrall said he is here to discuss the stress test for the Community Services fund and submitted a piece of paper entitled "IVGID Executive Summary" Special Revenue Fund Balance Stress Test, Audited Fund Balance versus Planned Capital Project Transfers and Lease Modification Assumptions, presented to Board of Trustees August 22, 2017 which is attached hereto. This piece of paper shows a lot of numbers and he was duly stressed after review. The numbers just don't line up as the new numbers are about $891,000 off which is a total mystery. He took the actuals that were passed and looked at the numbers and the big number is the master plan that is on there. The Community Services plan is a bucket for the funds for all the venues and it is a big bucket with an estimated budget of $16.21 million. The Parasol remodel as well as the sale of Southwood is estimated at two million dollars and if $1.3 million to $1.4 million of that goes over then the numbers line up. Where the real miss is the payments to Parasol shown as seven hundred thousand for four years and there is a fifth year which doesn't mention the seven hundred and eighty thousand dollars so he doesn't know as there is $955,920 in actual payments. So in looking at the real numbers, it is off by $80,000 and all the interest which totals a $3.9 million miss and thus it will be a negative in the fund after paying all the fees and with a $3.995 million in reserves, it is upside down by $3 million. He doesn't understand the stress test and asked that the Board take a look at the numbers as they don't make sense.

Andy Whyman said he wanted to talk about two items – comments to date cause adjustment. We live in interesting times and troubled times. We live in times where people don't listen to each other, theirs is the only facts and dialogue disappears. Some of his fellow citizens have exercised their rights and their rights are not about being open to other facts. The things he wanted to talk about, listen carefully, is the opioid epidemic. We have a real problem which is no better, no worse, but we have lost a citizen who has died because of that and thus that brings forth an occasion for conversation. He sits on a committee with Washoe County and the Sheriff and they are meeting at end of September. All the stakeholders will come together to discuss this situation and what happens. He has talked to the Governor who is getting a committee together to try and address this issue. His last point is the Parasol meeting at which he stayed for an hour and then walked out. He was disappointed as there was no real dialogue, no give and take, talk about facts across individuals, and it ended up with

questions and answers. He would submit, before it goes to a Board vote, that you do hold a community meeting with a forum where we can talk with each other and get the facts.

Jeff Homola said that he has been a resident and homeowner since 1993 and he has seen a lot of things happen, changes in this town, used to come to these meetings, stopped because he couldn't sleep, and that is because the Board is not listening to the people. The last time was with magic carpets and that turned out real well. Why does IVGID need the Parasol building? IVGID needs more office space and they are currently in a building just over eight thousand square feet. You want to move offices out of the Recreation Center to create an additional workout room but is this room really needed and will it make up the revenue for the burden of the Parasol Tahoe Community Foundation building? The Parasol Tahoe Community Foundation building is over 31,000 square feet and some of it is wasted. To make it worse, Parasol Tahoe Community Foundation subsidizes non-profits so the rent is not at fair market value. $5.5 million is just a start as there are many other costs to be incurred and estimates are $500,000 to $700,000. Utilities and upkeep would be considerably more than Southwood. He is tired of IVGID Staff and Management expanding everything. IVGID is to provide water, sewer, and recreation and he wonders how the courts would look upon it.

Patricia Moser Morris said that she would like to point to Nevada Revised Statutes 350.807 which requires a two thirds vote to resolve to and then it has to go to the State of Nevada, Department of Taxation, and then you have to appeal to taxation. Therefore, a four fifths vote would be required. Also like to bring to the attention of the Board, at the public forum which she attended, the General Manager acknowledged that a purpose built building has been outlined and could be built for a lower total cost. Her second question is why would IVGID consider buying a $5.5m building that appraised for $1 million less?

John Eppolito thanked the Board for what you do for the community as it is a thankless job. He doesn't have detailed comments but he was at a school board meeting today and this is like a picnic compared to that meeting. Haven't heard anything in favor to buy that building but there must be something and he hasn't heard it. He likes Mr. Whyman's idea, which might be a good idea, as all he has heard has been negative. To the gentleman that talked about Centerpointe building, he is not sure if that is true. Mr. Dobler is compelling and Ms. Krolick's comment was pretty good however a special election may not be a good idea but a community forum might be. You should be listening to the community and all he is hearing is don't want to buy the building. Finally, it is puzzling why you are

considering modifying the General Manager's contract since it was done within the last year.

Greg Flanders said he was here tonight to state his opposition to the lease modification. Overvalued building that is not worth the $5.5 million asking price, worth far less than $4.5 million Barnett used. There are properties on the market that are asking too much and no lending institution would use this estimate. The Centerpointe building is the most recent sale and it was not considered thus Barnett didn't consider all the facts. It is his opinion the building is worth zero. For IVGID, it is not a good fit and not an efficient office place as only 63% of the space is usable. Parasol wants over 5,000 square feet which leaves 8,161 for IVGID yet his Recreation Fee will be used to pay for all. The offer before the Board is absurd and he would urge the Board to thank Parasol and then kindly refuse. Put this fiasco to the bed and get back to the projects. Don't spend any more of his fees on this pie in the sky.

Bruce Simonian said it is a pleasure to be before the Board again and said that this capital improvement project has been on the books for many years. It was taken off the five year list and put on the sixth year so we have been kicking the can down the road for quite a while. This is an opportunity to look at the facts and he would note that IVGID hasn't even begun to negotiate. The problem with the Administration building is that it is not ADA compliant and it has Radon so let's deal with it now. By spending between $300,000 and $400,000 it would just be continuing to put lipstick on a pig and we do that a lot. We have done it at the Mountain Golf Course. The Administration building needs a new roof, costs more to heat than the Parasol building, and where else would they move the offices as they have looked at other buildings. If people have solutions, rather than adversarial solutions, this Board is looking for solutions and let's work together to make the best possible decisions. He would agree with Mr. Whyman about having an open forum. The bullying, etc. serves no one and the Parasol building is an alternate. Let's all work together as a community rather than fighting each other.

Chuck Otto said that he must admit that when he first heard about the Parasol proposal he thought why IVGID would spend $5.5 million on Taj Mahal for our Staff and bailout the Parasol Tahoe Community Foundation. He has since taken the time to look at the website, packets, and try and understand the facts as it is the best way to make decisions rather emotion. Asked himself the question, is this a solution looking for a problem or a problem looking for a solution. IVGID has two problems – the Administration building is forty five years old and we are spending a lot of money to rehabilitate it and we have a Recreation Center that is

widely used by all demographic stratus and it does need some expansion. So two problems with multiple solutions and one is the Parasol building and there are others such as tearing down the Administration building and building a new one. He saw an estimate of five hundred dollars per square foot which doesn't get you too much if you are trying to solve two problems and it is an expensive solution for one. Moving to other buildings and then you have to decide do you rent or buy. Then he looked at the Parasol building and how much space IVGID would exclusively enjoy and how much would be used for shared space and could use for other purposes such as recreation, meeting space, etc. If you net down all of the facts and look at the costs per square foot or actual cost it is not clear to him that the Parasol building isn't the least expensive of all of them.

Kevin Lyons said he is a thirteen year resident who owns Governance Sciences Group who provide the scientific Flashvote survey services and he recently learned that the community doesn't want to spent the money on the Parasol building and that the strongest approvals are being outweighed. He is disturbed by District Counsel and the General Manager and asked to play something for the Board which he did and then discussed data. Mr. Lyons concluded by stating that he wants the Board to avoid being dragged into this and to fix IVGID now otherwise the community will do the cleaning itself.

Lynn Carol said she is not sure that this is the exact right time for a severance package for the General Manager because she is an independent contractor. He was given a bonus to move here and now he wants a severance to leave here. When someone leaves, they are usually fired for cause, go away because they are too sick, tired or old so she doesn't understand why the Board would be giving him this money because in the world of normal people, one is given money to get rid of them. There is no grounds to give this severance because in her real world, you do the job then leave. She asks that the Board reject any idea of severance and to reject the parachutes as she pays a lot of IVGID when she only uses the beaches twice a year and she also resents paying somebody to not work for us.

Hearing no further public comments, Chairwoman Wong closed public comments and called for a ten minute break at 7:15 p.m.; the Board reconvened at 7:25 p.m.

D. <u>APPROVAL OF AGENDA</u> *(for possible action)*

Chairwoman Wong asked for any changes to the agenda as submitted; Chairwoman Wong asked for the removal of General Business Item F.10. and

Trustee Callicrate asked that General Business Items F.12, F.13, and F.14 be moved up to item F.1. before Parasol and then that items F.8 and F.9 be moved up right after the Parasol item. Hearing no further changes, Chairwoman Wong approved the agenda as revised.

E. STAFF PRESENTATIONS*

E.1. Solid Waste Services Verbal Update (Presenting Staff Member: Director of Public Works Joe Pomroy)

Director of Public Works Pomroy gave a verbal update.

Trustee Callicrate asked what the smallest mandatory locking cart is; Director of Public Works Pomroy said 96 gallon. Trustee Callicrate asked if that happened automatically; Director of Public Works Pomroy said a customer can chose either 64 or 96 gallon. Trustee Callicrate said so the smallest available is 64 gallon; Director of Public Works Pomroy said for a violation, the customer is issued a 96 gallon.

Trustee Callicrate said that he spoke with Mr. Hansen from Waste Management and commended him for having a nightmare task but that he understands he is trying to be as accommodating as possible so please pass on that he is doing the best job as he can. He would like to take a moment at the Board and District level to realize that this has been one of those roll outs, and he has been here for thirty two years, where he didn't know as much as he knows now. We have to zero tolerance and we probably should have issued locking carts to all our residents. He thinks that the trash committee needs to look at some way to amend the zero tolerance policy especially as it relates to garbage versus pine needles. A lot of confusion exists with the pine needles especially with the small print on the stickers. Most are doing what they have done for many years prior and there are some lots that are problematic. This has been a huge transition and he is listening to all the folks and that those with a large area to clean up it is about yard waste versus household waste. We have to have some way to accommodate folks and he is also surprised at the automatic issuance of a 96 gallon tote. We need to work with them and he understands zero tolerance but when it isn't garbage on the side and it is yard waste we have to have some way to accommodate that. Getting a 96 gallon tote seems excessive and he has also heard from several people that their routes are changing and that pick up times are all over the map. He knows that Mill Creek used to be 9 a.m. and now it is all over the map

and for recycling it is good luck. That is an issue that needs to be addressed as well. He is also glad that the transfer station has corrected itself but we need to get pickup squared away and he would appreciate getting the route matter fixed. Trustee Horan said that both he and Trustee Morris are on the General Manager's Solid Waste Committee and we have talked about a number of these issues and that the Director of Public Works can talk about the route changes which have been adjusted. Director of Public Works Pomroy said that he did speak to Waste Management about the routes and that Waste Management did some adjustments to balance in May and have also been doing some adjusting in how they are making the pickups so they are trying to get that settled down. Pickup times may change and then they will be consistent going forward and he expects that by this fall they will have them solidified. He knows that there have been disruptions and Waste Management wants to reestablish that consistency and get that locked down; Waste Management is really working hard to get the final route established. Trustee Horan said that he agrees that the rollout was not what anyone wanted but now we have an onsite, full time manager, Mr. Munson, who was a driver and that has made a big difference as well as having most of the phone problems being sorted out. He has personally tested it a few times and it worked. He understands that the routes are frustrating and hopefully those will be consistent as we move forward. Trustee Callicrate said we need to get the information about the onsite manager and the direct telephone line out to folks or do so via e-mail. He also would like, as quick as possible, some workable solution on garbage waste versus yard waste and the mandatory can size. Trustee Horan said the Board can address the can size at our next committee meeting and then bring back some recommendations to the Board.

F. <u>GENERAL BUSINESS</u> (*not for possible action*)

F.1. Verbally review Policy Resolution No. 137 – Resolution Number 1801, A Policy for the provision of records and information to the public *(was General Business Item F.12)*

F.2. Verbally review IVGID E-Mail Best Practices and NRS 239.010 *(was General Business Item F.13)*

F.3. Verbally review the District's Records Retention Schedule and NRS 239.125 Local governmental records: Program for

management; regulations of State Library, Archives and Public Records Administrator *(was General Business Item F.14)*

Requesting Trustee: Trustee Callicrate through Chairwoman Kendra Wong; Presenters: District General Counsel Jason Guinasso and District Clerk Susan Herron

District General Counsel Jason Guinasso and District Clerk Susan Herron gave overviews of each agenda item.

Chairwoman Wong said that there have been allegations that public records have not been provided however the District has not received anything from the Attorney General offices and have had no violations however it is a good idea to review the policies and where they stem from as a baseline and then make revisions and do so at future meetings.

Trustee Callicrate said that he had a couple of questions – to his fellow Board members – did you hear anything about a thirty day e-mail retention policy or is he missing something as he doesn't remember it being addressed by the Board so is anyone aware of it individually. Trustee Horan said the Board hasn't discussed the e-mail policy. Chairwoman Wong said that the District has a lot of existing policies that this Board hasn't reviewed and noted that all existed well before this Board and that until the Board readdresses, they carry forward. Trustee Callicrate asked again about the thirty day e-mail retention policy and destruction. Chairwoman Wong said the Board can go through the policy and address it at a separate meeting and that the Board can have no discussions today. Trustee Callicrate warned that he will have several questions to ask and Chairwoman Wong responded that the Board needs to establish what the baseline is before we begin picking it apart.

District General Counsel Guinasso said that the District has received no complaints for failure to produce public records thus there is nothing to accommodate in non-compliance. Trustee Dent said he would like to agendize, for the next meeting, appointment of an independent investigator and having the Board place the General Manager on administrative leave and appoint an interim General Manager pending the outcome of the investigation as well as appoint a legal independent to get a true answer that is correct. Chairwoman Wong said these items are for no possible action and are informational items thus this Board is not going to be taking any action. Trustee Dent said that he requested an agenda item for the

next Board meeting and that he will be sending the Chairwoman an e-mail tomorrow. Public records are being destroyed pertaining to the Parasol matter and he wants to make sure we are doing what is right. Trustee Callicrate said he concurs with Trustee Dent. Chairwoman Wong said the discussion is about Policy Resolution No. 137. Trustee Callicrate said he would like the Nevada State laws brought forth, specifically Nevada Revised Statutes 239.125, and review it in its entirety to make sure we are compliant and if anyone has inadvertently acted improperly, he would like to, as a suggestion to our General Manager, to take the appropriate time to compile all this information for the Board and to work with District General Counsel. Chairwoman Wong said that she believes Trustee Callicrate is jumping ahead to the next agenda item and that she is closing the first item. District General Counsel Guinasso said that in the December 12, 2013 there was a dialogue held with the Board regarding IVGID best practices. Trustee Horan said with the question being valid, we always want to make sure we are following the law and that it is not our intent to subvert the law and that if we are incorrect, we want to correct it. Do we know if we are wrong – we don't know that answer and there are a lot of things being thrown back and forth and the best way to work it is to work with the regulatory bodies to make sure we are following the regulations. District General Counsel Guinasso said that your legal counsel and Senior Staff have been in the process of going through the policies and regulations in an effort to codify them and that code is slated to be presented to the Board in the next several months. One of the reasons we wanted to have a codification of all the policies and procedures is to have this in compliance and as part of that review we will ensure compliance. The current practices have stood the test of time and the District has not been found to be in violation and the controversy of that is being manufactured based on innuendo and we are in the process of doing what you just said which is looking at the procedures and bringing them up to date. We are working to have a schedule in place to review and update in sections so that every three years we are touching every code section and have a degree of confidence that they are compliant and in compliance. Chairwoman Wong said that the District has been communicating with the State and we are in compliance however it is worth updating as we go forward. Trustee Callicrate said he is looking forward to getting this important situation addressed with a more concrete time so we can be prepared and alert the community.

F. GENERAL BUSINESS (*for possible action*)

F.4. Proposed modification to the 30-year ground lease between the Parasol Tahoe Community Foundation and Incline Village General Improvement District – Response and possible discussion of additional research requests as directed at the July 20, 2017 IVGID Board of Trustees Meeting, possible discussion on potential expenditures related to the proposed lease modification, and discussion on other details related to the proposed lease modification (Requesting Staff Member: District General Manager Steve Pinkerton) *(was General Business Item F.1)*

General Manager Pinkerton gave an overview of the submitted materials.

Trustee Callicrate said that he appreciated the work done on the Board packet and that he has gone through this several times and that it has been requested to obtain a copy of the D.W. Reynolds Deed of Trust, preliminary title report, Barnett & Associates appraisal report, property condition assessment report, independent legal opinion and all of that has been done verbally or left unanswered. We need to get answers on the Gardena Services matter, is the Parasol lease in compliance or in default, what can be the utilization of the building, will it take three or four Trustees voting in favor to do a lease agreement, and having an independent legal counsel answerable to the Board answering all these questions. Yet, here we go again taking another hour and half and all we are doing is irritating more of the community.

> Trustee Callicrate made a motion for the IVGID Board of Trustees or any of its designees immediately cease and desist any further lease installment purchase agreements negotiations with the Parasol Tahoe Community Foundation (PTCF) and that the PTCF become legally compliant with all current lease agreements before an initiating any further changes or modifications to the PTCF lease with the Incline Village General Improvement District. Trustee Dent seconded the motion.

Trustee Horan said he will be voting no on this motion because he doesn't think that this Board has done everything it needs to do to decide and he doesn't know whether we should or not but wants to continue to explore this opportunity. Chairwoman Wong said that she agrees and is reserving

making any decisions until more information is gathered and she has had the time to go through it all. District General Counsel Guinasso said he is noting, for the record, that the motion as stated mischaracterizes the transactions as it is currently stated of this agenda item. Trustee Callicrate said it was marked for possible action. District General Counsel Guinasso said that it isn't consistent with the notice to the public and that this is not an installment lease. Trustee Horan said that Trustee Callicrate needs to restate his motion.

> Trustee Callicrate restated his motion for the IVGID Board of Trustees or any of its designees immediately cease and desist any further proposed lease modification negotiations with the Parasol Tahoe Community Foundation (PTCF) and that the PTCF become legally compliant with all current lease agreements before an initiating any further changes or modifications to the PTCF lease with the Incline Village General Improvement District. Trustee Dent seconded the revised motion.

Trustees Horan and Wong said their position is not changed. Trustee Morris said he will be voting against this motion as he feels he has to consider everything to improve this community. Trustee Callicrate said that he completely disagrees with his three colleagues as the Parasol Tahoe Community Foundation is in breach of their contract and that before we can move forward on their request for renegotiation and then further include a purchase/lease installment agreement they have to become compliant with their current lease or vacate the building – there are two choices - as this is doing a huge disservice to the community. Chairwoman Wong asked for order. Trustee Callicrate said that this is a very emotional issue to him as he was on the Board when this agreement was signed and we were warned about this way back in 2000 and we all said oh no and they are going to there for the ninety nine years. He is not impugning the character of the Parasol Tahoe Community Foundation or their Board of Directors and what they have given back to this community however since it has come to the forefront that the D.W. Reynolds Foundation and their philanthropic is going to be ceasing and desisting at the end of this year, which they got that information three years ago, and the building is basically vacant. They are asking $5.5 million to purchase a building and we are doing a direct transfer of 8,600 square feet from Southwood. There are restrictions on kitchens and the general space and this, to him, is a tremendous affront to this community and the monies they have invested for us to spend appropriately. We can agree to disagree but this is such an

emotional thing for him but more than that he is looking at the dollars and cents, and a Trustee he has to act accordingly and when the bulk of the community doesn't want us to purchase it then to him it is like a lesson in frustration for the community because we are just prolonging this situation and that is why he has offered this motion and asked the Chairwoman to call the question.

Hearing no further comments from the Board, Chairwoman Wong called the question - Trustees Callicrate and Dent voted in favor of the motion and Trustees Wong, Morris, and Horan voted not in favor of the motion; the motion is not passed.

District General Counsel Guinasso said when the Board asked for a written legal opinion it was provided in the May 10, 2017 Board packet, specifically on agenda packet pages 4-6, for those who are interested in the proposed transaction that was provided.

General Manager Pinkerton continued his review.

District General Counsel Guinasso said that it is probably important to note, at this point, that there hasn't been a negotiation and that this Board is engaging in due diligence. There has been no counter offer, no perimeters set for engaging with the Parasol Tahoe Community Foundation, process to date has been due diligence, and that the price has just been thrown out there. General Manager Pinkerton added that they provided a draft lease and we went back with one which was reviewed at an earlier meeting. District General Counsel Guinasso said perhaps we are at a point where you ask your Staff to enter into negotiations but that hasn't been done up to this point.

General Manager Pinkerton continued his review.

Chairwoman Wong asked when the Community Services Master Plan will be complete and when will the Board be receiving final report. General Manager Pinkerton said end of this year or the beginning of next year. Chairwoman Wong said there is synergy with the Community Services Master Plan and how moving Administration fits within that master plan and how it ties in overall strategic planning. General Manager Pinkerton said in looking at future programming, he sees this building addressing some of the needs as pointed out in the Community Services Master Plan, and then at some point, make a determination of where the existing

Administration building will go. It nets out at $2 million which makes sense to go on IVGID land so it will automatically be $2 million less to build on IVGID land plus not having the cost of rental space. Identifying a space for Administration illuminates other potential as the Recreation Center was the identified space but if we are at the D. W. Reynolds building that provides the maximum potential at the Recreation Center complex. An example would be a second gym, etc. because there will be more available space if you put Administration at another space. This is a good time to talk about it because right in the middle of analyzing all of that.

General Manager Pinkerton continued his review.

Trustee Morris said on agenda packet page 223, bottom line, it states there is shared space of 7,800 square feet which could be used for community services over and above what we are currently providing. General Manager Pinkerton said yes and that is rooms only. Trustee Morris said so if this pencils out, the District gets 7,800 more square feet to do stuff; General Manager Pinkerton said yes.

General Manager Pinkerton continued his review.

Trustee Callicrate said so the Parasol building is over fifteen years old and while it has been adequately maintained, it needs carpeting, etc. which would be part of the renovation. This is a Class A office building that IVGID is trying to turn into office and recreation facilities. A local builder spoke and said that the building codes have changed and that we won't know what we are getting until we open up the walls so perhaps it is a bit premature to say operating costs won't be that much more than a ten thousand square foot building and what about the cost of heating. General Manager Pinkerton pointed out that the cost of heating is not the same and that the projections are including for the building now. Utility costs are about double and that the maintenance is significantly less than Southwood. Staff doesn't know every unknown however on agenda packet page 17 is the information from the architect who built the building and in both appraisals it is noted that the Parasol Tahoe Community Foundation has done significant energy replacement. The building hasn't depreciated to the point of fifteen years and we are just presenting our actual numbers and theirs so it is comparable. We have a full maintenance department with four full time employees who can do it at a lesser cost than one person dedicated full time. Please take a look at their audit which we have converted for an apples to apples comparison.

General Manager Pinkerton continued his review.

Trustee Morris said that he didn't see by moving the Administration Staff from the Recreation Center that we gain some additional space; do you know what that square footage would be. General Manager Pinkerton said that information is around agenda packet page 31, the fitness room would be about $175,000 as right now we have a lot of people crammed into a very small space and it is about 1,800 square feet.

Trustee Dent asked if the property condition assessment report has been incorporated into the five year capital improvement plan. General Manager Pinkerton said that the five year capital improvement plan anticipates the payment schedule and tenant improvements. Trustee Dent said until you have an idea of the actual condition we don't know how much in reserves to set aside and asked if that need will be incorporated. General Manager Pinkerton said what we are estimating is what we are including. Trustee Dent said that the upkeep for five years and additional costs is very similar to dealing with a homeowners association that tells you what needs to be done and then set so much aside. These could be huge amount of costs and will that get tacked onto whatever is the negotiated price because until we have that, we don't get to see a full picture. General Manager Pinkerton said that he feels that Staff has done that and that we don't normally do a replacement budget however we have our stress test as we don't put in a replacement reserve for each building. Trustee Dent said that the property condition assessment will give us an idea. General Manager Pinkerton said that Staff has estimated the operating costs. Trustee Dent said, referencing agenda packet page 239, that it was brought up earlier that we only had $700,000 for the lease which doesn't include both the principle and the interest so if the calculation was done correctly it seems the case would be it would fail the stress test. General Manager Pinkerton said that these are the anticipated costs at this time. Trustee Horan said that the payments would have to include interest. General Manager Pinkerton said we will have to see what the final payment is and if the payments are higher than it would impact the stress test. Trustee Dent said that the stress test is incorrect so we are not seeing the full picture and if the costs are higher than the stress test would fail. The purchase price could shift but this is following our process of doing things incorrectly. General Manager Pinkerton said that he takes exception to that statement. Chairwoman Wong asked if we could update all of the known costs with what we have received so far. General Manager Pinkerton said that he

didn't remember them as being higher than $700,000 however he will take another look. Trustee Callicrate said, getting back to one of the earlier requests, and it is something he has been asking, for about three months, based on the stress test and the lease payments being based on four or five years, as well as contemplating lease purchase installment, how many Trustees does it take to okay that action. Chairwoman Wong said that is a really good question as it really depends on how we structure the contract. Trustee Callicrate said that the Nevada Revised Statutes says we have to have 66-2/3 of the Board but for a plain modification of the lease it takes three votes and this is where the discrepancy takes place and we haven't been given a written opinion so he would like that in writing so that he can refer to it. District General Counsel Guinasso said that the flaw in what was just said is that this is not a lease. Trustee Callicrate said it is an installment lease purchase agreement. District General Counsel Guinasso said it would depend upon on how we structure the agreement and that the legal opinion is it would take three votes. Trustee Callicrate said isn't this an installment agreement like we did with the golf carts. Chairwoman Wong said we do have another agenda item and that this can be one of the things that we can ask for from the legal opinion. Trustee Horan said that we have an opinion from our counsel that says we can do it and that we are in the process of deciding whether or not we want to do it and we aren't there yet. He isn't there and when we get to that item we can make it a condition of a second opinion. District General Counsel Guinasso said one point to highlight is that whatever the it is we haven't gotten to that so asking him to speculate until we get to the it means his legal opinion is tentative however once we get to the point where you ask the General Manager to negotiate then he can, at that time, give a legal opinion. Trustee Horan said and that could involve the second opinion. District General Counsel Guinasso said yes, absolutely. Trustee Morris said he would like to take a lot of the negativity out of this, which isn't surprising as it is a huge consideration but at the moment, no decision has been made and he is undecided. What he is trying to figure out is what the benefits are, at what price, at what value do we equate it to, and at the moment, he is not sure. It seems we have an offer on which we have made no negotiation. Some people think we have agreed to that asking price; we have not. This is also not a bailout of the Parasol Tahoe Community Foundation and frankly that is not his worry as he is not a Board member of the Parasol Tahoe Community Foundation. He is going to decide, within his purview, what is good for the community, does it make sound fiscal sense, and sound community sense. If the numbers and the values work, then he will be behind it and if not he won't be behind it. It comes up at

every meeting because it is a huge thing before us. Again, whatever the price is, and there has been no negotiation, there is a lot of vitriol in the community that we are going to pick a number, statistic sort of answer because we have got value at Southwood that would offset this purchase, but we haven't agreed to anything at any price. We know that we are going to have to ante up to replace the Administration building as it is close to an unsafe working environment. In the next however many years, we are going to have to do something about that and it will take approximately $5 million to replace that site and we have something that could potentially do more. He wants to continue to consider it and see if it is a good thing for the community. Further, he wants the community to continue to voice opinions and facts, know that there are no alternative facts on either side, and then come to a rational and reasonable decision that is the best decision for the community and he will present that. General Manager Pinkerton said that he apologizes as that number should be $780,000. We mirror the same concerns as the Trustees and said that we have to do our due diligence and that focus and passion in doing the due diligence is that we want to make sure that accurate facts come out. Staff has spent the last two or three months gathering information and we are very excited about doing the analysis to ensure that the Board can make an informed decision as well as making sure you have all the pertinent information. Trustee Horan said that we are looking at this proposition as we received it from the Parasol Tahoe Community Foundation and that nothing has been negotiated. The things that are very important to him and that are required for him to move forward are price as the Parasol Tahoe Community Foundation and the non-profits bear all the incremental costs attributed to them as he doesn't want any parcel owner to see there is a subsidy there and he thinks that is achievable and we are on our way to having the Staff provide the potential utilization. This is a lot of information to digest to see if this is something that can be used cost effectively and can the community really use this. The outline of the space talks about shared space and he doesn't think it should be looked at as shared space as really it is IVGID space and that the big rooms might become recreational spaces. This has not been negotiated, he is not going to give free rein to the tenants and Parasol Tahoe Community Foundation, it would be our building with preferential treatment and we have to figure out a way to do that and perhaps it is adjusted every year as it can't be fixed for forever. These are his thoughts as we go into these negotiations and these are the things he will be thinking about. Chairwoman Wong said she is not there yet as she needs more time with this information to see where she is and she is just waiting as it hasn't gotten to make or break for her. Trustee

Morris said he wanted to clarify with Trustee Callicrate that he had expressed concern about all the items and he wants to make sure that this is something that has been requested and to clarify that. Trustee Callicrate said it is the Donald W. Reynolds deed of trust, preliminary title report, property condition assessment report, legal opinion of May 10, CCR's for the Boise Cascade use, validity of Gardena Services, and is Parasol Tahoe Community Foundation compliant with their lease or are they in default and if they aren't, we are we going to do, voting requirements by this Board, what is the State law, and how do we move forward.

F.5. Review, discuss and possibly approve obtaining a second legal opinion, regarding modification to the lease between Parasol Tahoe Community Foundation and IVGID, from Holland and Hart LLP at a not to exceed cost of $15,000 (Requesting Trustee: Chairwoman Kendra Wong) *(was General Business Item F.2.)*

District General Guinasso gave an overview of the submitted materials.

Chairwoman Wong asked Ms. Megan Fogarty of Holland and Hart LLP if she had done a preliminary evaluation of documents on our website and if this is something that she has done before. Ms. Fogarty said she is frequently asked to review existing leases and this is very similar to ground leases and it is definitely part of the analysis that she runs on a daily basis. She did skim through the proposal and didn't give it a review for her take as that is really for depth of question and that components two and three are down the road. Component one is looking at what is out there and giving the advice that she sees, concerns, what the title report says, and that she would characterize this as being with totally fresh eyes and it seems to her that component one is what is being asked currently. Trustee Morris welcomed and thanked Ms. Fogarty and said that he would assume that most of her business is in commercial rather than governmental thus does that make a difference. Ms. Fogarty said she is familiar with Open Meeting Law issues, etc. which have to be taken into account. Trustee Morris said he doesn't feel we are at the position of doing everything and asked if she had an unease about doing it all or do we need anything more. Ms. Fogarty said she will review the existing lease and any encumbrances, etc. of record and then analyze what she sees in all of those documents as they play together. Trustee Morris asked if that will include a review of the law of what we can and can't do. Ms. Fogarty said she could but that her expertise is as a real estate transaction and that part

of the analysis doesn't go in depth in the analysis of the statutes. Would she say do you need two, three or four vote – not at that stage and that wasn't considered in her original proposal. Trustee Callicrate said the Board has given you a good overview and noted that there are a lot of emotions but that there are bits of information we need to get to and that number one to move forward with is would you be able to determine if the Parasol Tahoe Community Foundation is compliant with their lease or outside of it. Ms. Fogarty said yes, if that is part of this analysis and noted that she gives those opinions frequently. Trustee Callicrate then said it is critically important to find out where it all fits. Ms. Fogarty said she would need more documents as what the Board is approving doesn't include digging through minutes. District General Counsel Guinasso asked Ms. Fogarty, for the record, if before his first conversation with her if they had had any relationship. Ms. Fogarty responded no. District General Counsel Guinasso then asked Ms. Fogarty if they had ever worked together before; Ms. Fogarty responded no. District General Counsel Guinasso said that this is an independent second opinion opportunity as he made an effort to find someone outside of his circle and that Ms. Fogarty came highly recommended and that he submits her to this Board with great humility. There is a chance that Ms. Fogarty could come to a different opinion and that is a risk he is willing to take because this Board asked for this and that it is in the best interest of this Board and the community so that you have confidence and that he would strongly recommend hiring Ms. Fogarty and have her proceed with Item 1 of her quote.

Trustee Morris said he is prepared to make a motion. Chairwoman Wong asked if it would be for Item 1 or Items 1 through 3. Trustee Morris said that personally he feels that Item 1 would be a good thing to do and that he doesn't believe we need to do Items 2 and 3. Trustee Callicrate said that he tends to agree and that this will answer some long overdue questions such as default, etc. once and for all and get those questions answered thus he could support going forward with Item 1 on this matter.

Trustee Morris made a motion to authorize the District General Manager to enter into an agreement with the law firm of Holland and Hart LLP to seek a second legal opinion on the requested lease modification by Parasol Tahoe Community Foundation to the Incline Village General Improvement District at a cost not to exceed $7,500. And for the following service only - Legal review of existing Ground Lease, as amended, and related covenants, conditions, restrictions and encumbrances of record relating to

the leased property (with the anticipation that the recorded encumbrances will contain approximately 3 to 5 encumbrance documents requiring detailed review). Trustee Callicrate seconded the motion. Chairwoman Wong asked for any further comments; none were received. Chairwoman Wong called the question – Trustees Horan, Wong, Callicrate and Morris voted in favor of the motion and Trustee Dent voted opposed. The motion was passed.

Chairwoman Wong called for a break at 9:45 p.m. with the Board reconvening at 10 p.m.

F.6. Review, discussion and possible action on District General Manager Steven J. Pinkerton annual performance evaluation (Requesting Trustee: Chairwoman Kendra Wong) *(was General Business Item F.8.)*

Trustee Callicrate said in light of the hour of the day and to give proper review, he would like to continue the General Manager's review to the next scheduled meeting as he is a little spun out and has an idled brain thus he moves to continue the District General Manager's review to the next meeting. Trustee Dent seconded the motion. Chairwoman Wong asked for comments, receiving none, called the question – Trustees Wong, Dent, and Callicrate voted in favor of the motion and Trustees Horan and Morris voted opposed; the motion was passed.

F.7. Review, discussion and possible action on Incline Village General Improvement District General Manager Steven J. Pinkerton's Employment Agreement – Specific paragraphs are:

Section 4 – Compensation, Fringe Benefits, and Expense Reimbursement - 4.1 Salary; 4.3 Benefits (Vacation; Sickness, Health Insurance and Miscellaneous) (d), (e) and (f);

Section 7 – Termination of Agreement - 7.1 By EMPLOYEE; 7.2 By IVGID. (Requesting Trustee: Chairwoman Kendra Wong) *(was General Business Item F.9.)*

Trustee Callicrate moves to carry over the review and discussion of the District General Manager's Employment Agreement to the next regularly scheduled meeting. Trustee Dent seconded the motion. Chairwoman

Wong asked for comments, receiving none, called the question – Trustees Wong, Dent, and Callicrate voted in favor of the motion and Trustees Horan and Morris voted opposed; the motion was passed.

F.8. Review, discuss and possibly approve a grant of an Emergency Access Easement on District Property to North Lake Tahoe Fire Protection District, APN 127-040-07, 964 Incline Way (Requesting Staff Member: Director of Asset Management Brad Johnson) *(was General Business Item F.3.)*

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

Trustee Horan said that we had a question about the gate; is the gate prescribed by the North Lake Tahoe Fire Protection District. Director of Asset Management Johnson said that we will have a say and that he anticipates that the gate will be like at other park properties and that we are not proposing a chain or something like that. Trustee Callicrate said that he is glad that Staff is in conversation with the homeowners association president and that this isn't cost prohibitive. Trustee Horan said there is no cost to the District. Trustee Morris said there is no cost to the District in granting this easement and stated that there is no fence there now so pedestrians can walk through now. Director of Asset Management Johnson said that is correct and that there is landscaping there now thus the majority of the pedestrians come through on an unpaved portion which is not a significant hindrance to use.

Trustee Callicrate made a motion to:

1. Approve granting a permanent, non-exclusive, emergency access easement to North Lake Tahoe Fire Protection District on APN: 127-040-07 – 964 Incline Way (the Recreation Center parcel).

2. Authorize Staff to execute all necessary legal documents upon review by Staff and General Counsel.

Trustee Dent seconded the motion. Chairwoman Wong asked for comments, receiving none, called the question – the motion was passed unanimously.

F.9. Review, discuss. and possibly approve a Sole Source Finding <u>and</u> review, discuss, and possibly authorize a Procurement Contract for Snowmaking Fan Guns, 2017/2018 Capital Improvement Project (CIP): Fund: Community Services; Division: Ski; Project # 3464SI1002; Vendor: Snow Machines, Inc. in the amount of $72,250 (Requesting Staff Member: Director of Asset Management Brad Johnson and General Manager Diamond Peak Ski Resort Mike Bandelin) *(was General Business Item F.4.)*

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

Trustee Morris asked if this was replacing two existing guns or ones that are out of service. General Manager Diamond Peak Ski Resort Mike Bandelin said this is the replacement of two snowmaking fan funs on District property. Trustee Morris said that they have very little residual value. Director of Asset Management Johnson said that is correct and that Staff strips them for parts and sells the remainder for scrap. Trustee Morris asked if this was part of the capital improvement plan; Director of Asset Management Johnson said yes.

Trustee Morris made a motion that the Board of Trustees makes the following finding:

The District's purchase of two replacement snowmaking fan guns from Snow Machines, Inc. (SMI) is exempt from competitive bidding for the following reasons:

A. This purchase is for additions to and repairs and maintenance of equipment which may be more effectively added to, repaired, or maintained by a certain person (NRS 332.115.1.c). Diamond Peak's snowmaking fan gun fleet is standardized on SMI equipment.

B. The equipment proposed for purchase, by virtue of the training of the personnel or of any inventory of replacement parts maintained by the local government is compatible with existing equipment (NRS 332.115.1.d). Diamond Peak's snowmaking fan gun fleet is standardized on SMI equipment and the District

employs snowmaking staff that is trained for SMI fan guns and controls and maintains an inventory of replacement SMI parts.

Trustee Horan seconded the motion. Chairwoman Wong asked for any comments; Trustee Horan asked if these snow guns are of a higher quality and/or has the technology changed thus we are getting a better bang for our buck. General Manager Diamond Peak Ski Resort Bandelin said they do contribute a lot more efficiencies and tie in with our process control system. Hearing no further comments, Chairwoman Wong called the question and the motion was unanimously passed.

Trustee Morris made a motion to:

1. Authorize a procurement contract with SMI totaling $72,250.

2. Authorize Staff to execute all purchase documents based on a review by general Counsel and Staff.

Trustee Horan seconded the motion. Chairwoman Wong asked for any comments; hearing no comments, Chairwoman Wong called the question and the motion was unanimously passed.

F.10. Review, discuss, and possibly authorize an Interlocal Agreement with the State of Nevada Department of Transportation (NDOT) and review, discuss, and possibly authorize an Additional Services Addendum for Construction Inspection Services for Repairs of the Effluent Export Pipeline – 2017/2018 CIP Project: Fund: Utilities; Division: Sewer; Project # 2524SS1010; Vendors: NDOT in the Amount of $1,002,600 and Tri Sage Consulting in the Amount of $65,000 (Requesting Staff Member: Director of Public Works Joe Pomroy and Director of Asset Management Brad Johnson) *(was General Business Item F.5)*

Director of Asset Management Johnson and Director of Public Works Pomroy gave an overview of the submitted materials.

Trustee Morris asked if in this section we are basically going to do thirteen spot repairs; Director of Asset Management Johnson said yes. Trustee Morris said then at some point later we will replace the actual pipe; Director of Asset Management Johnson said yes. Trustee Morris said

hopefully this will delay things; Director of Asset Management Johnson said that the goal is to buy time and then replace in its entirety. We have found critical failures and this is about fixing them today. Trustee Morris said so we can't wait and do the whole thing at once because the risk is too high. Director of Asset Management Johnson said on the welded steel pipeline, we do our assessment, do the repair, which saves us money and buys us additional time and we use that time to pursue 595 funding as well as it provides us time to chase co-location. If all three hit, we go from a $23 million project to something that is potentially twenty five percent of those costs which translates into a strong potential return on investment to rate payers. Trustee Horan said this is a requirement and there is no other option; Director of Asset Management Johnson said yes, that is true as the Nevada Department of Environmental Protection has said the District will repair this. Trustee Morris said this is a million dollars and asked if there was an opportunity to get that funding from the Federal government. Director of Asset Management Johnson said we do not have a current agreement and until we have a new one, with all the details, we can't qualify work that has been completed. This work is in the rearview mirror. Chairwoman Wong asked how much did we participate in the process. Director of Asset Management Johnson said that the Nevada Department of Transportation used an alternative delivery project process which is designed for big projects and is based on a variety of factors. Granite Construction was selected to complete that work. The pipeline work wasn't a component of that initial scope but because we are already a project partner and have an interlocal agreement with the Nevada Department of Transportation we approached them about doing all of this work and they suggested that it be included in their job. They handed it over to Granite Construction who developed the change order pricing which makes the change order part of a competitively bid project. This process incorporates coordination and speed as Granite Construction was already mobilized so we will get this in the fall versus going it alone next summer. Chairwoman Wong asked about the bid. Director of Asset Management Johnson said that this is Granite Construction's price with no markup, no ownership, and no management fee. They aren't even charging us for Staff time and they have been a great collaborative partner throughout the entire process. Trustee Horan asked what the District was going to be doing. Director of Asset Management Johnson said we will be managing the construction itself with District Staff and Tri Sage Staff on site during the work. Trustee Horan asked if this would have been the same as if we had done it ourselves; Director of Asset Management Johnson said yes, that is correct. Trustee Morris said so the pipe snake didn't do what it was expected to do

so are we helping the manufacturer out via quid pro quo. Director of Asset Management Johnson said we aren't partnering with them to additional research and development. They will come back and it will cost us additional dollars to put it into the pipeline along with future shipping. Trustee Morris asked if the shipping to Canada was on us; Director of Asset Management Johnson said yes, it is on us.

Trustee Morris made a motion to

1. Authorize an Interlocal Agreement with the State of Nevada Department of Transportation (NDOT), in the amount of $1,002,600, for the construction of effluent export pipeline repairs as part of the State Route 28 Shared Use Pathway Project.

2. Authorize Staff to sign the agreement based on a review by General Counsel and Staff.

3. Authorize Staff to approve change orders to the construction contract for additional work not anticipated at this time of up to 15% of the project bid – $150,000.

4. Authorize Staff to enter into an Additional Services Addendum with Tri Sage Consulting totaling $65,000 for construction inspection services during completion of the project.

Trustee Callicrate seconded the motion. Chairwoman Wong asked for comments, hearing none, called the question – Trustees Wong, Horan, Morris, and Callicrate voted in favor of the motion and Trustee Dent voted opposed to the motion. The motion passed.

F.11. Review, discuss and possibly award a Construction Contract for the Emergency Repair of the Damaged Culvert Beneath the Lodgepole Run at Diamond Peak Ski Resort – 2017/2018 CIP Project: Fund: Community Services; Division: Ski; Project # 3499LI1101; Vendor: Burdick Excavating Co. Inc. in the amount of $328,328 (Requesting Staff Member: Director of Asset Management Brad Johnson) *(was General Business Item F.6)*

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

Trustee Callicrate asked if there were any other unforeseen pipe lines up that trail that we should be addressing; we have the monies budgeted so should we be doing the entire line. Director of Asset Management Johnson said it is a great suggestion however we are limited in both time and capability. We can't guarantee that the upper portion won't fail in the near or far future or that we won't experience sink holes, etc. There are two challenges – one is the time frame as we have to be done by October 15 so we are getting as much as we possibly can with double crews and being as aggressive as possible. We are going from a fairly gradual slope to a very steep slope and as we approach more hill climbing, that requires more specialty and more design. It is Staff's recommendation to tackle the low hanging fruit, get reimbursed by the Federal Emergency Management Agency (FEMA) as the lower section is eligible. Trustee Dent asked what is being done to prevent human failure such as catching this earlier. Director of Asset Management Johnson said that he doesn't entirely agree with that statement as we continue to inspect and have Staff members who are looking at this area. This is about good best practices and he would remind the Board that yes, the pipe was old and that it was a catastrophic event by nature that was caused by run off that tore the mountain side apart which undermined the culvert. If this was simply a case of operational neglect then it would not be eligible for FEMA funding and the reason for the funding is because of the historical nature of this past winter. Staff is implementing inspection process, etc. and the engineered parts that are going in are superior so we will have a much more robust and capable pipeline which means we are expanding the capacity for drainage and setting up for the future very well.

Trustee Callicrate made a motion to:

1. Award a construction contract to Burdick Excavating Co. Inc. in the amount of $328,328 for the construction of the emergency repairs of the damaged culvert beneath the Lodgepole run at Diamond Peak Ski Resort.

2. Authorize Staff to execute the contract based on a review by General Counsel and Staff.

3. Authorize Staff to approve change orders to the construction contract for additional work not anticipated at this time of up to 20% of the project bid – $65,600.

Trustee Horan seconded the motion. Chairwoman Wong asked for comments, hearing none, called the question – the motion was unanimously passed.

Chairwoman Wong called for a break at 11:00 p.m. with the Board reconvening at 11:05 p.m.

F.12. Review, discuss and possibly approve the Bargaining Agreements for Non-Supervisory and Superintendent Bargaining Units with the Operating Engineers Local Union No. 3 (Requesting Staff Member: Director of Human Resources Dee Carey) *(was General Business Item F.)*

Director of Human Resources Dee Carey gave an overview of the submitted materials.

Trustee Horan made a motion to authorize the Board Chairwoman and Board Secretary to execute bargaining unit agreements with the Operating Engineers Local Union No. 3 for the Non-Supervisory and Superintendent employees as negotiated by the IVGID Management Team. Trustee Callicrate seconded the motion. Chairwoman Wong asked for comments, receiving none, called the question – the motion was unanimously passed.

Trustee Horan said he would like to complement our Human Resources Director for the skill and practice used to deal with the Staff and for arriving at this arrangement.

F.13. Review, discuss and approve proposed settlement agreement between Governance Services Group, Inc. and IVGID – reference IVGID v. Governance Services Group, Inc. Case No. CV17-00922, Second Judicial Court of the State of Nevada (Requesting Staff Member: General Manager Steve Pinkerton and District General Counsel Jason Guinasso) – *THIS ITEM F.10. WAS REMOVED IN ITS ENTIRETY FROM THE AGENDA*

F.14. Review, discuss, and possibly give direction on (a) Policy 3.1.0, 0.6 Rules of Proceedings, g. Claims, and (b) as it relates to the offer made by Aaron L. Katz in the *IVGID v. Katz* litigation and regarding the debtor's examination slated to be held on

Wednesday, August 23, 2017; specifically Mr. Katz's offer to pledge a real piece of property so as to stay the slated debtor's examination and fulfill the requirements of the District court order issued by the Honorable Judge Flanagan (Requesting Trustee: Chairwoman Kendra Wong and District General Counsel Jason Guinasso) *(was General Business Item F.11)*

District General Counsel Guinasso gave an overview of the submitted materials and added that he was informed today that a motion was filed by Mr. Katz' attorney to stay enforcement of the judgment because he didn't want to submit to the judgment debtors examination and that the court granted that motion which goes before the court on Thursday with the sole purpose being about the real property. This matter will be heard and decided by Judge Flanagan. If the court rules in Katz' favor, we will accept the deed and if the court rules in IVGID's favor, we will reschedule the examination. District General Counsel Guinasso reminded the Board that ongoing litigation and detailed questions should be discussed in non-meeting, discussions are confidential, and not permitted to discuss without consent of the Board as a whole.

Trustee Horan said that there has been a question about Policy 3.1.0 in which there is clear delegation of the authority to the General Manager and Counsel and stated that he is comfortable with that delegation as we have hired a professional to run our business so he is happy with the policy as written.

Trustee Morris said that he agrees with Trustee Horan and he too is very comfortable with the policy and that he sees no reason to change any of the process and while unfortunate, we are forced to incur additional time and effort which would be good if resolved.

Trustee Callicrate said that there was a bill from Beko and Associates for additional services provided and it dealt with the documentation that was filed that was almost two and a half times what it was allowed to be. If this is a direct affront to the Supreme Court, it is impacting us financially as we have to follow the rules. Chairwoman Wong said she understands where Trustee Callicrate is going but it is not part of this agenda item and we can schedule a litigation non-meeting. District General Counsel Guinasso said for our next non-meeting, he will invite Mr. Beko to attend so he can specifically answer the questions regarding the litigation decisions about exceeding the limits.

Chairwoman Wong asked if Counsel needed anything else; District General Counsel Guinasso asked if the Board was comfortable with the policy and that the negotiations have been conducted under that policy. Trustee Dent asked about exceeding the authorized budget; District General Counsel Guinasso said not that he is aware of. Trustee Dent asked if the Board could stop spending money on this matter; District General Counsel Guinasso said that is up to the Board to make that decision and that his legal advice is there is an outstanding judgment which requires an expenditure of funds thus you would have to answer to the public as to why you did not pursue. Trustee Dent said if we don't have the budget to go and get a third of what we spent it just doesn't make sense. Chairwoman Wong reminded Trustee Dent that this isn't part of this agenda item. Trustee Dent said there are no costs associated with it. Chairwoman Wong said that the question isn't about costs incurred rather about the policy. Trustee Dent said we are just digging a big hole. Chairwoman Wong said we can't discuss it because it is not a part of this agenda item.

G. DISTRICT STAFF UPDATE

G.1. General Manager Steve Pinkerton

- **Financial Transparency**
- **Capital Improvement Projects update**
- **Golf Courses at Incline Village**

General Manager Steve Pinkerton gave an overview of each item.

Trustee Horan asked, regarding the pump track, if we are spending any more money on that project now. General Manager Pinkerton said just staff time. Trustee Horan said he would like to see that limited.

H. APPROVAL OF MINUTES *(for possible action)*

H.1. Regular Meeting of June 12, 2017

Chairwoman Wong asked for any changes, hearing none, approved the minutes as submitted.

H.2. Regular Meeting of June 28, 2017

Chairwoman Wong asked for any changes, hearing none, approved the minutes as submitted.

I. REPORTS TO THE IVGID BOARD OF TRUSTEES*

I.1. District General Counsel Jason Guinasso

a. Verbally review the process of responding to an Open Meeting Law Complaint

District General Counsel went over the process of responding to an Open Meeting Law complaint.

Trustee Horan said he appreciated the change in the practice on the notification of the complaint. Trustee Dent said he requested the written response and wanted to know why a Trustee can't review those responses. District General Counsel Guinasso said it is an ongoing investigation. Chairwoman Wong added that if it is shared with the Trustees it becomes a public record. District General Counsel Guinasso said that he would prefer not to open himself up to discovery.

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

Chairwoman Wong said that she had two updates; she, Trustee Horan and members of Staff have met with Senator Heller's staff and Congressman Amodei's staff as a follow up to the meeting held in March. Trustee Horan said that these meetings were very useful as the District is appealing to both delegations on legislative activities they are involved in.

K. CORRESPONDENCE RECEIVED BY THE DISTRICT*

District Clerk Susan Herron said that correspondence had been received from Sara Schmitz, Aaron Katz, Ellie Dobler, Karen Kuehnis, Blaine Bolton, Gloria Brimm, Leslee Medeiros, Ron DeCaprio, David Frank, Thomas Lahey, Phillip Klein and Alison Appel and that all correspondence was distributed and it will be included in the next Board packet.

L. 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.

Cliff Dobler said he knows the Board is really tired but let's concentrate on two small things; he read the definition of installment under Nevada Revised Statutes 350.0055. When buying personal property, it is sold by a bill of sale, we are securing that with a promissory note with installment payments which is secured by a deed of trust which is going to give Parasol Tahoe Community Foundation collateral and therefore there is no doubt that it needs a 4/5 vote. As far as property that Mr. Katz is offering, a promissory note is secured by a deed of trust. He is also willing to make payments, secured by deed of trust, foreclosure takes about a year, and you would have about $350,000 so you should really consider it. If he doesn't pay monthly then the only stop is bankruptcy. Foreclosure on the land doesn't take that long and a promissory note is a good as money.

Margaret Martini said what an interesting meeting. She read a lot of the Parasol papers, CCR's, etc. Early on Trustee Dent asked for a property profile which should have been step one. So in looking at paperwork, from her perspective, Parasol Tahoe Community Foundation is in default. It is black and white so why not call it a lease default? Any reason? Do not spend one more penny or any more minutes of Staff time in this Parasol Tahoe Community Foundation charade. Over and over you have discussed it to the point of ad nauseam. The number one item is the legal agreement – are they in default, haven't even looked at a property profile or the lease. Look at the comps, you are not comparing apples to apples, and the land value – duh. $5.5 million is for a lease buyout. Three members of this Board should be recalled and the General Manager should be terminated at once. Whenever would we have 500 people? Are we purchasing this for the possibility of 500 people for a function – it makes no sense. Ridiculous comparison, not looking a ridiculous statements, you haven't looked at basics – the property profile and lease default.

Steve Dolan passed on his opportunity to speak.

Kevin Lyons said that was a very interesting session on the e-mail policy and that he got to see the most preposterous statements. He is very fortunate to work with officials and get invited to their special events. The law is very simple and clear and it has nothing to do with going out to the public. Law also is very clear on records management and Mr. Lyons then read from the Nevada Revised Statutes. He heard crap and lies from the attorney who put the public records clerk out in front. There are category c felonies with a minimum of one year in jail.

The investigation is a very smart move and obligated to do that. Mr. Lyons concluded by stating he will have a lot more to say about this in the future.

M. REVIEW WITH BOARD OF TRUSTEES, BY THE DISTRICT GENERAL MANAGER, THE LONG RANGE CALENDAR *(for possible action)*

General Manager Pinkerton said that the Attorney General has confirmed the Open Meeting Law training for September 6 at 3 p.m. and that will be held here at the Chateau. All Trustees confirmed their attendance and Trustee Callicrate said he will try and be back here as close to 3 p.m. as he can. General Manager Pinkerton then went over the Long Range Calendar and Trustee Morris noted he will be calling in for the October 25 meeting. Chairwoman Wong said that she liked one of the community members' suggestion for a community meeting on the Parasol so she asked Staff to bring back some possible dates/times.

N. ADJOURNMENT *(for possible action)*

The meeting was adjourned at 11:45 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 Darryl Dworkin (1 page): From Darryl Dworkin, 705 Birdie Way

Submitted by Jack Hubbard (1 page): Moral Issue: Words and Contracts have force – both moral & legal

Submitted by Margaret Martini (1 page): BOT meeting of 8-22-2017, Public Comments: Margaret Martini, please add to the minutes of the meeting

Submitted by Clifford F. Dobler (8 pages): Public Comments at August 22, 2018 Board of Trustee Meeting – To be included in next Board packet

Submitted by Iljosa Dobler (3 pages): Public comment to be included in the next Board Packet, Board of Trustee meeting on August 22, 2017

Submitted by Linda Newman (2 pages): Written Statement for the 8-22-17 Board of Trustees meeting – To be included with the Meeting Minutes

Submitted by Bill Ferrall (1 page): IVGID Executive Summary – Special Revenue Fund Balance Stress Test

From Darryl Dworkin
705 Birdie Way

A Lease modification does not need a Sale contract to be discussed in Agd F2

~~Can we please be completely honest? IVGID has been considering a BUILDING PURCHASE for $5.5 MILLION; NOT a "Lease Modification".~~

~~State making purchase. offered to~~ Sale offer to purchase,

WHY would IVGID "purchase" what we already own? We OWN the land and thus the property as a whole; that's a simple fact. ~~A~~ This building cannot be sold without the land it's on.

I believe that The Parasol Foundation is looking for a bail-out from IVGID and for some unknown reason the IVGID Board seems overly willing to GIFT THEM $5.5 million of RESIDENT MONEY instead of simply relieving them of their requirement to maintain the building and pay the utilities for that building.... **a building on our land that has zero, repeat, ZERO commercial, thus ZERO FINANCIAL, value due to deed restrictions precluding commercial usage. To base any decision on any appraisal is improper as <u>there is absolutely no comparable possible</u>!**

BUT IF THERE WERE COMPARABLES then:
Wouldn't the last sale of the Centerpoint Building, 30,000 sq. ft., be a reasonable comparable? $2.1 million just a couple of years ago.

Please allow a more realistic consideration. IF IVGID were to sell the Southwood building and land for $2.0 million or more and move into leased space to replace that building at, and I've checked this, UNDER $2.00/sq. ft. per month; then we would have more than 8 YEARS to build a building on our land that better fit our requirements; not 3 times the size, 3 times the maintenance and utility costs, than we actually need. HAPPENS THAT THERE ARE TWO 5,000 SQ. FT. SECTIONS CURRENTLY AVAILABLE IN THE CENTERPOINT BUILDING.

As ~~an~~ another alternative, we could allow Parasol a ~~lease~~ "lease modification" wherein the Parasol Foundation retains their clients and existing space ~~for $1/year and~~ and IVGID takes over the management, maintenance and utilities of the building as well as the usage of the currently unoccupied space. OR, As a non-profit we could lease the unoccupied space in the building from Parasol.

Either ~~That~~ alternative would provide for about 25 years of building usage BEFORE using up $2,000,000 from the sale of the Southwood property AND leave intact 100% of the $1.6 million already set aside as a down payment to Parasol for other, needed, expenses.

~~EITHER~~ Any of temporary leasing while building a building the size we need ~~OR~~, allowing Parasol a lease modification wherein we take over maintenance and utilities ~~only~~ management, or leasing from Parasol makes sense. ~~Nothing else I've heard does.~~

MORAL ISSUE; WORDS AND CONTRACTS HAVE FORCE - BOTH MORAL & LEGAL.

IT IS IMMORAL TO EXPECT TO BE BAILED OUT ON AN AGREEMENT AND DOUBLY SO BY TAX PAYERS WHO SEEM TO HAVE NO SAY.

YOU, OUR ELECTED TRUSTEES, HAVE A MORAL & FIDUCIARY DUTY TO THE CITIZENS WHC ELECTED YOU - NOT TO PARASOL.

THIS IS NOT EVEN CLOSE TO A GOOD DEAL & CERTAINLY NOT THE BEST DEAL AVAILABLE

YOUR RESPONSIBILITIES ARE TO YOUR CONSTITUENTS FOR THE BEST DEAL.

SINCE PARASOL HAS MANAGED TO HAVE THE TWO MOST EFFECTIVE TENANTS LEAVE THE ARE NOW IN BREACH OF THEIR LEASE AGREEMENT. see section XIII, A3, (b) regarding the use & business Plan

THIS OPENS THE DOOR TO IVGID TO TAKE TITLE TO THE BUILDING OR TO FORCE PARASOL TO GO BACK TO THEIR PRIMARY MISSION. same section page 24 item 8

NOT TO ABSOLVE THEMSELVES OF THEIR RESPONSIBILITIES OF SUPPORTING LOCAL NON PROFITS AND OF MAINTAINING THE BUILDING ETC.

AN EXPANSION OF OFFICE SPACE IS NOT IN IVGID'S 5 YEAR CAPITAL PLAN - THEREFORE ONE CAN SAFELY ASSUME IT IS NOT A 5 YEAR PRIORITY - THEREFORE WE SHOULD NOT COMMIT THE COMMUNITY TO MORE DEBT FOR ANY AMOUNT OF TIME.

ESPECIALLY WHEN YOU HAVE CHOSEN NOT LIVE UP TO PREVIOUS BOARDS PROMISES TO REDUCE THE FEE (TAX) WHEN BONDS WERE PAID OFF. FEW PEOPLE TRUST THE BOARD OR MANAGEMENT ANYMORE.

WHEN ONE GETS INTO THE WEEDS. IE. LOOKS AT THE SPACE UTILIZATION, REMAINING TENANTS, OTHER OPTIONS, ETC. IT LOOKS WORSE & WORSE.

I URGE YOU NOT TO AGREE TO THIS DEAL.

BTW - THE SAME MORAL ARGUMENT APPLIES TO MODIFYING AN EMPLOYMENT CONTRACT SHORTLY AFTER BOTH PARTIES REACH MUTUAL AGREEMENT. THE REQUESTING PARTY IN NO WAY IS WORRIED ABOUT THE CITIZENS, ONLY THEIR OWN PERSONAL INTERESTS.

Submitted by
Jack Hubbard

BOT meeting of 8-22-2017

Public Comments: Margaret Martini, please add to the minutes of the meeting.

It is difficult to believe that more than three years have passed since GM Pinkerton joined out district, and in that time SO LITTLE HAS BEEN ACCOMPLISHED. Although a great many consultants have been hired an extravagant amount of our money has been spent our GM has failed to exercise leadership in solving our districts most pressing problems.

INSTEAD HE HAS CREATED MORE.

He has not proposed any constructive action on the overcrowding on our beaches or proposed solutions for Ordinance 7, he has managed to significantly increase our beach operating expenditures and REPURPOSED the money we had reserved for a new beach building. He has created the bus to nowhere and has propagated a 25% increase in our Beach Fee that will be collected next year.

While he has been PURSUING YEAR-ROUND AMUSEMENTS AT DIAMOND PEAK, and the $ 5.5 million-dollar BAIL OUT of Parasol for ill planned administrative offices he has NEGLECTED AND RAN TO FAILURE of our districts critical infrastructure. In the past few months there have been 16 emergency repairs of infrastructure INCLUDING breakdowns of other facilities, machinery and equipment.

General Manager Pinkerton's new trash franchise agreement and the incompetent trash collection have fermented community outrage and threatened the health and safety of our citizens and wildlife.

Financial accounting and reporting has become more opaque and VERY SHORT ON ACCURACY. And his new excursion into withholding public records from citizens and Trustees along with his ad hoc destruction of emails add up to a very DISMAL TRACK RECORD.

And tonight, rather than holding our GM accountable, Chair Wong supports REWARDING HIS FAILURE TO PERFORM by increasing his total compensation and adding new clauses to IMPROVE CONDITIONS UPON HIS RESIGNATION OR TERMINATION.

THIS IS ALL UNACCEPTABLE. If the Chair cannot determine the difference between good management and bad, then it is time for our Trustees to ELECT A NEW CHAIR or for the community TO CONSIDER A RECALL.

Public Comments at August 22, 2018 Board of Trustee Meeting - To be included in next board packet

From: Clifford F. Dobler

Re: Deficiency in the Appropriate Level of Reserves for the Utility Fund

Over the past two years, I have spent considerable time and energy reviewing the financial reporting of IVGID and have been disturbed about the dishonest reporting of reserves.

The Board has developed a set of Policies and Practices which addresses the necessity for Cash reserves for emergencies and poor economic times. The Practices provide the calculations of how much money should be set aside and are described as an "Appropriate Level". I will call them RESERVES as most Staff members have decided that description fits the bill.

These cash reserves have different names such as Fund Balance, Working Capital or Unrestricted Net Position depending on what Fund is being addressed.

The calculations can vary dramatically if money for capital projects have been authorized and set aside but have not yet been spent.

The Utility Fund REQUIRED "Reserves" are now underwater created by improper reporting since at least 2015

As a result, money which was set aside for the $23,000,000 Effluent Pipeline Project is being repurposed for other projects.

I have prepared an analysis which is displayed on this chart.

The General Manger and the Director of Finance considers any reserves in the Utility Fund id Unrestricted thus telling the citizens how well off we are.

They consider the $12,836,000 at the end of June to be Unrestricted money and fail to consider that the accumulated $9,417,000 collected for the Effluent Pipeline Project and the $3,576,000 set aside for other authorized projects is

Restricted money and cannot be considered in determining whether or not an appropriate level of Reserves has been complied with.

As a result, the Utility Fund at the end of June has a negative reserve of $156,000

The problem becomes more intensified because Mr. Eick has reported two conflicting numbers for the required reserves by considering a wrong policy limited to the General Fund and Special Revenue Funds and a Utility Rate Study which produces two different amounts of $1,813,328 and $2,500,000. Slipping a phrase into a Practice document just won't work .

If the correct Policy and Practice (19,1.0 & 19.2) was used the appropriate reserves should be approximately $4,742,000. (See the attached calculation).

Because there are negative reserves, a projected $263,000 loss for 2018, $299,000 recently authorized for two unbudgeted water projects , and the repurposing of $1,000,000 of the Effluent Pipeline funds and the proper required reserves of $4,742,000 a big giant hole of $6,470,000 has been created which needs to be replenished.

How do you as citizens feel about your money being collected for one thing and used for another thing without your knowledge?

Expect a utility rate increase or a large borrowing soon

There is an accounting principle called Substance over Form. I have attached it for your review. The staff should consider it.

IVGID - Utility Fund

Analysis of Unrestricted Net Position (Reserves) Reported vs. Proper Reporting, for June 30, 2017, Budget for 2018 and additional budget overruns for 2018

	2016-2017	Revised
Unrestricted Net Position at June 30, 2016	$ 12,026,276	$ 12,026,276
Estimated 2017 activities - From Budget		
Cash Flow from Operations	4,855,500	4,855,500
Acquisition of Capital Assets	(1,904,000)	(1,904,000)
Carryover capital projects	(1,603,000)	(1,603,000)
Payment of Capital Debt	(482,000)	(482,000)
Payment of Interest	(160,900)	(160,900)
Investment Earnings	105,000	105,000
Capital Grants		
OMISSIONS - RESTRICTED MONEY		
Effluent Pipe Line Accumulated Resources - $23 Million project		**(9,417,000)**
Carryover Projects - Authorized and set aside mainly new Storage Building at Utility yard		**(3,576,000)**
Unrestricted net position at June 30, 2017	$ 12,836,876	**$ (156,124)**
2018 Budget - Cash Flows		
Cash Flow from Operations	$ 4,592,220	$ 4,592,220
Transfer from Internal Services Fund	120,000	120,000
Acquisition of Capital Assets	(4,428,100)	(4,428,100)
Carryover capital projects	(3,576,000)	-
Payment of Capital Debt	(495,761)	(495,761)
Payment of Interest	(147,373)	(147,373)
Investment Earnings	96,000	96,000
Excess of Uses over Sources	$ (3,839,014)	**$ (263,014)**
New Project Authorizations		
6-12-2017 Unbudgeted Water Item - from Pipeline Reserves		**(235,000)**
6-28-2017 Budget Overrun Water Item - from Pipeline Reserves		**(64,095)**
Repurposed $1,000,000 of the $2,000,000 which should have been set aside for the Effluent Pipeline in 2018 Budget		**(1,000,000)**
Required Reserves to comply with Board Policy & Practice		**(4,752,000)**
Estimated Total Shortage to comply with the proper Policy & Practice and restore the money repurposed from the Effluent Pipeline accumulated funds		**$ (6,470,233)**

WHICH RESERVE POLICY DO YOU WANT?

Appropriate Level of Fund Balance		
Policy & Practice 7.1 & 7.2	Incorrect	$ 1,813,328
Utility Rate Study	from rate study	$ 2,500,000
Appropriate Level of Working Capital		
Policy & Practice 19.2 &19.2	CORRECT	**$ 4,752,000**

2.0 Definition of Target amounts for Working Capital as measured each Fiscal Year End

Operations	45 to 90 Days of operating expenses excludes depreciation and interest
Debt Service	up to one year payments of interest expense
Capital Expenditure	up to 1 year of a 3 year average depreciation

Calculations at June 30, 2016 - Latest data availabe

Operations	
2017 CAFR reports operating expenses (no	$6,798,197
depreciation or interest)	$6,798,197
Per day based on 365 days	18,625
90 days of operating expenses	**$ 1,676,268**
Debt Service	
2016 CAFR reports interest expense	**$ 167,500**
Capital Expenditure	
2017 in 2018 budget depreciation expense	2,930,000
2016 CAFR depreciation expense	2,929,425
2015 CAFR depreciation expense	2,865,958
Total of 3 years	8,725,383
One year average of the three years	**$ 2,908,461**
Total of Target amounts of Working Capital (Reserves)	**$ 4,752,229**

3.0 Other Accumulation of Resources

The District may accumulate other resources in support of Debt Service or the Multi - Year Capital Plan in addition to Working Capital since these needs extend beyond the measurement period of one year

Effluent Pipeline	**$ 9,417,000**
Carryover Projects into 2018	**$ 3,576,000**

INCLINE VILLAGE
GENERAL IMPROVEMENT DISTRICT
ONE DISTRICT – ONE TEAM

Budgeting and Fiscal Management
Appropriate Level of Working Capital
Policy 19.1.0

POLICY. The District will maintain a formal practice on the level of working capital that should be maintained in the Enterprise (Utility) Fund.

Enterprise Funds distinguish between current and non-current assets and liabilities. It is possible to take advantage of this distinction to calculate Working Capital (i.e., current assets less current liabilities). The measure of working capital indicates the relatively liquid portion of total Enterprise Fund capital, which constitutes a margin or buffer for meeting obligations.
It is essential that the District maintain adequate levels of working capital in its Enterprise Funds to mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenses) and to ensure stable services and fees. Working Capital is a crucial consideration, too, in long-term financial planning. Credit rating agencies consider the availability of working capital in their evaluations of continued creditworthiness. Likewise, laws and regulations may speak to appropriate levels of working capital for some Enterprise Funds.

The Government Finance Officers Association (GFOA) recommends that local governments adopt a target amount of working capital to maintain in each of their Enterprise Funds. The District's targets will be formally described in the Practice as adopted and amended as needed.

Working capital is defined as current assets minus current liabilities; the District will consider certain characteristics of working capital that affect its use as a measure. Specifically, the "current assets" portion of working capital includes assets or resources that are reasonably expected to be realized in cash (e.g., accounts receivable) or consumed (e.g., inventories and prepaid expenses) within a year.

Stability of revenues and expenses are also considerations for an accurate calculation of working capital. The District will consider the adequacy of Working Capital in its Enterprise Funds during each annual budget process. The majority of such consideration will be established by the predictability of the revenues to be received from users. Building Working Capital in the Enterprise Funds is an acknowledged purpose in response to revenue shortfalls and unanticipated expenditures, debt service requirements and planning for capital expenditures.

INCLINE VILLAGE
GENERAL IMPROVEMENT DISTRICT
ONE DISTRICT – ONE TEAM

Budgeting and Fiscal Management
Appropriate Level of Working Capital
Policy 19.1.0

The District employs the term "Net Position" for Enterprise Funds, calculated in accordance with Generally Accepted Accounting Principles (GAAP). Financial reporting distinguishes Restricted from Unrestricted Net Position. Typically, only the latter is available for spending. Working Capital for operating needs should be sourced from Unrestricted Net Position. The District has debt service and capital expenditure needs that extend beyond one year. Therefore, amounts outside of the calculation of Working Capital may develop for those purposes. As such these may also be considered elements of both Restricted and Unrestricted Net Position.

INCLINE VILLAGE
GENERAL IMPROVEMENT DISTRICT
ONE DISTRICT – ONE TEAM

Budgeting and Fiscal Management
Appropriate Level of Working Capital
Practice 19.2.0

RELEVANT POLICIES: 1.1.0 Strategic Planning, 12.1.0 Multi-Year Capital Planning, and 13.1.0 Capital Project Budgeting, 14.1.0 Debt Management, 19.1.0 Appropriate Level of Working Capital

PRACTICE. It is the practice of the Incline Village General Improvement District, hereinafter referred to as the District, to maintain Working Capital in each Enterprise Fund in a manner which provides for contractual, bond and customer service obligations, while meeting its routine and non-routine cash flow requirements and complying with all federal, state and local statutes and regulations.

1.0 SCOPE

This Practice shall apply accounting principals as forth in Generally Accepted Accounting Principles (GAAP) considering the unique characteristics of the District. To that end the following measurements will apply to each fund:

- Strength of collections of accounts receivable, to the extent they can be converted to cash within a timeframe expected for use in the District's operations.
- Historical consumption of inventories and prepaid expenses, to the extent they can be utilized to support operations within the timeframe of the District's budget cycle.
- Levels and flow of annual operating expenses. At no time will the calculation consider less than 45 days operating needs. However, any amount over 90 days needs must be specifically supported and approved in writing by the District's General Manager.
- Support by the General Fund. This includes shared expenses and operating transfers that represent Central Services Cost Allocations.
-
- Control over rates and revenues.
- Asset age and condition, whether there is a chance of extra ordinary repairs or a replacement under the Capital Improvement Plan.
- Volatility of expenses and the ability to control fixed and variable costs.

- Management plans for Working Capital including any inherent affects of Restricted Net Position or items extending beyond one year that would normally not be covered by Working Capital.
- Debt Service or Multi-Year Capital Plan needs identified as current requirements.

2.0 Definition of Target amounts for Working Capital as measured each Fiscal Year End

Utilities

Operations – 45 to 90 days of operating expenses**

Debt Service – up to one year's payments of interest expense, since current maturities of long term debt are already considered in determining working capital, when classified as a current liability.

Capital Expenditure – up to 1 year of a 3 year average depreciation

** Operating expense excludes depreciation and interest.

3.0 Other Accumulation of Resources

The District may accumulate other resources in support of Debt Service or the Multi-Year Capital Plan in addition to Working Capital since these needs extend beyond the measurement period of one year.

Public comment to be included in the next Board Packet

Board of Trustee meeting on August 22, 2017

By: Iljosa Dobler

995 Fairway

To begin with I was a licensed real estate broker for 15 years and saw many commercial appraisals.

I am here to talk about the recent apparaisal of the Parasol Building conducted by Barnett dated July 7, 2017

Barnet had four assignments. I only have time to talk about the appraised value derived by the Income Approach.

According to Barnett, The estimated value of $4,300,000 is based on obtaining a cap rate of 6.5% based on annual cash flow of $279,000.

So first of all the square foot of rentable space is different from that of Dale Smith an architect and planner of the building.

By adjusting square feet to Dale Smith numbers Potential Gross Rents are lower by $77,855 in the Reality column

Then there must be a replacement reserve which is provided in a Property Conditions Report. My best guess would be about $50,000 annually which is only .04% of the estimated original building cost of $12,000,000. Pinkerton indicated a report would be completed.

Now the net operating income (cash flow) drops to only $151,000 so at a 6.5% annual return for the land and building it is only worth $2,233,000

But the land is owned by IVGID which according to Barnett is worth $1,000,000. That needs to be deducted.

Also Barnett did a Rental Rate Advantage Report studying the loss of Rents. Done correctly the free rent to Parasol for office and storage space of $40,800 and $8,844 respectively per month discounted at 5% annually over the 20 years creates a present value rent loss of $630,000 which must be deducted. The same is true for the half rents to the non profits for a six year term gives a present value of $150,000.

When we make all of these deductions we are down to at value of $552,000 After tenant improvements of approximately $500,000 there is no real economic value.

Claudia Anderson of Parasol made a statement that with the land use restrictions the property is worth ZERO so why are we even entertaining $5,500,000

Thanks

Appraisal vs Reality of the Parasol Building

	Barnett SF	Smith SF	Barnett Appraisal	REALITY
Rents				
Office	15,211	12,268	$ 365,064	$ 294,432
Storage	3,902	2,510	31,500	20,180
Meeting Rooms	5,640	3,784	90,000	90,000
	24,753	18,562	486,564	404,612
Vacancy			(24,328)	(20,231)
Potential Gross Rents			462,236	384,381
Expenses			(182,784)	(182,784)
Replacement Reserve			0	(50,000)
Net Operating Income			279,468	151,597
Capitalizaton Rate of 6.5% per annum			**4,299,505**	**2,332,268**
Required Adjustments				
Value of Land as stated by Barnett				(1,000,000)
Loss on Rents -Parasol				(517,000)
Loss on Parasol Storage Rents				(113,000)
Loss on Non Profit Rents				(150,000)
NET VALUE			**$ 4,299,505**	**$ 552,268**

Barnett Appraisal Assumptions

1. The land and building are owned as one. There is no ground lease
2. Full Market Rents are received. No adjustment for free rent to Parasol and half rents to other non profits
3. Rent Losses are stated as the present value of future free or below market rents discounted at 5% annually but not included in the appraisal report. The calculations are found in the Rental Rate Advantage Report - INCORRECT CALCULATIONS

	Total loss	Monthly	Present Value
Parasol office -20 yrs	$ 816,000	40,800	$ 305,000
Parasol storage - 20 yrs	176,880	8,844	no info
Non Profits office - 6 yrs	172,800	28,800	130,000
	$ 1,165,680	78,444	$ 435,000

4. No inflation was considered throughout the term of the leases

Written Statement for the 8-22-17 Board of Trustees Meeting – To be included with the Meeting Minutes
By: Linda Newman

To be perfectly clear, tonight's meeting agenda is all about Failure! Ignoring it, Covering it up or Rewarding it. These failures point to a breakdown of the Board's authority and supervision of the District and our Chair's failure to exercise leadership in holding our General Manager, Legal Counsel and Director of Finance accountable. This Board must demand our District's compliance with Nevada law, the protection of our health and safety and take prudent measures to ensure our financial sustainability.

IGNORING FAILURE
The District has failed to hold Parasol accountable for breaching the terms of its lease agreement. Rather than providing a notice of default the District is engineering a $5.5 million bail out that transfers Parasol's financial responsibilities and legal liabilities to every parcel owner paying a Recreation Facility Fee. This is an affront to every citizen that expects our elected officials to honor and protect our interests.

THE COVER UP
In defiance of Nevada law, our General Manager and District legal counsel have initiated litigation against citizens and a local business without the Board approving these actions and appropriating public funds in a public meeting. The General Manager and Legal Counsel have also rejected Settlement offers without Board knowledge or consent. Our General Manager and Legal Counsel have withheld public records from our citizens and our Trustees. Staff emails have been destroyed. There is nothing on this Agenda that holds the General Manager and Legal counsel accountable for breaking the law. Instead, we are pointed to District Policies that have been interpreted to validate these unlawful practices. Apparently, our Chair, General Manager and Legal Counsel seem to think IVGID rules supersedes Nevada Law. They don't. And corrective action must be taken now.

REWARDING FAILURE
Chair Wong is recommending the Board increase the General Manager's total compensation which already exceeds most of Nevada's top governmental employees –including the Governor and the Attorney General. She is also proposing new terms that would provide a golden parachute in the event he resigns or is terminated. Anyone reviewing Mr. Pinkerton's neglect of the District's vital infrastructure resulting in expensive mandated emergency repairs for the Diamond

Peak Culvert and the Effluent Pipeline or had to deal with the consequences of the new Trash Franchise Agreement or examined his unrestrained spending and refusal to provide accurate and complete financial information –could reasonably reach a different conclusion and request the Board consider Mr. Pinkerton's termination.

IVGID Executive Summary
Special Revenue Fund Balance Stress Test
Audited Fund Balance versus Planned Capital Project Transfers
and Lease Modification Assumptions
Presented to Board of Trustees August 22, 2017

Submitted by Bill Zerwell

LINE		COMMUNITY SERVICES SPECIAL REVENUE FUND		
		AS PRESENTED	REVISED	Explanations
1	**Audited Fund Balance 6/30/16**	7,854,828	7,854,828	
2	Projected Sources FYE 6/30/17	19,574,000	23,176,760	2017 est in 2018 Budget
3	Projected Uses FYE 6/30/17	(16,702,000)	(21,195,785)	2017 est in 2018 Budget
4	**Projected Fund Balance 6/30/17**	10,726,828	9,835,803	Difference $891,000?
5	Budgeted Sources FYE 6/30/18	20,671,514	20,671,514	
6	Budgeted Uses FYE 6/30/18	(21,290,234)	(21,765,234)	$475K contingency out
7	Budgeted Lease Modification	(1,600,000)	(1,600,000)	Down Payment
8	**Projected Fund Balance 6/30/18**	8,508,108	7,142,083	
9	**Used for Planned Projects:**			
10	FYE 6/30/19	(100,000)	(100,000)	Legacy Projects
11		(150,000)	(150,000)	Diamond Peak MP
12	FYE 6/30/20	(1,183,000)	(1,183,000)	Diamond Peak MP
13	FYE 6/30/21	(1,183,000)	(1,183,000)	Diamond Peak MP
14	FYE 6/30/22	(978,887)	(978,887)	Diamond Peak MP
15	**Sources for Projected Lease Modification:**			
16	General Fund - Transfers in			
17	FYE 6/30/18	493,142	493,142	Parasol Remodel
18	FYE 6/30/19	700,000	700,000	Sale of Southwood
19	FYE 6/30/20	100,000	100,000	Sale of Southwood
20	FYE 6/30/21	600,000	600,000	Sale of Southwood
21	Comm. Serv. Cap. Proj. Revenue	660,000	660,000	$132,000 - per yr Parasol, Meet Rms New Programs
22	**Uses for Projected Lease Modification:**			
23	DWR Bldg Remodel			
24	FYE 6/30/18	(493,142)	(493,142)	
25	Rec. Center Remodel			
25	FYE 6/30/18	(175,329)	(175,329)	
27	Lease Payments			Debt Pay to Parasol
28	FYE 6/30/19	(700,000)	(955,500)	Principal & Interest
29	FYE 6/30/20	(700,000)	(920,400)	Principal & Interest
30	FYE 6/30/21	(700,000)	(885,300)	Principal & Interest
31	FYE 6/30/22	(700,000)	(850,200)	Principal & Interest
32	FYE 6/30/23	-	(815,500)	Principal & Interest
33	**Fund Balance**	3,997,892	1,004,967	
34	**Current Target by Policy**	3,995,000	3,995,000	
35	**Remainder/(Shortage)**	$ 2,892	$ (2,990,033)	

Herron, Susan

From:	info@muggsywalnut.com
Sent:	Wednesday, October 11, 2017 4:44 PM
To:	Kendra Wong; Matthew Dent; Tim Callicrate; Horan, Phil; Peter Morris; Pinkerton, Steve J.
Cc:	Adam Jensen; Brandy McMahon; Jamie Otterstrom; m vollmer; d zabaglo; m driscoll; k caringer; j marchetta; tahoe blue tahoe blue; steve sweet; Johnson, Brad; Winquest, Indra S.; Herron, Susan
Subject:	Dogs out of control

Dear Trustees, October11, 2017

I received a call from the father of a soccer player on the upper field at Village Green. His complaint to me was that 5 dogs were running free and the children were there to have a scrimmage. Previously there was a rent-a-cop to enforce these common courtesies that you ignore along with the feces you force the children to recreate in.

I told him to call parks director Mr. Winquest, but decided I would let you know as well. This is just another way in which Village Green is out of control with regards to dogs and uncaring owners.

In addition to this abuse of public trust it is illegal that the "temporary dog park" encompasses SEZs, and stinks continually of methane. The pervasive and ongoing lie perpetrated by staff that this does not impact our environment and citizenry is unconscionable.

PLEASE FIX IT.

Steve Dolan

Please add this email to the permanent record.

P.O. 4438
Incline Village, NV 89450
775-843-7244

Herron, Susan

From:	tmgnsw@aol.com
Sent:	Saturday, September 23, 2017 9:10 PM
To:	Kendra Wong; Peter Morris; Horan, Phil; Tim Callicrate; Matthew Dent
Cc:	Herron, Susan; tmgnsw@aol.com
Subject:	General Business Items for the IVGID Board of Trustees meeting of September 26, 2017

Dear IVGID Trustees:

Kaye and I will not be able to attend the Tuesday, September 26, 2017, IVGID meeting; we will be running a workshop out of town that week.

I want you to know what I would have said had we attended.

ITEM 3: Total waste of time. There is no evidence that there is a problem with these items. Trustee Dent has joined the small group of people trying to disrupt the IVGID meetings.

ITEM 4: Total waste of time and money. The disrupting group has already gone to the Nevada Attorney General's office and the Nevada Legislature trying to get someone to listen to them without success.

ITEM 5: Total waste of time. We have listened to the same lame statements made by the same people every meeting. Let's imagine six people making the same lame statements on six different subjects for three minutes each at each meeting. This is close to two hours' of wasted time. The public does not attend these meetings due to this waste of their time. Much thought and discussion went into making the change in August 2015. Nothing has changed since that time.

ITEM 6: What are these accusations and where were they originated? What facts even suggest that any of these items are true and deserving of investigation? The same people in Item #3 have tried to raise the accusations unsuccessfully with the people in Item #4 in the past. Require Trustee Dent personally to write his accusations in detail *with supporting facts* or stop trying to disrupt the business of the Board.

Respectfully,

Joe Shackford
891 Donna Drive
Incline Village
775-832-5300

Herron, Susan

From: s4s@ix.netcom.com
Sent: Thursday, September 21, 2017 11:25 PM
To: Kendra Wong
Cc: Tim Callicrate; Horan, Phil; Matthew Dent; Peter Morris; Herron, Susan
Subject: Omissions From Chairperson Wong's List of Issues Concerning IVGID's Possible Purchase of the Parasol Building in Anticipation of the IVGID Board's Regular September 26, 2017 Meeting

Dear Chairperson Wong and the Other Honorable Members of the IVGID Board -

I am writing to you about the list of issues Ms. Wong created/presented to the IVGID Board its last meeting held September 13, 2017 insofar as the proposed purchase/sale of the Parasol Building. I am submitting this e-mail/written statement inasmuch as Judy/I are traveling and will not be able to attend the upcoming September 26, 2017 Board meeting.

Ms. Wong's issues appear at page 10 of the packet of materials prepared by staff in anticipatíon of the Board's September 26, 2017 meeting ("the 9/26/2017 Board packet"). But conspicuously absent are the five legal issues/sub-issues raised by Trustees Callicrate/Horan at the September 13, 2017 Board meeting. Namely,

1. The validity of the July 1, 1999 Amendment to the CC&Rs recorded against the land the subject of Parasol's current ground lease ("the land") given:
a) It was purportedly executed by Irving Littman, President of Gardena Service Co. ("Gardena"),
i) 22 years after the fact; and,
ii) Nearly ten (10) years after Gardena had been formally dissolved and its assets distributed; and,

b) The consent of local property owners who paid for the land was not first secured given the land's acquisition for park and recreational purposes, and none others, was expressly for the benefit of those property owners [see Reno v. Goldwater (1976) 92 Nev. 698, 558 P.2d 532]; 2. In light of the original CC&Rs against the land, whether Parasol can permissibly use the Parasol Building for any activities whatsoever;

3. In light of the original CC&Rs against the land, whether IVGID can occupy and use any portion of the Parasol Building as an administrative office building given the CC&R use restrictions against the land;

4. Whether IVGID can use funds derived from the Recreation ("RFF") and/or Beach ("BFF") Facility Fee(s) to purchase/improve the Parasol Building given IVGID's representations the RFF/BFF pay for the "availability" to use public recreational facilities (rather than administrative office space); and,

5. Whether IVGID's proposed payment for the purchase of the Parasol Building over five years represents an installment purchase agreement which requires the affirmative vote of 2/3 of IVGID Trustees.

Although Chairperson Wong clearly represented to the Board and the public that these additional legal concerns would be added to her list of issues and presented at this and future Board meetings for discussion, conspicuously, they are absent. So that these important issues are not simply "swept under the rug" and forgotten, I ask that one or more Board members formally request Ms. Wong's list be augmented to expressly include these omitted issues.

Although Chairperson Wong may object by categorizing all of these issues as "legal" which are awaiting the outcome of the Holland & Hart firm's legal analysis, I suggest they will not be addressed. Take a close look at Ms. Fogarty's September 12, 2017 engagement letter (see pages 5-9 of the 9/26/2017 Board packet). There she expressly represents

that her scope of work is limited to review of the existing ground lease, as amended, and related CC&Rs related to the leased property (as opposed to the land). That's it!

Under this limited scope of work, in no way do I expect Ms. Fogarty's review to extend to items 1(b) and 2-5 identified above. Which means that if the IVGID Board is waiting for guidance insofar as these issues are concerned, given such these issues have not been added to Ms. Wong's list of issues, they will never be addressed. That is unless the Board does something.

So in closing, I ask that the Board augment Ms. Wong's list of issues with the five issues noted above so that in going forward they will be addressed. I also ask that the Board instruct staff to inform Holland & Hart that the five legal issues identified above be expressly included in the scope of work the subject of Ms. Fogarty's September 12, 2017 engagement letter.

Thank you for your courtesies and cooperation in these matters, and I expressly request that a copy of this e-mail be attached as a written statement to the written minutes to be prepared of the Board's September 26, 2017 meeting. Not that I need remind the Board inasmuch as IVGID staff constantly tout how "transparent" they are, but NRS 241.035(1)(d) expressly allows any member of the general public to address a public body at a public meeting by means of written remarks, and to request that those remarks be reflected in the formal written minutes of that public meeting. Please consider this e-mail to represent those written remarks.

Aaron Katz

Herron, Susan

From: Kendra Wong <kwong.ivgid@gmail.com>
Sent: Monday, September 25, 2017 3:54 PM
To: Herron, Susan
Subject: Fwd: Ethics and allegations

Hi Susan,

Can you make sure the Board gets this and it is entered as correspondence?

Best,
Kendra

---------- Forwarded message ----------
From: **Bruce Simonian** <brucesimonian@hotmail.com>
Date: Mon, Sep 25, 2017 at 11:40 AM
Subject: Re: Ethics and allegations
To: "wong_trustee@ivgid.org" <wong_trustee@ivgid.org>

Yes

Sent from my iPhone

On Sep 25, 2017, at 10:31 AM, Kendra Wong <kwong.ivgid@gmail.com> wrote:

> Hi Bruce,
>
> Thanks for sending this along. Do you want this sent to the rest of the trustees or entered into the record as correspondence?
>
> Best,
> Kendra
>
> On Fri, Sep 22, 2017 at 12:01 PM, Bruce Simonian <brucesimonian@hotmail.com> wrote:
>
> FYI....I sent this off to Matthew yesterday.
>
> ---
>
> **From:** Bruce Simonian <brucesimonian@hotmail.com>
> **Sent:** Thursday, September 21, 2017 12:27 PM
> **To:** dent_trustee@ivgid.org
> **Cc:** Pinkerton, Steve J.; Susan Herron
> **Subject:** Ethics and allegations

Matthew,

I was going to call you to discuss the recent allegations posted by you, but felt that an email trail would be more appropriate.

Cliff Doblar has been an adversary of the staff for a few years disputing calculations and forecasts by the GM and Accounting department; also questioning decisions made by the board. You have violated the code of ethics by dealing with this person creating the perception of bias and conflict of interest. At the forum you defended this business arrangement. It should never have taken place while you are in public office. The Ethics Law Announcement speaks directly to you. How can you remain impartial when you are beholding to this person?

The evidence shows that you are not.

Secondly, the allegations of record request denials. You have not sat down and spoken with General Manager Pinkerton or Secretary Herron to find out the facts dealing with such requests. The Board has not been found in violation of The deletion of emails has been proven to be false. Again, Mark Smith has not sat down to discuss these allegations with the parties in question. The perception is that you believe all that is being conveyed to you by the aggrieved parties. What is at risk to ask what has been asked for, what was the outcome, and WHY? Your responses, requests and allegations reveal your character, not the character of those you accuse and attack.

The comment section after each action item was eliminated because the Board meetings were getting ridiculously long. Those seeking public comment should come prepared to ask questions and comment based upon the information in the packet or to enlighten the general public after discussions with the specific persons involved with the issue. Quite often, there has been no communication between the parties that could resolve the questions or allegations being brought forward.

Kevin Lyon's Flash Vote is inaccurate. To use this tool on its own to suggest that the community feels one way or another is wrong. The leading questions in the last Flash Vote could only lead to negative responses. You need open-ended questions.

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Kendra Wong
Incline Village General Improvement District
Chairwoman

—
Kendra Wong
Incline Village General Improvement District
Chairwoman

DATE	DAY OF THE WEEK	TIME	LOCATION	MEETING	ITEMS SLATED FOR CONSIDERATION
				NOVEMBER 2017	
11/07/2017	Tuesday			4th Quarter Community Meeting	Topic:
11/15/2017	Wednesday	5 p.m.	Chateau	Audit Committee Meeting	
11/15/2017 *(distribution target 11/08/2017) (firm packet matl due date/time 11/06/2017; 8 a.m.)*	Wednesday	6 p.m.	Chateau	Regular Board Meeting	Audit Committee policy
				DECEMBER 2017	
12/13/2017 *(distribution target 12/06/2017) (firm packet matl due date/time 12/04/2017; 8 a.m.)*	Wednesday	6 p.m.	Chateau	Regular Board Meeting	Election of Board Officers for 2018 Acceptance of June 30, 2017 Audit Report IVGID Code preview Post Season review – Golf and Facilities

Items sitting in the parking lot (to be discussed but (a) not yet scheduled for a specific Regular Board Meeting) or (b) a future Board not on this calendar
RFID Picture Passes – Item for next Strategic Plan or three years from now – software not available nor is infrastructure/hardware
TRPA EIS Contract at Diamond Peak
WCSD Joint Agreement
Ski Way Pre-Design Presentation
Nevada Department of Environmental Protection Grant Award Acceptance (Requesting Staff Member: Principal Engineer Charley Miller)

2018 Proposed Board Meeting Dates (SECOND AND LAST WEDNESDAY OF EACH MONTH)

				JANUARY 2018	
01/10	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
01/31	Wednesday	5:30 to 6 p.m.	Chateau	Meet and Greet	
01/31	Wednesday	6 p.m.	Chateau	Regular Board Meeting	

DATE	DAY OF THE WEEK	TIME	LOCATION	MEETING	ITEMS SLATED FOR CONSIDERATION
				FEBRUARY 2018	
02/14	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
02/28	Wednesday	5:30 to 6 p.m.	Chateau	Meet and Greet	
02/28	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
				MARCH 2018	
03/14	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
03/28	Wednesday	5:30 to 6 p.m.	Chateau	Meet and Greet	
03/28	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
				APRIL 2018	
04/11	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
04/25	Wednesday	5:30 to 6 p.m.	Chateau	Meet and Greet	
04/25	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
				MAY 2018	
05/09	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
05/30	Wednesday	5:30 to 6 p.m.	Chateau	Meet and Greet	
05/30	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
TBD	TBD	TBD	TBD	**Special Board Meeting (Budget Approval)**	
				JUNE 2018	
06/13	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
06/27	Wednesday	5:30 to 6 p.m.	Chateau	Meet and Greet	
06/27	Wednesday	6 p.m.	Chateau	Regular Board Meeting	

DATE	DAY OF THE WEEK	TIME	LOCATION	MEETING	ITEMS SLATED FOR CONSIDERATION
				JULY 2018	
07/11	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
07/25	Wednesday	5:30 to 6 p.m.	Chateau	Meet and Greet	
07/25	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
				AUGUST 2018	
08/08	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
08/29	Wednesday	5:30 to 6 p.m.	Chateau	Meet and Greet	
08/29	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
				SEPTEMBER 2018	
09/12	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
09/26	Wednesday	5:30 to 6 p.m.	Chateau	Meet and Greet	
09/26	Wednesday	6 p.m.	Chateau	Regular Board Meeting	Talk about having a Legislative Advocate for the Nevada Legislative Session of 2019
				OCTOBER 2018	
10/10	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
10/31	Wednesday	5:30 to 6 p.m.	Chateau	Meet and Greet	
10/31	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
				NOVEMBER 2018	
11/14	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
11/28	Wednesday	5:30 to 6 p.m.	Chateau	Meet and Greet	
11/28	Wednesday	6 p.m.	Chateau	Regular Board Meeting	This meeting is typically cancelled due to the Thanksgiving holiday
				DECEMBER 2018	
12/12	Wednesday	6 p.m.	Chateau	Regular Board Meeting	
12/26	Wednesday	5:30 to 6 p.m.	Chateau	Meet and Greet	
12/26	Wednesday	6 p.m.	Chateau	Regular Board Meeting	This meeting is typically cancelled due to the Christmas holiday