

MINUTES

REGULAR MEETING OF NOVEMBER 18, 2020 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 Chairman Tim Callicrate on Wednesday, November 18, 2020 at 6:00 p.m. This meeting was conducted virtually via Zoom.

A. PLEDGE OF ALLEGIANCE*

The pledge of allegiance was recited.

B. ROLL CALL OF TRUSTEES*

On roll call, present were Trustees Tim Callicrate, Sara Schmitz (absent on roll call and joined the meeting at 6:03 p.m.), Matthew Dent, Kendra Wong, and Peter Morris.

Also present were District Staff Members General Manager Diamond Peak Ski Resort Mike Bandelin, Director of Finance Paul Navazio, and Engineering Manager Nathan Chorey.

No members of the public were present in accordance with State of Nevada, Executive Directive 006, 016, 018, 021, 026 and 029.

C. INITIAL PUBLIC COMMENTS*

Linda Newman said once again, there are items on tonight's Board agenda that have failed to comply with Board Policy 3.1 which requires all relevant materials be included with each agenda item in order to be heard and acted upon. Like the General Manager's continued indifference to developing written internal controls, he has also chosen to ignore another Board Policy in preparing tonight's packet. First, you are being asked to direct Staff and Legal Counsel to develop the terms of a Memorandum of Understanding to include a long term Diamond Peak land use agreement for the Diamond Peak Ski Education Foundation. Where is the supporting material defining the District's current and future needs for this land, the consent of the Board and the Community to lease this public land, and the requirements for determining fair market value for the lease of our public land? Secondly, you are being asked to choose one of three options for legal counsel – but there is no relevant back-up material upon which to base or support your decision. And these are the options for legal counsel – counsel you will depend

Minutes

Meeting of November 18, 2020

Page 2

upon to ensure compliance with open meeting law and compliance with Board Policies and Practices. In addition, you are being asked to outsource requests for public records to the BBK law firm without understanding exactly what you are paying for and getting in return. This agenda item is worse than ironic –it is insulting. She considers the hours she has spent reading this packet, a complete and total waste of my time. Unfortunately, she does not believe that the upcoming hours will prove more fruitful. If the General Manager cannot comply with policy 3.1, cannot place front and center the District's most pressing priorities and instead load an agenda with secondary and tertiary considerations. She does not believe, based on his past performance, that he has the bandwidth to hire competent and qualified senior management in the coming months. This Board must take action in securing outside resources to fulfill the significant deficits in our District's operations, capital project management, fulfillment of public records requests and financial accounting and reporting. Our community cannot, and should not, have to suffer the consequences of the neglect of the replacement or rehabilitation of 6 miles of our failing effluent pipeline, the delay in hiring a consultant to do a competent utility rate and asset replacement study, a \$1.2 million commitment to software that may or may not be appropriate, unauthorized litigation expenses and the very long list of Senior Management turnover –resulting in a skeletal senior management team. Until this Board takes an active role in fulfilling their fiduciary and statutory responsibilities and exercises responsible oversight, these follies will continue and you will be responsible and liable for the fallout.

Dick Warren said the Special BOT Meeting of November 9th was a difficult one to listen to; the discussion, and the approval of Tyler Technologies to do Payroll/HR/GL & Chart of Accounts, was disheartening. He almost came to the conclusion, why am I watching this disaster unfold? He has a suggestion, before IVGID does anything, why not have the IT Manager, scope out how all the current systems operate today, and then the futuristic look as to how all the systems will connect and work as a seamless operating entity? Then have the IT Manager present this to the Audit Committee, specifically individuals like Derrek Aaron who has extensive Project Management experience. Let Derrek, and Ray & Cliff (and others) review what the IT Manager has put together to determine if this futuristic look will work, and specifically how Payroll/HR/GL & Chart of Accounts will work in this environment. Those, within Staff, that are forecasting eternal doom if some systems are not fixed immediately, are out-of-line. Any system functioning today can probably function for another year or so. Think it through, Staff started working on the PR/HR System 2 or so years ago, but apparently it is still okay today. He wonders why. It just seems to me that currently we do not have a strategic view as to how all our different systems of today will operate in the future. Once that is determined, then let's put together a system of internal controls that covers our

entire environment. Obviously, that will have to come from outside experts, NOT INSIDE STAFF, but it will certainly be worth it. Thank you.

Theodore Christopher spoke in favor of the DPSEF proposal.

Judith Miller said that she recently wrote in the *Tahoe Daily Tribune* about the need for oversight and transparency. We were all hoping that when a familiar figure took on the role of GM that concerns would be addressed especially related to responsiveness and transparency. Unfortunately, she has noticed a number of items that have been falling through the cracks. First, items keep dropping off the list of topics for future agendas both for the Audit Committee and for the Board. Board members have had to remind the GM to put things back on the list after they somehow fall off. Second, there is little or no transparency or notification on the GM's Ordinance 7 Committee despite recently approved Board policies, the public has not been notified of meetings. The last agenda was not even posted under agendas rather it appeared under documents on the day of the meeting or perhaps the day before. Is that notification? No minutes or even summaries have been posted for the last two meetings and even though they are Zoom meetings, the public can't participate or even view a recording after the conclusion of the meeting. Is that transparency? Third, public records requests are still not handled in the manner required by statute. Responses aren't made in a timely manner nor is there the make a reasonable effort to assist the requestor to focus the request. And is there any progress on getting an updated public records retention policy that will include email. Yes, we all know there is a pandemic, we all know it has been hard, but these aren't difficult tasks and if they are ignored, it does not instill confidence in the District especially in its management. Let's hope the snow, the beautiful white covering that we have today that makes everything look new and fresh will translate into a new and fresh approach at IVGID.

Sarah Howard-Harwood spoke in favor of the DPSEF proposal.

Cliff Dobler said the Diamond Peak land deal – the background information tells a story which begins in 1966 and runs through 1999 when IVGID stopped giving cash donations and states IVGID along with the Foundation proceeded with fundraising ideas and venues to help the Foundation become self-supporting and through extensive fundraising efforts, the Foundation was able to adequately fund its own operations and operating expenses and had some surpluses. This infers that IVGID provided no donations for the past 21 years. This is absolutely untrue. The background information admits IVGID's actual agreements for the last 21 years which in fact provided large in-kind donations. On January 18, 2018, IVGID and the Foundation executed a five-year agreement wherein IVGID provided

several free items and discounts. At the time, an Incline Village resident reviewed the agreement and indicated that IVGID donations to the Foundation were valued at approximately \$99,850. Since the terms of the long term lease agreement for a new building are unknown, the lease should be approved by the Board and not approved under the General Manager's authority in Board Policy 3.1. Consideration should also be given if the Foundation can survive without future in-kind donations from IVGID. There is no Board policy or an expressed authority in the NRS for IVGID to lease public lands on a long term basis to non-profits. Regarding the eighty golf carts at the Championship golf course, Staff's presentation becomes somewhat laughable. IVGID purchased eighty carts back in 2017 for \$448,000 which after four years the carts could be traded in for \$80,000. Staff would now like to trade in the carts and lease new carts under a four-year lease. No problem. In order to scare the bejesus out of you, Staff creates a gigantic \$129,290 loss which would be incurred if the carts are rehabbed and kept for only one year. This is crazy. There is no one on the planet Earth who would replace parts, mainly batteries, and keep the carts for only one year. Three to five years would be the target. It would seem logical that if IVGID rehabs the carts the trade in value, after one year, would be more not less as Staff indicates. In addition, Staff creates a trade-in value of \$1,950 per cart which is double what was estimated in 2017; Staff provides absolutely no back up. In the calculations of losses, Staff omits the \$78,000 in savings on the new lease which would be necessary since the rehabbed carts would be used for only one year. This presentation is similar to Staff's false reporting of revenues generated from golf play passes using fictitious revenues per round. Staff needs to get out of the finance business and into hitting golf balls.

Nate Steward spoke in favor of the DPSEF proposal.

Aaron Katz said he will be submitting some written statements to be attached to the minutes of the meeting. He is talking about DPSEF and asked why is this on the Board's agenda? The present agreement makes it clear that DPSEF is completely independent of the District. While the spatial needs may be of interest, this has no business being on the agenda and taking up valuable space. He has asked for something to be on the agenda and he is ignored. He objects to the Board empowering the Staff to negotiate with anyone for anything. Local parcel owners paid nearly \$1.4 million for Diamond Peak in 1976 dollars so what justification is there for giving away 5,000 square feet prime space to DPSEF for \$1 per year which he presumes is what DPSEF representatives intends? Didn't we learn from the Parasol lease in which Chairman Callicrate made the motion for that 99-year lease? It is a waste of time to negotiate anything with DPSEF unless they are willing to pay fair rental value for a land lease. This is a waste of time and we

Minutes

Meeting of November 18, 2020

Page 5

will need two independent appraisals for a land lease. This is the standard for City and County real property leasing. DPSEF must pay for these appraisals. Long term leases tie our hands into the future. Finally, he has demonstrated that the public is already giving the ski team the equivalent of \$200,000 a year annually – when is enough enough?

Caroline Sandberg spoke in favor of the DPSEF proposal.

Frank Wright said he is a former Trustee candidate. Bunch of things to talk about –debacle we had with the Parasol, that took an awful lot of time, a Board action that should have never taken place; giving away a piece of land that the people of Incline could use that we gave to a non-profit. We need attorneys who are sharp and look at concepts like this and under the NRS and guidelines and for the people who live here. What we are doing is giving away land, which is not in our best interest, so come up with a better alternative and don't do what you are doing. Mr. Callicrate, you voted for the Parasol, not going to get a different result. Take your time and go back to the drawing board. As he was campaigning, a lot of people expressed being upset by our giveaway, stop it, do something different and change the course of the way we do things here.

Derrick Sandberg spoke in favor of the DPSEF proposal.

Steve MacNamara spoke in favor of the DPSEF proposal.

Charley Miller spoke in favor of the DPSEF proposal.

Cameron Lim spoke in favor of the DPSEF proposal.

Lauren Sandberg spoke in favor of the DPSEF proposal.

Bernard Ash spoke in favor of the DPSEF proposal.

Joy Gumz said in a 2002 opinion, the Nevada Attorney General stated, “The public purpose doctrine prohibits use of public property for private purpose. A public purpose is an activity that serves to benefit the community as a whole and which is directly related to the functions of government.” In opinion 2005-01, the Nevada Attorney General stated “The power conferred upon cities and counties in NRS 244.1505 and NRS 268.028 vests discretionary power to make charitable contributions only with the governing body of the city and the board of county commissioners. The power granted to cities and counties is in the nature of a public trust that may not be exercised or delegated in the absence of statutory

authorization.” The proposed Diamond Peak agreement is for a private purpose of a 501c3 organization. It does NOT relate to any of the 4 functions IVGID it to provide: recreation facilities, water, sewer or trash management. If the IVGID Board had adequate legal counsel, they would not have such matters placed before them. The IVGID Board must vote no on the DPSEF agreement; the Foundation can seek donations elsewhere. The Board must vote no on the BB&K item as it is the same firm that represented Bell, California.

Inge Starrett spoke in favor of the DPSEF proposal.

Margaret Martini said as a polite individual, she will not shout out my comments – but she will underscore that IVGID is a local government and as our public employees and elected officials you cannot use our public taxes and fees to subsidize non-profits with cash and non-cash contributions. You have a fiduciary responsibility to ensure that our land and our facilities are operated for the benefit of our community and are not sold, or leased at below market rates. Memorandums of Understanding to lease our public land to the Diamond Peak Ski Education Foundation cannot and should not be developed by legal counsel and District Staff. This is a matter for the Community and the Board to decide. Although there are many pages of information on the Foundation's needs, there is no information on our community's needs for the irreplaceable land you are proposing to lease to this Foundation. The District's past experience with long term leases of our public land at \$1 per year to the IVCB Visitor's Bureau and Parasol should serve as a warning. The consequences are still resonating. In the case of the Visitor's Bureau, this is land we cannot use for our District's needs. In the case of Parasol, they actually defaulted on the terms of their lease and had the audacity to try to sell us a building, that is on IVGID property, funded by others, that they no longer wanted to support and, remain as tenants for \$1 per year. To call this outrageous, would be an understatement. We do not need another Parasol debacle. Based upon expert citizen analysis of the current agreement, it is her understanding that our Rec Fee is being used to provide a \$100,000 + annual subsidy to the Diamond Peak Ski Education Foundation. This is not a small amount of public cash and tax and fee payer financed facilities and staff. She does not believe this District has the authority under Dillon's rule to commit our public resources to this charitable organization or any other non-profit. She is formally requesting this Board solicit an opinion from the Office of the Attorney General on the legality of IVGID's cash and in-kind donations to non-profits as well as the statutory requirements that must be met before our Board can lease our public land to non-profits or any other entity.

Anthony Walker spoke in favor of the DPSEF proposal.

Ray Tulloch said he thought long and hard before making any comments. Congratulate Mr. Wolf for handing out comments to be made which are subject to misinformation. DPSEF is a private charity that is not available to all in the community and is closed to DPSEF. They provide ski races services to Diamond Peak and DPSEF only provides facilities only for DPSEF as IVGID provides the hill space, etc. only for DPSEF. They pay for training venues elsewhere. Hypocritical that they can sell private parking spaces. It won't make him popular with his ski racing community, but the Board needs to think long and hard about how DPSEF opens itself to a wider part of the community.

Leas Otshawn spoke in favor of the DPSEF proposal.

Yolanda Knaak has some concerns about General Business Item, K.1. and she can't seem to get on Livestream so that's all she has.

Mike Abel submitted the following written comment: He has looked at the board packet for this evening (11/18/20) and the proposal on the DP ski education foundation give-away. He has also seen the reviled Mr. Aaron Katz' comments on its illegality. While he is not a legal expert, he makes a good case that the give-away is illegal. He will let his document stand as the best case against this proposal. Furthermore, with parking at a premium at DP, it is amazing to him that this proposal is even being considered, he notes with interest that no mention is made of the parking in this presentation. As we all know, parking is at a real premium at DP. To say that a new larger building will have no impact on already severely limited parking is absurd. With loading, unloading, parking, and the inevitable, "I am just waiting here for a few minutes", this large additional footprint will be just another inconvenience to the season pass holders and general public. IVGID already provides a rich platter of freebees to the DPSEF. Do we really need to give them more? He says no!

D. APPROVAL OF AGENDA (for possible action)

Chairman Callicrate asked for changes. Trustee Schmitz requested a flexible agenda as she would like to move Item M. so it's not at the end of the evening because it is important to be engaged so she is requesting it be moved to after General Business Item K.2. or after K.3. Chairman Callicrate said that is a good idea. District General Counsel Josh Nelson suggested doing it right before General Business and before the Treasurer's report. Chairman Callicrate asked how long will these reports take. Director of Finance Navazio said less than 10 minutes as they are informational. Chairman Callicrate said that Item M. is moved to right after the Treasurer's Report; a flexible agenda is approved.

E. PUBLIC HEARINGS

There are no Public Hearings for this agenda.

F. DISTRICT STAFF UPDATES (for possible action)

F.1. District General Manager Indra Winqest

F.1.A. Formal written report outlining the contracts/expenditures s/he approved - Once a month formal written report outlining the contracts/expenditures s/he approved with proper spending authority (under \$50,000 of budgeted expenditures)

F.1.B. Season end report for the Beach Season 2020

District General Manager Winqest gave an overview of the submitted material. Trustee Morris gave a shout out to Trail of Treats and Terror team as pulling this off was a huge benefit to the community - thank you. Trustee Morris then asked a couple of questions on the organizational chart on agenda packet pages 14 and 15 which District General Manager Winqest responded to. Trustee Schmitz brought to the attention of the District General Manager a couple of changes and referenced agenda packet pages 14 and 15 which District General Manager Winqest responded to. Trustee Dent followed up on public records requests and asked how many we are getting each month. District General Manager Winqest said that information will be included in his next General Manager's report. Trustee Dent followed up and asked about a couple that are old. District General Manager Winqest said that we had a couple that were extremely intense and required additional time. Trustee Dent said his purpose was to get an ongoing list included in the General Manager's report. Trustee Wong said related to public records request, she asked that Staff please indicate how many are requests but aren't actually public records. District General Manager Winqest said he will discuss that with the District Clerk. Trustee Wong said to Trustee Morris' comment about if the General Manager can't serve, she believes that there is a policy that the Director of Public Works serves. District General Manager Winqest said that wouldn't work because we don't have a Director of Public Works.

District General Manager Winqest then went over the submitted beach wrap up report. Trustee Schmitz said, as it relates to picture pass holder, as

someone like herself that scans in/out multiple times in one day, does that include them? District General Manager Winquest said that he believes that would be a double count and that he thinks that most gets their hand stamped so there could be a small amount that got double counted but he will check. Trustee Morris said thank you to the team for their work in this COVID year. Looking at the total number of attendees on the beach, it looks like it is in line with previous years. On agenda packet page 20, total visits are 109,406, which is a typical year. District General Manager Winquest said yes and that this includes the first two weeks of May. Trustee Morris said because we didn't have a 4th of July event, would it be upped it by a few thousand? District General Manager Winquest said if we would have had a normal July 4 this year, yes, we would have seen about 7,000 more visits. Trustee Morris then shared some general thoughts about pushback with the restrictions of this year. District General Manager Winquest said that his recommendation would be to put a cap on the punch cards that one can buy however that is a decision that the Board would have to make. Trustee Dent said he is excited to hear about the technologies that Staff is exploring and asked when Resolution, 1881 expires. District General Manager Winquest responded that it expires December 31, 2020. His recommendation would be monitor and leverage the General Manager's Ordinance 7 Committee recommendations and then have this discussion earlier in the season.

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

District General Manager Winquest reviewed the long range calendar and the Trustees shared their thoughts and suggestions.

Chairman Callicrate congratulated Trustee-elect Ms. Tonking and stated that she will be joining the Board at our December meeting and then at our January meeting officially. It is customary to have the new Trustees present to get a flavor of what goes on.

Chairman Callicrate, at 7:36 p.m., called for a break; the Board reconvened at 7:50 p.m.

H. DISTRICT GENERAL COUNSEL UPDATE (for possible action)

There is no Update for this agenda.

I. REPORTS TO THE BOARD* - Reports are intended to inform the Board and/or the public.

I.1. Treasurers Report (for possible action)

I.1.A. Payment of Bills (for possible action) (For District payments exceeding \$10,000 or any item of capital expenditure, in the aggregate in any one transaction, a summary of payments made shall be presented to the Board at a public meeting for review. The Board hereby authorizes payment of any and all obligations aggregating less than \$10,000 provided they are budgeted and the expenditure is approved according to District signing authority policy)

Treasurer Sara Schmitz submitted the following:

In the prior report been provided on October 27th, it contained a \$61K payment for a snow plow. Because a budget carry-over was overlooked for this purchase, it is an unbudgeted item in this fiscal year. Staff is reviewing the internal controls and determining whether they will be using fund balance or reducing another CIP budget to compensate for this oversight and therefore unbudgeted payment.

As seen on page 30 of the Board packet, includes the payment for gymnastics equipment funded by a grant from the Duffield Foundation. The receipt of the grant has been confirmed. Once again, the District and the young people enjoying this equipment are grateful for the generous donation by the Duffield Foundation covering the costs of the equipment paid by the District as shown in the Payment of Bills report.

Also included in this payment of bills report is a customer refund of \$14,643. A parcel owner was billed and paid for 2 Rec and 2 Beach fees on their one parcel for over 15 years. The resolution of this issue is being brought before the Board at a special meeting scheduled for Monday, November 23rd. I have been informed the prior Director of Finance was aware the recreation roll was off by one parcel, but didn't investigate to identify the parcel in error. Additionally, I was informed the parcel owner didn't receive their property tax bill because they paid their taxes through an impound account and the bills were sent to their lender. It was only recently the parcel owner realized the error and brought it to the attention of the District. While Legal Counsel has stated the statute of limitations for tax related issues is 3 years, District staff made the decision to refund the entire overpayment amount to the parcel owner without Board involvement. The check is still in the possession of District staff. Since the District doesn't have a policy for this type of repayment nor is there a policy allowing staff to override a statute of limitations, this is being brought to the Board at a special meeting scheduled for November 23rd. Had this not been brought before the Board, it would

have set a precedent for staff's authority to overrule statutes of limitation and establish a presentence for staff's authority to refund Recreation and Beach fees.

Not included in this report is my discovery that the District apparently never received the \$31K refund from Washoe County related to the sale of the 3 unbuildable lots sold by the former Director of Finance Eick. In April 2018, Mr. Eick brought before the Board the required repayment of back taxes on the 3 parcels. The Board approved a payment to Washoe County for approximately \$33K with the understanding that Washoe County was to refund the District roughly \$31K because those delinquencies were for Recreation and Beach Fees. Just recently, I discovered that the District apparently did not receive the \$31K as stated to the Board by Mr. Eick. Therefore, I brought this to the attention of the Director of Finance Navazio who is currently working with Washoe County to obtain the \$31K for the District.

In today's Board packet on pages 172-178 covering the Champ Course golf carts, the budget amount of \$29,000 each for the three beverage carts in this fiscal year, as referenced in the memo, is incorrect. The actual budget contains for \$17K each for 2 carts this fiscal year and \$15K for the third cart in 2025. Additionally, the project summary sheets have them listed for \$33,000 each in fiscal year 2022. These inconsistencies with budgets and dates has been brought to management's attention.

Trustee Wong asked why does a customer refund have to come to the Board? When you listen to our customer service training, we empower our Staff to make our customers whole and don't understand why we aren't supporting our Staff? When you add up all the time we are going to expend to approve this item, it is more than the refund. Chairman Callicrate said that he understands Trustee Wong's point and share that as well in allowing our Staff was tasked to do. This is a legal situation and it wasn't meant to intervene in what our Directors were empowered to do it. It is a clerical error that should have been caught a long time ago and all five of us should be in agreement. The point of a special meeting is the legal aspect of it as he wants to make sure we don't do something that sets an improper precedence.

The next item was moved up in the agenda by the Board of Trustees.

M. REPORTS* (Reports are intended to inform the Board and/or public)

M.1. Fiscal Year 2020/2021 First Quarter Budget Update: (Requesting Staff Member: Director of Finance Paul Navazio)

M.1.A. District financial results through September 30, 2020 (Quarter 1, FY2020/21)

M.1.B. Popular Capital Improvements Plan Status Report through September 30, 2020 (Quarter 1, FY2020/21)

Director of Finance Paul Navazio gave an overview of the submitted materials. The following Trustee comments were shared:

- ✓ First time we have seen the first CIP report and any recommendations that you have would be helpful.
- ✓ Debt and capital fund presentation isn't very useful, more concerned about the operating detail and the other on a quarterly basis is most useful.

J. CONSENT CALENDAR (for possible action)

There are no Consent Calendar items on this agenda.

K. GENERAL BUSINESS (for possible action)

K.1. Diamond Peak Ski Education Foundation Spatial Needs Assessment and Site Analysis presented by Andy Wolf, Vice President, Diamond Peak Ski Education Foundation Board of Directors and Andrew T. Ryan, P.E. of PR Design & Engineering Inc. with the possibility of the Board of Trustees taking the following action(s):

K.1.A. Review, discuss and possibly accept the presentation provided by DPSEF including a Special Needs Assessment and Site Analysis presented by Andy Wolf, Vice President, DPSEF Board of Directors and Andrew T. Ryan, P.E. of PR Design & Engineering Inc.

K.1.B. Review, discuss and possibly direct District Staff and District Legal Counsel to develop terms of a Memorandum of

Understanding including a long term land use agreement with the Incline General Improvement District and DPSEF.

Andy Wolf and Andrew Ryan gave the presentation as included in the Board packet. The Board of Trustees, Staff and DPSEF representatives discussed the agenda item and various components in detail.

Trustee Morris made a motion to accept the presentation provided by DPSEF including a Special Needs Assessment and Site Analysis presented by Andy Wolf, Vice President, DPSEF Board of Directors and Andrew T. Ryan, P.E. of PR Design & Engineering Inc. and direct District Staff and District Legal Counsel to develop terms of a Memorandum of Understanding including a long term land use agreement with the Incline General Improvement District and DPSEF. Trustee Wong seconded the motion. Chairman Callicrate asked for further comment, receiving none, he called the question – the motion passed unanimously.

Chairman Callicrate at 9:18 p.m. called for a break, at 9:30 p.m. the Board reconvened.

K.2. Review, discuss and provide feedback on the schematic design of Burnt Cedar Swimming Pool Improvement Project (Requesting Staff Member: Engineering Manager Nathan Chorey)

Engineering Manager Nathan Chorey gave the presentation as included in the Board packet. The Board of Trustees and Staff discussed the agenda item and the Board provided the requested feedback.

K.3. Review, discuss and possibly provide direction on the Championship Golf Carts Capital Improvement Project, CIP Data Sheet# 3141LV1898, Evaluation requested because of COVID-19 (Requesting Staff Member: Director of Golf/Community Services Darren Howard)

District General Manager Winquest introduced this item by stating that this project was approved through the capital budget but Staff told the Board that we would be bringing back projects when we needed the Board to weigh in on them and that he just wanted to remind everyone that this is in the current approved capital plan. Director of Golf/Community Services Darren Howard

gave an overview of the submitted materials. The Board of Trustees and Staff discussed the agenda item and the Board provided the direction to refurbish the Championship Golf Course golf carts. District General Manager Winquest reminded the Board that this is unbudgeted labor and maintenance costs so we are going to have to sift through this effort and wants everyone to understand that this is now going to be operating. Chairman Callicrate agreed and said that this gives the Board the opportunity to make changes to Policy 3.1.0.

K.4. Receive and possibly discuss recap of Project: Watermain Replacement – Martis Peak Road Vicinity; Fund: Utilities; Division: Water; Project 2299WS1704 (Presenting Staff Member: Engineering Manager Nathan Chorey)

Engineering Manager Nathan Chorey gave an overview of the submitted materials. No questions were asked by the Board.

K.5. Review, discuss options and potentially provide direction to Staff and the Board Chairman on a preferred option for District Legal Services; Vendor: Best, Best and Krieger (BB&K) (Requesting Board Member Chairman Tim Callicrate and Requesting Staff Member District General Manager Indra Winquest)

Chairman Callicrate gave an overview of the submitted materials. The Board of Trustees and Staff discussed the agenda item and the Board Chairman confirmed that three of the Trustees are leaning towards Option 3 and two Trustees are leaning towards Option 1 and there will be no public records included at this time.

L. APPROVAL OF MINUTES (for possible action)

L.1. Meeting Minutes of October 14, 2020

Chairman Callicrate asked for changes, none were requested, so the minutes are approved as submitted.

M. *Was moved up on the agenda before the Consent Calendar – see page 12.*

N. FINAL PUBLIC COMMENTS* - Limited to a maximum of three (3) minutes in duration.

There were no public comments made at this time.

O. ADJOURNMENT (*for possible action*)

The meeting was adjourned at 10:34 p.m.

Respectfully submitted,

Susan A. Herron
District Clerk

Attachments*:

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

Submitted by Aaron Katz – Written statement to be included in the written minutes of this November 18, 2020 regular IVGID Board meeting – Agenda Item C – Public Comments – The tens of thousands of dollars of our Recreation (“RFF”) and Beach (“BFF”) facility fees which are needlessly spent on travel and conference attendance associated with membership in all sorts of third party organizations – Here the National Ski Areas Association

Submitted by Aaron Katz – Written statement to be attached to and made a part of the written minutes of this November 18, 2020 regular IVGID Board meeting – Agenda Item K(1) – Possibly directing Staff and Legal Counsel to negotiate terms of replacement agreement with the Diamond Peak Ski Education Foundation (“DPSEF”) for its use of Diamond Peak including exclusive use via a long term land lease of up to 5,000 square feet of prime public property

WRITTEN STATEMENT TO BE INCLUDED IN THE WRITTEN MINUTES OF THIS NOVEMBER 18, 2020 REGULAR IVGID BOARD MEETING – AGENDA ITEM C – PUBLIC COMMENTS – THE TENS OF THOUSANDS OF DOLLARS OF OUR RECREATION (“RFF”) AND BEACH (“BFF”) FACILITY FEES WHICH ARE NEEDLESSLY SPENT ON TRAVEL AND CONFERENCE ATTENDANCE ASSOCIATED WITH MEMBERSHIP IN ALL SORTS OF THIRD PARTY ORGANIZATIONS – HERE THE NATIONAL SKI AREAS ASSOCIATION

Introduction: IVGID staff repeatedly tell the Board and the public that the purpose of the RFF/BFF are to make the public’s recreational and beach facilities “available” to be accessed and used by the owners/occupants of those parcel/dwelling units involuntarily assessed¹. However, *that’s not true*. As I have demonstrated so many times before², they actually pay for the difference between budgeted revenues and budgeted over spending unilaterally assigned by staff to the District’s Community Services and Beach Funds, respectively. In fact, ever since former Finance Director Gerry Eick invented and implemented the concept of “smoothing,”³ the RFF/BFF have paid for far *more*⁴. How else can one explain the rapid increase in Community Services and Beach Fund balances⁵?

¹ See pages 107-116 of the packet of materials prepared by staff in anticipation of the Board’s May 27, 2020 meeting [“the 5/27/2020 Board packet” (https://www.yourtahoepalace.com/uploads/pdf-ivgid/BOT_Packet_Regular_5-27-2020.pdf)].

² The latest being July 22, 2020 [see page 339 of the packet of materials prepared by staff in anticipation of the Board’s July 22, 2020 meeting [https://www.yourtahoepalace.com/uploads/pdf-ivgid/0722_-_Regular_-_Searchable.pdf (“the 7/22/2020 Board packet”)] which made reference to: footnote 5 at pages 468-469 of the packet of materials prepared by staff in anticipation of the Board’s April 10, 2019 meeting [https://www.yourtahoepalace.com/uploads/pdf-ivgid/BOT_Packet_Regular_4-10-19.pdf (“the 4/10/2020 Board packet”)]; and, pages 82-83 of the packet of materials prepared by staff in anticipation of the Board’s June 13, 2018 meeting [https://www.yourtahoepalace.com/uploads/pdf-ivgid/BOT_Packet_Regular_6-13-2018.pdf (“the 6/13/2018 Board packet”)].

³ According to staff, “this is an initiative...to schedule projects in a way to provide reasonably consistent amounts for capital expenditure thus avoiding increases in the total Facility Fee from year to year” [see page 4 of the 2019 Comprehensive Annual Financial Report {“CAFR” (<https://www.yourtahoepalace.com/uploads/pdf-ivgid/2019-IVGID-CAFRReport.pdf>)}]. In other words, assess *more* than is actually required now in order to build up unrestricted fund balances which can possibly be accessed in the future to pay for unidentified, unbudgeted and unappropriated pet staff projects.

⁴ See pages 138-145 of the packet of materials prepared by staff in anticipation of the Board's July 20, 2017 meeting [https://www.yourtahoepalace.com/uploads/pdf-ivgid/BOT_Packet_Regular_7-20-17.pdf ("the 7/20/2017 Board packet")]

One category of those expenditures is the dozens of memberships in all sorts of third party organizations having nothing to do with making recreational and beach facilities available to be used by *anyone*! And another related category is the many thousands of dollars expended on travel to conventions and symposiums sponsored by these organizations. After all, why become a member of an organization if you're not going to take advantage of its networking/social opportunities?

For these and other reasons, on July 21, 2020 I made a public records request to not only examine public records pertaining to the third party organizations in which IVGID pays for membership, but public records evidencing, in part, the:

5. Additional fees paid to or associated with in any manner whatsoever any such group or organization identified, together with records evidencing the reasons for such payments. Examples but not limitations (insofar as such payments were concerned)...would extend to continuing education, meetings, conferences, lodging associated therewith, transportation associated therewith, food associated therewith, per diem associated therewith, etc.⁶

My intent insofar as these requests were concerned was to discover the thousands of ancillary dollars expended or associated with the many dozens of third party organizations I believed IVGID was a member of which are subsidized by RFF/BFF.

On August 21, 2020 IVGID's PRO provided "the dues/subscriptions (she allegedly had)...located, to date, in response to (my) request" which consisted of twenty-three (23) organizations she admitted she did "not feel...(wa)s complete."⁶ Although Ms. Herron stated she would "continue to work on (my) request"⁶ to locate and provide access to other records which responded to my initial request (such as ¶15 above), *she didn't*.

⁵ See pages 267-268 of the 7/22/2020 Board packet. On June 30, 2011 the unrestricted balance assigned by staff to the District's Community Services Fund was \$4,226,167 (see page 25 of the of the 2011 CAFR). Yet as of June 30, 2020, staff had estimated this fund's balance would total \$12,360,444 [see page 24 of the packet of materials prepared by staff in anticipation of the Board's May 7, 2020 meeting {"the 5/7/2020 Board packet" (https://www.yourtahoeplace.com/uploads/pdf-ivgid/5-7-2020_Workshop_Packet.pdf)}]. Similarly, on June 30, 2011 the unrestricted balance assigned by staff to the District's Beach Fund was \$1,177,762 [see page 586 of the packet of materials prepared by staff in anticipation of this June 23, 2020 meeting {"the 6/23/2020 Board packet" (https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT_Packet_Regular_Part2_06_23_2020.pdf)}]. Yet as of June 30, 2020, staff had estimated this fund's balance would total \$2,159,282 (see page 25 of the 5/7/2020 Board packet).

⁶ My request [which is erroneously referred to by IVGID's Public Records Officer ("PRO"), Susan Herron, as a July 31, 2020 request], together with Ms. Herron's August 21, 2020 response, are attached as Exhibit "A" to that written statement pertaining to the Association of Golf Merchandisers submitted for inclusion in the minutes of the Board's October 27, 2020 meeting.

So on September 9, 2020 I submitted a written statement to be attached to the minutes of that meeting⁷ wherein I highlighted IVGID's membership in the National Ski Areas Association ("NSAA"). The reader may not understand that IVGID credit (disingenuously labeled "procurement") cards have been issued to over fifty (50) employees. And because one of them is IVGID's marketing manager, Paul Raymore, on October 25, 2020 I made a public records request for his procurement card charges from July 1, 2018 to the present. I wanted to discover evidence of payments included in my July 21, 2020 request (above) which were not provided. And on October 28, 2020 Ms. Herron responded with a summary of those charges⁸.

As I went through the records provided [and *those I have otherwise discovered that Ms. Herron failed to provide (which is the case here)*], my intent was and is to share what I have discovered with the Board and the public. And here I share records pertaining to payment for staff out-of-state travel to meetings, conferences and seminars associated with the NSAA. And this is the purpose of this written statement.

Mountain Technology Symposium: The NSAA, like most industry trade organizations, offers a series of "so called" seasonal "education seminars" for its members and others⁹. For instance, there are "Fall Education Seminars"¹⁰ "Summer Showrooms,"¹¹ "Winter Conferences and Trade Shows,"¹²

⁷ See pages 196-201 of the packet of materials prepared by staff in anticipation of the Board's October 14, 2020 meeting [https://www.yourtahoeplace.com/uploads/pdf-ivgid/1014_-_Regular_-_Searchable.pdf ("the 10/14/2020 Board packet")].

⁸ My October 25, 2020 records request, Ms. Herron's October 28, 2020 response, and the summary provided with asterisks next to the charges which reflect conference and travel expenditures, are collectively attached as Exhibit "A" to this written statement.

⁹ Go to https://www.nsaa.org/NSAA/Events/2020_Fall_Education_Seminars/NSAA/Events/FES_Preview.aspx?hkey=455d3a13-b228-4147-b559-c3292b01c07b. Thus one need *not* be a member of the NSAA in order to attend its education seminars. Membership nets the attendee a whopping \$50 discount (see https://www.nsaa.org/NSAA/Events/MTS_Preview_Logged_In.aspx?WebsiteKey=d001d8ff-1aa2-441a-939e-ef3a81c66a4c).

¹⁰ Go to https://www.nsaa.org/NSAA/Events/2020_Fall_Education_Seminars/NSAA/Events/FES_Preview.aspx?hkey=455d3a13-b228-4147-b559-c3292b01c07b.

¹¹ Go to https://www.nsaa.org/NSAA/Events/Summer_Showroom/NSAA/Events/Summer_Showroom.aspx?hkey=07f5ecbe-77a6-41f6-b690-dab7546f79ac.

¹² Go to https://www.nsaa.org/NSAA/Events/2021%20Winter%20Conference/NSAA/Events/Winter_shows_2020.aspx?hkey=13e6533e-414b-4339-9e73-eb39f90ea071.

and here, "Mountain Technology Symposiums."¹³ Ms. Herron *never* provided records evidencing any District employee's travel to any of these "seminars." And I didn't realize the District had paid for any employee's travel to these seminars until Ms. Herron responded to a *different* records request of mine¹⁴ wherein the existence of some of these records was revealed.

Some of the Costs IVGID Incurred Associated With Paul Raymore's Attendance at the Jay Peak Mountain Technology Symposium: Although because of the small print on Exhibit "A" it is difficult to see Jay Peak Mountain Technology Symposium expenses Mr. Raymore incurred (at least those charged to his IVGID procurement card), let me share some of them:

- A \$300 registration fee to attend the symposium;
- \$40 in Reno-Tahoe Airport parking fees while attending the symposium;
- ?? Airfare to attend symposium¹⁵;
- \$343.35 in shared lodging charges (share with whom?) while attending the symposium;
- \$191.59 rental car charges while attending the symposium;
- \$30.38 in fuel charges for Mr. Raymore's rental car;
- \$1.92 in Cross-Border (from/to Canada/Vermont) transfer fees; and,
- ?? Per diem in food charges while attending the symposium¹⁴.

All told, at least \$1,500 in additional expenses associated with the NSAA above and beyond membership dues. And these charges don't include the lost staff time (at least a week) Mr. Raymore could have been spending on something truly productive.

The Costs IVGID Was on Pace to Incur Associated With Paul Raymore's Attendance at the 2020 NSAA Convention: Similarly, Mr. Raymore's spreadsheet reveals he had begun making procurement card charges in anticipation of attending the NSAA's 2020 annual convention. Although the convention was subsequently cancelled, below find a list of some of the expenses Mr. Raymore

¹³ Go to

https://www.nsaa.org/NSAA/Events/Register_for_2020MTS/NSAA/Events/MTS_Preview.aspx?hkey=2382c4e4-ffbe-4d36-b4ba-4856fd981384.

¹⁴ Exhibit "A" to this written statement includes the spreadsheets prepared by Mr. Raymore which allegedly evidence (look for the asterisks) charges associated with NSAA's October 1-4, 2019 Jay Peak, Vermont Mountain Technology Symposium (see https://drive.google.com/drive/folders/1-BwbkOvi_M8RUcl2BFYtanmpN6S7OKr3).

¹⁵ This/these expenses were apparently not charged to Mr. Raymore's procurement card.

incurred/was on pace to incur. Again, let me share some of them:

A \$800 registration fee to attend convention;

\$?? In Reno-Tahoe Airport parking fees while attending the convention;

\$338.40 Airfare to attend the convention;

\$984.48 in lodging charges while attending the convention;

\$?? rental car charges while attending the convention;

\$?? In fuel charges for Mr. Raymore's rental car; and,

\$?? Per diem in food charges while attending the convention.

All told, at least \$2,120 in additional expenses associated with the NSAA. And again, these charges don't include the lost staff time (at least a week) Mr. Raymore could spend on something truly productive.

An Example of Staff's Lack of Transparency and Deceit So You Wouldn't Otherwise Learn of This Expense Were it Not For This Written Statement: Staff revels in the notion they believe they are transparent in their financial reporting¹⁶. "In an effort to enhance transparency in financial reporting, IVGID...(allegedly) allows citizens to explore IVGID's financial data online."¹⁵ To do this staff assign a Chart of Account ("COA") name and number to every one of its deposits and expenditures so they can be readily retrieved for financial reporting purposes. Unfortunately, here we don't know to what expenditure category all of the subject expenditures have been assigned according to IVGID's legend to its COA structure¹⁷ because relevant COA numbers have not been provided. However, the following four COA numbers have been identified insofar as NSAA convention charges are concerned which I assume have been similarly assigned: 340-34-980-7685¹⁸. This series of numbers corresponds to: marketing travel and conventions associated with Diamond Peak.

¹⁶ Go to <https://www.yourtahoeplace.com/ivgid/financial-transparency>.

¹⁷ This document is a useful tool to our Board of Trustees, Staff, and our public. This legend...is a useful tool to our Board of Trustees, staff, and our public (and it)...includes four elements – Fund, Department, Division, and Object. This legend (is)...especially helpful in understanding the coding on our...Payment of Bills located on our website" (see <https://www.yourtahoeplace.com/ivgid/financial-transparency/legend-of-our-account-structure>).

¹⁸ This number appears on Mr. Raymore's procurement card spreadsheet which is part of the documents attached as Exhibit "A" to this written statement.

What Do Any of These Expenditures Have to Do With Making the Public's Recreational Facilities Available to Those Parcels/Dwelling Units Involuntarily Assessed the Recreation Facility Fee ("RFF")? *Nothing!*

So How Much of Our RFF is Being Paid Annually on Employee Travel to Symposiums or Conventions? Although I could not get a number for actual 2019-20 expenditures from open.gov, I was able to get a budgeted number. And it was in excess of \$130,000! That's more than \$130,000 annually for our employees to travel to and partake in third party trade/other related organization conventions and symposiums. **Thus here not only were the subject NSAA expenditures *NOT* necessary, I submit they were part of over \$130,000 of similar charges improperly paid with the RFF.**

Now My Question to Our GM Indra Winquest: WHY DIDN'T YOU TELL THE BOARD AND THE PUBLIC ABOUT THIS TOTALLY IMPROPER EXPENDITURE WHEN YOU PRESENTED YOUR ANNUAL 2020-21 Budget?

And My Question to the IVGID Board: WHY DIDN'T YOU UNCOVER THIS TOTALLY IMPROPER EXPENDITURE WHEN YOU APPROVED THE 2020-21 BUDGET?

Since This is the Twenty-Third (23rd) of What I Suspect Will be a Series of Additional Similar Inappropriate Travel and Convention Expenses Associated With Third Party Organization Membership, Let's Continue the Tally:

Organization	Yearly Dues	Running Total
BEAR League	\$ 250	\$ 250
Nev Rural Water Ass'n	\$ 343	\$ 593
North Nev Consort Coop Purchases	\$ 30	\$ 623
T-NT Transport Mgmt Ass'n	\$ 2,000	\$ 2,623
North Tahoe Bus Ass'n	\$ 300	\$ 2,923
NLT Conv & Visitors Bureau	\$ 4,050	\$ 6,973
Reno Tahoe Territory	\$ 150	\$ 7,123
Nevada League of Cities	\$ 3,968	\$ 11,091
Nat'l Ski Areas Ass'n	\$ 4,876	\$ 15,967
Travel/Lodging/Registration/NSAA Symposium	\$ 1,810 ¹⁸	\$ 17,777
Ski California	\$ 4,578	\$ 22,355
SnoCountry	\$ 1,215	\$ 23,870
STOKE	\$ 700	\$ 24,570
Nat'l Golf Foundation	\$ 250	\$ 24,970
U.S. Golf Ass'n	\$ 150	\$ 25,120
Prof'l Golfers' Ass'n	\$ 3,921	\$ 29,041
Northern California Golf Ass'n	\$ 280	\$ 29,321
Unreimb Private NCGA Memberships	\$ 7,011 ¹⁹	\$ 36,332
Ass'n of Golf Merchandisers	\$ 225	\$ 34,297
California Parks & Recreation Society	\$ 95	\$ 34,392
Int'l Society of Arboriculture	\$ 576	\$ 34,968
Society of Municipal Arborists	\$ 150	\$ 34,968
Tree City U.S.A.	\$ 20,000	\$ 54,968

Conclusion: Discretionary out-of-state travel to the conferences and symposiums of a trade association which exists to “support members in their pursuit to operate thriving and sustainable businesses”²⁰ has little if anything to do with making local property owners’ “availability” to access and use public recreational facilities more affordable.

¹⁸ This is an estimated annual amount as the average of 2019-20 travel and convention charges made by Paul Raymore. And it is probably low given our PRO has not provided records evidencing all such convention/symposium travel expenses.

¹⁹ Although I have asked staff, including our GM, to provide evidence that any of these expenditures were reimbursed by/on behalf of those individuals who were directly benefited, none has been forthcoming. Therefore insofar as I am concerned, these charges have not been reimbursed.

²⁰ Go to <https://www.nsaa.org/NSAA/About/NSAA/About/home.aspx?hkey=e0281c80-8203-4b20-b4b6-84b042fc72c6>.

In fact, I submit it has the exact opposite result. If our public employees were precluded from pursuing membership in organizations such as the subject one which promotes the operation of commercial for profit business enterprises, and attending out-of-state networking conferences and symposiums geared toward promoting those enterprises (at least at local property owners' expense), we would need *a whole lot less employees*. But then that would be counter-productive to one of the major purposes for IVGID's existence²¹; providing over compensated and over benefited employment²² to persons *who mostly do not live in Incline Village/Crystal Bay*. I therefore ask the Board to direct staff to discontinue expenditures such as these, and to reduce the RFF by a like amount.

And to those asking why our RFF/BFF are as high as they are, and never seem to go down, now you have another example of the reasons why.

Respectfully, Aaron Katz (Your Community Watchdog), Because Only Now Are Others Beginning to Watch!

²¹ At least insofar as our public employees are concerned. In fact according to them, "the employees of the District continue to be our most important and valued asset" [see page 116 of the 2019-20 Budget (https://www.yourtahoeplace.com/uploads/pdf-ivgid/2019-20_Operating_Budget.pdf)].

²² IVGID is Incline Village's largest employer admitting to generating 1,017 or more W-2s annually (see <https://transparentnevada.com/salaries/2019/incline-village-general-improvement-district/>).

EXHIBIT "A"

RE: Records Request - Procurement Card Charges, Requests for Reimbursement, and IVGID Reimbursement Payments to Mike Bandelin, Carl Hill, Paul Raymore, Samuel Padilla, Ashley Wood, Jim Pederson - P.S.

From: "Herron, Susan" <Susan_Herron@ivgid.org>
To: "s4s@ix.netcom.com"
Subject: RE: Records Request - Procurement Card Charges, Requests for Reimbursement, and IVGID Reimbursement Payments to Mike Bandelin, Carl Hill, Paul Raymore, Samuel Padilla, Ashley Wood, Jim Pederson - P.S.
Date: Oct 28, 2020 9:10 AM
Attachments: [Raymore - Paul - 2.7.2020 to 5.12.2020.pdf](#) [Raymore, Paul - 5.13.2020 to 8.5.2020.pdf](#) [Raymore, Paul - 08.06.2020-10.26.2020.pdf](#) [Raymore, Paul - 9.1.2018 to 2.12.2020.pdf](#)

Mr. Katz,

This e-mail is IVGID's response to your various records requests with the last one being October 25 and shown below. Attached are the charges made by Mr. Raymore from 07-01-2018 to 10-26-2020 as he is the only one on your list of six people that used a procurement card during your requested time periods. Further, you should know that Mr. Hill retired from the District on 04/21/2019. If you would like further detail on any charge of Mr. Raymore's, please let me know.

Susan

From: s4s@ix.netcom.com [mailto:s4s@ix.netcom.com]

Sent: Sunday, October 25, 2020 7:16 PM

To: Herron, Susan <Susan_Herron@ivgid.org>

Subject: Re: Records Request - Procurement Card Charges, Requests for Reimbursement, and IVGID Reimbursement Payments to Mike Bandelin, Carl Hill, Paul Raymore, Samuel Padilla, Ashley Wood, Jim Pederson - P.S.

Sorry Ms. Herron -

Please add **Ashley Wood** to the list of persons below. Thank you, Aaron Katz

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

From: s4s@ix.netcom.com

Sent: Oct 25, 2020 5:28 PM

To: "Susan_Herron@ivgid.org"

Subject: Records Request - Procurement Card Charges, Requests for Reimbursement, and IVGID Reimbursement Payments to Mike Bandelin, Carl Hill, Paul Raymore, Samuel Padilla, Jim Pederson

Hello Ms. Herron -

I would like to examine the following records pertaining to IVGID employees Mike Bandelin, Carl Hill, Paul Raymore, Samuel Padilla, **Ashley Wood**, and Jim Pederson:

1. All IVGID credit card procurement charges made on IVGID credit cards issued in the names of Mike Bandelin, Carl Hill, Paul Raymore, Samuel Padilla, **Ashley Wood**, and Jim Pederson from the period July 1, 2018 through and including the present;
2. All IVGID credit card procurement charges on IVGID credit cards issued in the names of anyone else other than Mike Bandelin, Carl Hill, Paul Raymore, Samuel Padilla, **Ashley Wood**, and Jim Pederson for expenditures on behalf of either Mike Bandelin, Carl Hill, Paul Raymore, Samuel Padilla, or Jim Pederson, from the period July 1, 2018 through and including the present;
3. Written evidence of staff approval by one or more IVGID employees other than Mike Bandelin, Carl Hill, Paul Raymore, Samuel Padilla, **Ashley Wood**, or Jim Pederson of all of the credit card charges listed in paragraphs 1 and 2 above;
4. Written evidence of IVGID payments of all of the credit card charges listed in paragraphs 1 and 2 above, as well as records evidencing the chart of account numbers assigned by staff to all such payments;
5. All requests for reimbursement of IVGID expenses incurred by or on behalf of Mike Bandelin, Carl Hill, Paul Raymore, Samuel Padilla, and Jim Pederson from Mike Bandelin, Carl Hill, Paul Raymore, Samuel Padilla, **Ashley Wood**, or Jim Pederson the period July 1, 2018 through and including the present;
6. All requests for reimbursement of IVGID expenses incurred by or on behalf of Mike Bandelin, Carl Hill, Paul Raymore, Samuel Padilla, and Jim Pederson from anyone other than Mike Bandelin, Carl Hill, Paul Raymore, Samuel Padilla, **Ashley Wood**, or Jim Pederson, the period July 1, 2018 through and including the present; and,
7. Written evidence of IVGID payment of all of the expense reimbursements listed in paragraphs 5 and 6 above.

User Last Name	Cardholder Name 1	Card Number (Last 4)	CHARGE #				Amount	Merchant Name	Description	Posting Date	Transaction Date
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	145.5	MAILCHIMP MONTHLY	Monthly Mailchimp email marketing expenses divided between the venues - Diamond Peak portion	02122020	02112020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	100-	14-	170-	7010	84.5	MAILCHIMP MONTHLY	Monthly Mailchimp email marketing expenses divided between the venues - Admin portion	02122020	02112020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	320-	31-	980-	7010	84.5	MAILCHIMP MONTHLY	Monthly Mailchimp email marketing expenses divided between the venues - Golf portion	02122020	02112020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	350-	48-	980-	7010	84.5	MAILCHIMP MONTHLY	Monthly Mailchimp email marketing expenses divided between the venues - Rec portion	02122020	02112020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	2.99	GOOGLE GOOGLE STORAGE	Google Drive storage fees	02172020	02152020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7010	1575	PAYPAL DANG SHADES	Diamond Peak promotional products - VTP logo sunglasses	02202020	02192020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7300	756.77	GOOGLE GOOGLE STORE	Google Pixel 4 phone for photo/video coordinator to have ability to post to Diamond Peak	02252020	02242020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	330-	33-	980-	7010	27	ENVATOMARKET51647164	Music licensing for Facilities promo video edits for The Chateau wedding business.	02282020	02282020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7010	512.82	SQ ORIGINAL LT STICKERS	Promo t-shirts for 20th Anniversary Dummy Downhill event at Diamond Peak	03022020	02282020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	360	PIXLEE	Recurring licensing fees for Pixlee social media monitoring and user-generated content	03022020	03012020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	156.95	ADOBE CREATIVE CLOUD	Mistaken charge for Adobe licenses that were transferred to individual accounts. This	03092020	03062020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	52.99	CREATIVE CLOUD INDIV	Adobe Creative Cloud license - paul raymore	03092020	03062020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	52.99	CREATIVE CLOUD INDIV	Adobe Creative Cloud license - jaelyn ream	03092020	03062020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	52.99	CREATIVE CLOUD INDIV	Adobe Creative Cloud license - philip england	03092020	03062020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	52.99	CREATIVE CLOUD INDIV	Adobe Creative Cloud license - matt melilli	03092020	03062020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7685	338.4	AMERICAN AIR0012120864509	Flight booked to NSAA National Convention in Florida. Convention was ultimately cancelled due to COVID-19. Will attempt to cancel flight for credit.	03112020	03102020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	107.6	MAILCHIMP MONTHLY	Email marketing charges split between venues - Diamond Peak portion	03122020	03112020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	100-	14-	170-	7010	53.8	MAILCHIMP MONTHLY	Email marketing charges split between venues - Admin portion	03122020	03112020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	320-	31-	980-	7010	53.8	MAILCHIMP MONTHLY	Email marketing charges split between venues - Golf portion	03122020	03112020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	350-	48-	980-	7010	53.8	MAILCHIMP MONTHLY	Email marketing charges split between venues - Rec and Parks portion	03122020	03112020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7685	800	NSAA	NSAA National Convention registration for Paul Raymore. Convention was cancelled due to COVID-19 crisis and this charge will be refunded at a future date.	03122020	03112020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	-156.95	ADOBE CREATIVE CLOUD	This is the refund for the March 6th mistaken charge for Adobe licenses that were transferred	03122020	03112020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7415	19	OPENSNOW & OPENSUMMIT	Subscription to snow reporting prediction service	03122020	03112020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7685	984.48	OMNI AIP RESORT FRONT	Room charges for NSAA National Convention - postponed due to COVID-19 and refunded	03132020	03112020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	2.99	GOOGLE GOOGLE STORAGE	Recurring charges for Google Drive storage	03172020	03152020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7300	13.99	AMZN MKTP US EM2UP0E83	Protective case for marketing cell phone	03232020	03222020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7685	-984.48	OMNI AIP RESORT FRONT	Refund of room charges for NSAA National Convention - postponed due to COVID-19	03242020	03182020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7685	-800	NSAA	This is the refund of NSAA national conventions fees paid due to the event being canceled by COVID-19	03302020	03272020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	360	PIXLEE	Pixlee social media monitoring and user-generated content aggregator licensing	04032020	04012020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	52.99	ADOBE CREATIVE CLOUD	Adobe Creative Cloud license for Phil	04072020	04062020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	52.99	ADOBE CREATIVE CLOUD	Adobe Creative Cloud license for Jackie	04072020	04062020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	52.99	ADOBE CREATIVE CLOUD	Adobe Creative Cloud license for Paul	04072020	04062020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	52.99	ADOBE CREATIVE CLOUD	Adobe Creative Cloud license for Matt	04072020	04062020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	107.6	MAILCHIMP MONTHLY	Email marketing charges split between venues - Diamond Peak	04132020	04112020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	100-	14-	170-	7010	53.8	MAILCHIMP MONTHLY	Email marketing charges split between venues - Admin	04132020	04112020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	320-	31-	980-	7010	53.8	MAILCHIMP MONTHLY	Email marketing charges split between venues - Golf	04132020	04112020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	350-	48-	980-	7010	53.8	MAILCHIMP MONTHLY	Email marketing charges split between venues - Rec and Parks	04132020	04112020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110	340-	34-	980-	7310	2.99	GOOGLE GOOGLE STORAGE		04172020	04152020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110					360	PIXLEE		05042020	05012020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110					52.99	ADOBE CREATIVE CLOUD		05072020	05062020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110					52.99	ADOBE CREATIVE CLOUD		05072020	05062020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110					52.99	ADOBE CREATIVE CLOUD		05072020	05062020
RAYMORE	PAUL A RAYMORE	XXXXXXXXXXXX2110					269	MAILCHIMP MONTHLY		05122020	05112020

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
Transaction Id	Cardholder Name	Card Number	Transaction Date	Posting Date	Merchant Name	Merchant City, State/Province	Amount	Receipt Image	Receipt Submitted	Description				
M77512193	Raymore, Paul	XXXX-XXXX-XXXX-2110	2/1/2020	2/3/2020	Pixlee	Httpswww.Pixl, CA	360	No	No					
M77103287	Raymore, Paul	XXXX-XXXX-XXXX-2110	1/30/2020	1/31/2020	Amzn Mktp Us 4852y06p3	Amzn.Com/Bill, WA	14.99	No	No					
M775161510	Raymore, Paul	XXXX-XXXX-XXXX-2110	1/24/2020	1/24/2020	In Silipnl Partners Llc	317-9100311, OR	804	Yes	No	Custom silicon pint glasses for Luggi Foeger Uphill Downhill Festival	340-	34-	980-	7010
M773337116	Raymore, Paul	XXXX-XXXX-XXXX-2110	1/15/2020	1/17/2020	Google Google Storage	Internet, CA	2.99	Yes	No	Recurring Google Drive storage fees	340-	34-	980-	7310
M77100578.1	Raymore, Paul	XXXX-XXXX-XXXX-2110	1/11/2020	1/13/2020	Mailchimp Monthly	Mailchimp.Com, GA	100	Yes	No	Monthly MailChimp email marketing expenses divided between the venues - Diamond Peak portion	340-	34-	980-	7310
M772100578.2	Raymore, Paul	XXXX-XXXX-XXXX-2110	1/11/2020	1/13/2020	Mailchimp Monthly	Mailchimp.Com, GA	84.5	Yes	No	Monthly MailChimp email marketing expenses divided between the venues - Admin portion	100-	14-	170-	7010
M772100578.3	Raymore, Paul	XXXX-XXXX-XXXX-2110	1/11/2020	1/13/2020	Mailchimp Monthly	Mailchimp.Com, GA	84.5	Yes	No	Monthly MailChimp email marketing expenses divided between the venues - Golf portion	320-	31-	980-	7010
M772100578.4	Raymore, Paul	XXXX-XXXX-XXXX-2110	1/11/2020	1/13/2020	Mailchimp Monthly	Mailchimp.Com, GA	50	Yes	No	Monthly MailChimp email marketing expenses divided between the venues - Rec portion	350-	48-	980-	7010
M771323213	Raymore, Paul	XXXX-XXXX-XXXX-2110	1/8/2020	1/9/2020	Amzn Mktp Us Bq3uy45y3	Amzn.Com/Bill, WA	236.99	Yes	No	Lavalier microphones for videography projects.	340-	34-	980-	7300
M770185981	Raymore, Paul	XXXX-XXXX-XXXX-2110	1/2/2020	1/3/2020	Pixlee	Httpswww.Pixl, CA	360	Yes	No	Recurring licensing fees for Pixlee user-generated content aggregation and social media monitoring tool	340-	34-	980-	7310
M768769025	Raymore, Paul	XXXX-XXXX-XXXX-2110	12/23/2019	12/23/2019	Amzn Mktp Us J73p06z3	Amzn.Com/Bill, WA	9.27	Yes	No	Reindeer antlers for Fred the patrol dog for Christmas photo shoots	340-	34-	980-	7415
M767319738	Raymore, Paul	XXXX-XXXX-XXXX-2110	12/15/2019	12/17/2019	Google Google Storage	Internet, CA	2.99	Yes	No	Monthly licensing for Google Drive cloud storage	340-	34-	980-	7310
M766175396.1	Raymore, Paul	XXXX-XXXX-XXXX-2110	12/11/2019	12/12/2019	Mailchimp Monthly	Mailchimp.Com, GA	100	Yes	No	Monthly MailChimp email marketing expenses divided between the venues - Diamond Peak portion	340-	34-	980-	7310
M766175396.2	Raymore, Paul	XXXX-XXXX-XXXX-2110	12/11/2019	12/12/2019	Mailchimp Monthly	Mailchimp.Com, GA	66.34	Yes	No	Monthly MailChimp email marketing expenses divided between the venues - Admin portion	100-	14-	170-	7010
M766175396.3	Raymore, Paul	XXXX-XXXX-XXXX-2110	12/11/2019	12/12/2019	Mailchimp Monthly	Mailchimp.Com, GA	66.33	Yes	No	Monthly MailChimp email marketing expenses divided between the venues - Golf portion	320-	31-	980-	7010
M766175396.4	Raymore, Paul	XXXX-XXXX-XXXX-2110	12/11/2019	12/12/2019	Mailchimp Monthly	Mailchimp.Com, GA	66.33	Yes	No	Monthly MailChimp email marketing expenses divided between the venues - Rec portion	350-	48-	980-	7010
M765857340	Raymore, Paul	XXXX-XXXX-XXXX-2110	12/10/2019	12/11/2019	Amzn Mktp Us Xrn0g4un3	Amzn.Com/Bill, WA	69.95	Yes	No	Ornamental mailbox for Diamond Peak Snowflake Lodge postcard distribution	340-	34-	980-	7010
M765806233	Raymore, Paul	XXXX-XXXX-XXXX-2110	12/8/2019	12/9/2019	Amzn Mktp Us 5m95m1u43	Amzn.Com/Bill, WA	241.83	Yes	No	Locking metal cabinet for photo and video equipment in office	340-	34-	980-	7415
M765200322	Raymore, Paul	XXXX-XXXX-XXXX-2110	12/5/2019	12/9/2019	Raley S #113	Incline Villa, NV	11.98	Yes	No	Purchase of Sunset Magazine with Diamond Peak Inclusions	340-	34-	980-	7010
M764071046	Raymore, Paul	XXXX-XXXX-XXXX-2110	12/4/2019	12/5/2019	Circle Graphics 012860910	303-5322370, CO	1385.62	Yes	No	Diamond Peak billboard vinyl printing and shipping costs	340-	34-	980-	7010
M763280436	Raymore, Paul	XXXX-XXXX-XXXX-2110	12/1/2019	12/2/2019	Pixlee	Httpswww.Pixl, CA	360	Yes	No	monthly licensing fees for user-generated content aggregation tool and social monitoring	340-	34-	980-	7310
M763040492	Raymore, Paul	XXXX-XXXX-XXXX-2110	11/29/2019	11/29/2019	EnvatoMarket00311303	Envato.Com, UT	10	Yes	No	Music licensing fees for video edit	340-	34-	980-	7010
M762553562	Raymore, Paul	XXXX-XXXX-XXXX-2110	11/25/2019	11/27/2019	Tahoe Family Solutions	Incline Villa, NV	30	Yes	No	Costumes for Diamond Peak retro ski day event. Account 340-34-980-7010				
M761981674	Raymore, Paul	XXXX-XXXX-XXXX-2110	11/22/2019	11/25/2019	MoonshineLink	MoonshineLink, CA	510	Yes	No	Paid advertising - full-page ad in Tahoe Winter Times publication - cash portion with partial trade also part of the agreement. Account 340-34-980-7010				
M761213343	Raymore, Paul	XXXX-XXXX-XXXX-2110	11/20/2019	11/21/2019	Amazon.Com 1m3ag7g13 Amzn	Amzn.Com/Bill, WA	4.92	Yes	No	Green labels to be used for value-season DTL tickets for Diamond Peak wholesale ticketing partners. Account 340-34-980-7010				
M759403852	Raymore, Paul	XXXX-XXXX-XXXX-2110	11/16/2019	11/18/2019	Google Google Storage	650-253-0000, CA	2.99	Yes	No	Recurring monthly charge for Google Drive storage. Account 340-34-980-7310				
M759287410	Raymore, Paul	XXXX-XXXX-XXXX-2110	11/13/2019	11/14/2019	Uber Trip	8005928996, CA	-10.29	Yes	No	Reversal of charge for personal Uber trip mistakenly charged to P card originally.				
M759420710	Raymore, Paul	XXXX-XXXX-XXXX-2110	11/13/2019	11/14/2019	Uber Trip	8005928996, CA	-9.95	Yes	No	Reversal of charge for personal Uber trip mistakenly charged to P card originally.				
M758659040	Raymore, Paul	XXXX-XXXX-XXXX-2110	11/11/2019	11/12/2019	Uber Trip	Help.Uber.Com, CA	9.95	Yes	No	Mistaken charge to P card for personal Uber trip. Charge was reversed on Nov 13.				
M758617077	Raymore, Paul	XXXX-XXXX-XXXX-2110	11/11/2019	11/12/2019	Uber Trip	Help.Uber.Com, CA	10.29	Yes	No	Mistaken charge to P card for personal Uber trip. Charge was reversed on Nov 13.				
M758617076	Raymore, Paul	XXXX-XXXX-XXXX-2110	11/11/2019	11/12/2019	Mailchimp Monthly	Mailchimp.Com, GA	269	Yes	No	Monthly licensing fees for email marketing software. Split equally between 100-14-170-7010, 320-311-980-7010, 350-48-980-7010				
M757233061	Raymore, Paul	XXXX-XXXX-XXXX-2110	11/6/2019	11/7/2019	Eb First Tuesday Brea	801-413-720, CA	15	Yes	No	Paul attendance and presentation at NLTREA Tues Breakfast Club - ski resort edition. Account 340-34-980-7210				
M756447728	Raymore, Paul	XXXX-XXXX-XXXX-2110	11/4/2019	11/4/2019	Pixlee	Httpswww.Pixl, CA	360	Yes	No	Monthly licensing costs for social media monitoring and management tool. Account 340-34-980-7310				
M755449708	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/30/2019	10/31/2019	Wjvs Po 0579300160	Truckee, CA	8.75	Yes	No	Shipping of Diamond Peak promo items to Kena Bike and Ski for winter movie screening event. Account 340-34-980-7460				
M757448481	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/20/2019	10/21/2019	SurveyGizmo	720-4962990, CO	7.65	Yes	No	Annual license fee for SurveyGizmo survey platform usage	340-	34-	980-	7310
M751843236	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/16/2019	10/17/2019	Google Google Storage	855-836-3887, CA	2.99	Yes	No	Google Drive storage monthly fee	340-	34-	980-	7310
M750288926.1	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/11/2019	10/14/2019	Mailchimp Monthly	Mailchimp.Com, GA	89.67	Yes	No	Email marketing provider - Community Services	100-	14-	170-	7010
M750288926.2	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/11/2019	10/14/2019	Mailchimp Monthly	Mailchimp.Com, GA	89.66	Yes	No	Email marketing provider - Golf	320-	31-	980-	7010
M750288926.3	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/11/2019	10/14/2019	Mailchimp Monthly	Mailchimp.Com, GA	89.67	Yes	No	Email marketing provider - Rec and Tennis	350-	48-	980-	7010
M749190311	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/5/2019	10/7/2019	Reno-Tahoe Airport Auth	Reno, NV	40	Yes	No	Parking at Reno Airport for Mountain Technology Symposium	340-	34-	980-	7685
M749190310	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/4/2019	10/7/2019	Jay Peak Resort	Jay Peak, VT	343.35	Yes	No	Lodging for Mountain Technology Symposium - Paul Raymore share	340-	34-	980-	7685
M749190309.1	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/4/2019	10/7/2019	Ultramar # 41963	Lachline, QC	15.04	Yes	No	Gas for rental car - IT Dept share - 2 people	100-	12-	130-	7685
M749190309.2	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/4/2019	10/7/2019	Ultramar # 41963	Lachline, QC	7.52	Yes	No	Gas for rental car - Ticket Dept share - 1 person	340-	34-	980-	7685
M749190309.3	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/4/2019	10/7/2019	Ultramar # 41963	Lachline, QC	7.52	Yes	No	Gas for rental car - Marketing Dept share - 1 person	340-	34-	980-	7685
M749190307	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/4/2019	10/7/2019	Cross Border Trans Fee		0.3	Yes	No	I assume this must be some charge Wells Fargo places on foreign transactions. It seems to be 1 percent of the charge for the gas receipt attached.	340-	34-	980-	7685
M748916210.1	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/4/2019	10/7/2019	Enterprise Canada C7e1	Dorval, QC	95.79	Yes	No	Rental Car for Mountain Technology Symposium - IT Dept share - 2 people	100-	12-	130-	7685
M748916210.2	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/4/2019	10/7/2019	Enterprise Canada C7e1	Dorval, QC	47.9	Yes	No	Rental Car for Mountain Technology Symposium - Ticketing Dept share - 1 person	340-	34-	980-	7685
M748916210.3	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/4/2019	10/7/2019	Enterprise Canada C7e1	Dorval, QC	47.9	Yes	No	Rental Car for Mountain Technology Symposium - Marketing Dept share - 1 person	340-	34-	980-	7685
M749190308	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/4/2019	10/7/2019	Cross Border Trans Fee		1.92	Yes	No	I assume this must be some charge Wells Fargo places on foreign transactions. It seems to be 1 percent of the charge for the rental car receipt attached.	340-	34-	980-	7685
M747818625	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/1/2019	10/2/2019	Jay Peak Ecommerce	802-9682611, VT	300	Yes	No	Registration for Mountain Technology Symposium	340-	34-	980-	7685
M747690221	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/1/2019	10/2/2019	Adobe Creative Cloud	800-443-8158, CA	154.95	Yes	No	Adobe Creative Cloud monthly licensing charges	340-	34-	980-	7310
M747818626	Raymore, Paul	XXXX-XXXX-XXXX-2110	10/1/2019	10/2/2019	Pixlee	Httpswww.Pixl, CA	360	Yes	No	Pixlee user-generated content and social media management tool licensing fee	340-	34-	980-	7310
M745081075	Raymore, Paul	XXXX-XXXX-XXXX-2110	9/20/2019	9/23/2019	Golf Courses At Incline	Incline Villa, NV	18	Yes	No	Golf business development meeting with Stark Associates Realty	320-	31-	980-	7010
M745292095	Raymore, Paul	XXXX-XXXX-XXXX-2110	9/20/2019	9/23/2019	Atlanta Gourmet Grind	Reno, NV	11.56	Yes	No	Coffee for staff working UNR Ski Swap event at Reno Convention Center	340-	34-	980-	7350
M744600607	Raymore, Paul	XXXX-XXXX-XXXX-2110	9/19/2019	9/20/2019	Golf Courses At Incline	Incline Villa, NV	40.73	Yes	No	Golf business development meeting with The Row properties at The Grille	320-	31-	980-	7010
M743704249	Raymore, Paul	XXXX-XXXX-XXXX-2110	9/15/2019	9/17/2019	Google Google Storage	Internet, CA	2.99	Yes	No	Google Drive licensing fees for extra storage - recurring	340-	34-	980-	7310
M743704248	Raymore, Paul	XXXX-XXXX-XXXX-2110	9/15/2019	9/17/2019	The Home Depot #3311	Reno, NV	5.87	Yes	No	Box cutter for opening packages	340-	34-	980-	7415
M743260605	Raymore, Paul	XXXX-XXXX-XXXX-2110	9/12/2019	9/16/2019	Golf Courses At Incline	Incline Villa, NV	89.58	Yes	No	Prizes for Golf Courses VIP Invitational tournament for lodging partners	320-	31-	980-	7010
M742143634.1	Raymore, Paul	XXXX-XXXX-XXXX-2110	9/11/2019	9/12/2019	Mailchimp Monthly	Mailchimp.Com, GA	83.34	Yes	No	MailChimp email marketing services - Admin	100-	14-	170-	7010
M742143634.2	Raymore, Paul	XXXX-XXXX-XXXX-2110	9/11/2019	9/12/2019	Mailchimp Monthly	Mailchimp.Com, GA	83.33	Yes	No	MailChimp email marketing services - Golf	320-	31-	980-	7010
M742143634.3	Raymore, Paul	XXXX-XXXX-XXXX-2110	9/11/2019	9/12/2019	Mailchimp Monthly	Mailchimp.Com, GA	83.33	Yes	No	MailChimp email marketing services - Rec and Tennis	350-	48-	980-	7010
M741747672	Raymore, Paul	XXXX-XXXX-XXXX-2110	9/8/2019	9/10/2019	Raley S #113	Incline Villa, NV	12.97	Yes	No	Breakfast items for DP staff working DP Community BBQ event	340-	34-	980-	7350
M741411734	Raymore, Paul	XXXX-XXXX-XXXX-2110	9/8/2019	9/9/2019	Amazon.Com Mo75m76k0 Amzn	Amzn.Com/Bill, WA	56.31	Yes	No	Charging cables for phones playing at DP events via PA system	340-	34-	980-	7415
M741502616	Raymore, Paul	XXXX-XXXX-XXXX-2110	9/8/2019	9/9/2019	Amazon.Com 2e38g6943 Amzn	Amzn.Com/Bill, WA	11	Yes	No	USB wall charger for phones playing at DP events via PA system	340-	34-	980-	7415
M740666467	Raymore, Paul	XXXX-XXXX-XXXX-2110	9/2/2019	9/3/2019	Adobe Creative Cloud	800-443-8158, CA	154.95	Yes	No	Adobe creative cloud licenses for marketing staff	340-	34-	980-	7310
M739927415	Raymore, Paul	XXXX-XXXX-XXXX-2110	9/1/2019	9/2/2019	Pixlee	Httpswww.Pixl, CA	360	Yes	No	Recurring Pixlee social media management/UGC aggregation tool subscription	340-	34-	980-	7310
M739894674	Raymore, Paul	XXXX-XXXX-XXXX-2110	8/30/2019	9/2/2019	Sq Brewforia Beer	Incline Villa, NV	72.08	Yes	No	Employee meals at VSI Labor Day Sale event	340-	34-	980-	7350
M739927414	Raymore, Paul	XXXX-XXXX-XXXX-2110	8/29/2019	9/2/2019	The Bears Den	South Lake Ta, CA	595	Yes	No	Carved wooden bear for Champ Golf selfie station	320-	31-	980-	701

WRITTEN STATEMENT TO BE ATTACHED TO AND MADE A PART OF THE WRITTEN MINUTES OF THE IVGID BOARD'S REGULAR NOVEMBER 18, 2020 MEETING – AGENDA ITEM K(1) – POSSIBLY DIRECTING STAFF AND LEGAL COUNSEL TO NEGOTIATE TERMS OF REPLACEMENT AGREEMENT WITH THE DIAMOND PEAK SKI & EDUCATION FOUNDATION¹ (“DPSEF”) FOR ITS USE OF DIAMOND PEAK INCLUDING EXCLUSIVE USE VIA A LONG TERM LAND LEASE OF UP TO 5,000 SQUARE FEET OF PRIME PUBLIC PROPERTY²

Introduction: Here IVGID staff seek “acceptance” of resident Andy Wolf’s (DPSEF’s Vice-President’s) “spatial needs assessment” presentation³ in support of DPSEF’s proposal for a replacement Diamond Peak facility, and direction to staff to negotiate terms of a replacement agreement with DPSEF not only for its use of Diamond Peak, but an exclusive use long term land lease⁴ for up to 5,000 square feet of prime public property. Given this proposal portends to cost the public another \$200,000 or more annually in lost revenue/in kind philanthropy, and in addition to the equivalent of another Reno-Sparks Convention and Visitor Authority (“RSCVA”) Visitor’s Center and Parasol Foundation (“Parasol”) land use giveaway at local parcel/dwelling unit owners’ expense, I object. And that’s the purpose of this written statement.

Why is This Presentation on the Board’s Agenda? Let me start out by saying I have few issues with the DPSEF other than their principals’ request for greater and greater public philanthropy at local parcel/dwelling unit owners’ expense. From all accounts their programs fill a void in our community, and appear to be well run. However with that said, the DPSEF is not part of IVGID. It “is a (separate) non-profit organization”⁵ and according to ¶X⁶ of the current DPSEF agreement⁷,

“in all respects shall serve as an independent contractor and shall *not in any respect* serve as an agent or employee of (either the) District or” Diamond Peak.

¹ See <https://www.dpsef.org/page/show/735626-home>.

² See page 47 of the 11/18/2020 Board packet.

³ See pages 34-54 of the packet of materials prepared by staff in anticipation of this November 18, 2020 meeting [https://www.yourtahoeplace.com/uploads/pdf-ivgid/1118_-_Regular-_Searchable.pdf ("the 11/18/2020 Board packet")].

⁴ See page 31 of the 11/18/2020 Board packet.

⁵ See page 36 of the 11/18/2020 Board packet.

⁶ See page 64 of the 11/18/2020 Board packet.

⁷ See pages 55-71 of the 11/18/2020 Board packet.

So although DPSEF's "spatial needs" may be of interest to some in our community, this presentation has no business taking up agenda space.

Long Term Leasing Out Any Portion of Diamond Peak Unnecessarily Ties Our Hands Should We Wish to Sell or Concession Out Operations in the Future: It's for this very reason ¶XV of the current DPSEF agreement provides that the agreement shall

*"automatically terminate upon (the District's) sale or lease of (Diamond Peak) for operation other than by the District."*⁸

Does Mr. Wolf suggest that this type of provision would be acceptable to DPSEF after it has spent \$2 million or more on a new ski team building in the land lease he envisions? I didn't think so.

I Object to the Board Empowering Staff to Negotiate *Anything With Anyone, Let Alone Another Giveaway to High Powered Attorney Andy Wolf:* This agenda item proposes "direct(ing) District staff and District Legal Counsel to (negotiate) terms of a Memorandum of Understanding"⁴ ("MOU") with attorney Andy Wolf on behalf of the DPSEF. I object. Staff have demonstrated time and time again that they are incapable of competently negotiating anything with anyone. So why would the Board empower staff to negotiate giving away the store to DPSEF? Moreover, what staff? Marketing guru Paul Raymore who is unable to prove \$1 of actual added Community Services revenue as a result of the expenditure of \$1 on marketing? What about Mike Bandelin who we all know is nothing more than an operations guy?

And don't think you're empowering District Counsel to pick up the deficiency. Mr. Nelson has not been hired to do this work. He is nothing more than a legal advisor. Since policy decisions like these are the purview of the Board, it should decline to turnover negotiation of *anything* substantively to staff or Mr. Nelson.

If Andy Wolf's Proposal Were the Sale Rather Than the Lease of Public Lands, the Board Would be Compelled to Secure Two Appraisals and to Not Sell Those Lands For Less Than the Average of Those Appraisals. So Why Should the Process Here Be Any Different? NRS 318.512 was adopted by the Legislature last year in response to former Finance Director Gerry Eick's inappropriate sale of District property. The intent of this legislation was to bring the rules for the sale of general improvement district ("GID") real property in line with those for the sale of county and city real property. Therefore to protect the public, NRS 318.512 instructs as follows:

"Before ordering any real property of the district for sale, the board of trustees must...obtain two independent appraisals of the real property (and)...the board...shall not sell the property for less than...the average of the appraisals."

⁸ See page 65 of the 11/18/2020 Board packet.

So why should the *lease* of public property be any different, especially when the rules for the lease of county or city real property are the same (see discussion below)? No lease of real property should be entered into unless it represents a rental amount in accordance with fair value. And why is the Board considering negotiation when it doesn't even know the fair rental value of the subject real property? For these reasons the Board needs to determine that value, have the DPSEF pay for the required appraisal(s) given it is the intended beneficiary, and secure the DPSEF's agreement to the rental amount *before* we invest unreimbursed staff time or public money *before* there are any negotiations.

If Andy Wolf's Proposal Were to Lease Public Lands From the County Rather Than IVGID, the County Board Would be Required to Secure Two Appraisals and Not Lease Those Lands For Less Than the Average of Those Appraisals. So Why Should the Process Here Be Any Different? NRS 244.2795 instructs as follows:

But for exceptions which are not applicable here, "the Board of County Commissioners shall, when offering any real property for...*lease*...select ...two independent appraisals of the real property before...*leasing* it."

And NRS 244.281 goes on to instruct that:

"The board of county commissioners shall not...*lease*...(such) real property ...for less than...the average of the appraisals of the...property."

If Andy Wolf's Proposal Were to Lease Public Lands From a City Rather Than IVGID, the City Council Would be Required to Secure Two Appraisals and Not Lease Those Lands For Less Than the Average of Those Appraisals. So Why Should the Process Here Be Any Different? NRS 268.061 instructs as follows:

But for exceptions which are not applicable here, "the governing body shall not...*lease*...real property...for less than...the average of...two independent appraisals...of the real property."

Even Before the Adoption of NRS 318.512, a Past IVGID Board Required an Independent Appraisal Prior to Considering Whether District Property Should be Leased: Don not Board members recall Parasol's somewhat recent efforts to sell the Parasol Building to IVGID, and then lease back portions for some number of years? Even though NRS 318.512 had not yet been adopted, and there was no legal requirement that the Board require independent appraisals, that's exactly what the Board did. And given Parasol's sales proposal included the lease back of a portion, the Board required an independent appraisal of that lease. *So why not here?*

For All of These Reasons the Board Should Order Two Appraisals of the DPSEF's Proposed Land Lease, and Secure the DPSEF's Agreement to Pay For Those Appraisals *BEFORE* There is Any Consideration of a Land Lease: Although IVGID is not a county or city, given the Legislative intent that county and city owned real property not be leased for less than fair rental value, why should the rule

be any different for GIDs? That's what should be ordered by this Board and agreed to by DPSEF *before* we invest unreimbursed staff time or money, and *before* there are any negotiations.

Moreover, Haven't We Learned of the Evils of Public Leased Land Giveaways? On July 11, 1988 a Previous IVGID Board Agreed to Lease the Land Under What Became the RSCVA's Visitor's Center Building to the County For \$1/Year For Up to Ninety-Nine (99) Years:

Then on January 12, 2000 a Previous IVGID Board Agreed to Lease the Land Under What Became Parasol's Community Non-Profit Building to Parasol For \$1/Year For Up to Ninety-Nine (99) Years:

At Least Insofar as the Parasol Building Land is Concerned, This is a Portion of Land Local Parcel/Dwelling Unit Owners Paid \$1¼ Million to Acquire!

And Similarly, Insofar as Diamond Peak is Concerned, Local Parcel/Dwelling Unit Owners Paid \$1.362 Million to Acquire Ski Incline: The minutes of the Board's June 29, 1976 special meeting⁹ reveal that an option to purchase Ski Incline and the 2.14 acre parcel adjacent to the Championship Golf driving range which was to be sold as part of a joint purchase was exercised. Ski Incline had an appraised value of \$1.48 million at the time. The 2.14 acre parcel adjacent to the Championship Golf driving range had an appraised value of \$150,000. Given the District's acquisition of both was for \$1½ million, I have adjusted the cost of Ski Incline to \$1,361,963.

Guess Who Made the Motion to Lease the Parasol Building Land to Parasol? Current Chairperson Tim Callicrate! Attached as Exhibit "C" to this written statement is the portion of the minutes of the Board's January 12, 2000 meeting whereby Mr. Callicrate (look for the asterisk) made the motion to lease the Parasol Building site to Parasol for \$1/year for up to ninety-nine (99) years. Thank you Chairperson Callicrate!

Given Chairperson Callicrate Claims He Did Not Understand the Mistake He Made Back in January of 2000 Insofar as Leasing the Land Underneath the Parasol Building, He Should Not Replicate That Mistake Now With DPSEF: So have you really learned Chairperson Callicrate?

Moreover, it's Not Just a Land Lease Mr. Wolf Suggests He Wants Negotiated. He Wants an Extension of the Current Diamond Peak Ski Race Team Agreement Itself⁷ as Well¹⁰: The subject proposed giveaways subsidize this third party's operational costs even though the overwhelming majority of us are not DPSEF members nor parents of such members. Moreover, this giveaway allows the DPSEF to use public assets to generate sales, donations as well as additional revenue which benefit its staff and up to two hundred twenty-five (225) of Diamond Peak Ski Team participants¹¹

⁹ I have attached a copy as Exhibit "B" to this written statement.

¹⁰ This agreement appears at pages 55-71 of the 11/18/2020 Board packet.

¹¹ See page 36 of the 11/18/2020 Board packet.

notwithstanding a very large number (admittedly 35% or more¹²) *do not even live in our community*. In other words, another example of a handful of vocal “takers” in our community requiring the owners of 8,000+ local parcel/dwelling units to involuntarily subsidize the costs a very, very few in our community would otherwise have to pay for their participation in this *non-governmental* program.

Nevertheless, on January 30, 2018 the District entered in an agreement with DPSEF for the latter’s use of Diamond Peak⁷ through and including “June 30, 2022 [i.e., five (5) winter ski seasons].”¹³ If one “reads between the lines” of DPSEF’s current request⁴, one will see it really opens the door to a comprehensive extension of the current DPSEF agreement¹⁴. And as I demonstrated at the Board’s January 24, 2018 meeting, that agreement gives away nearly \$1M or more of public assets/lost revenues *annually*, all at local parcel/dwelling unit owners’ expense¹⁵.

DPSEF is *Not* a Non-Profit Lacking the Capacity to Generate Huge Financial/Other Resources *Without* the Public’s Subsidy: Being a IRC 501(c)(3) non-profit organization⁵, DPSEF is required to file a yearly IRS Form 990 “Return of Organization Exempt From Income Tax.” I have secured the DPSEF’s latest 2018 fiscal year (July 1, 2018-June 30, 2019) return, and pertinent portions are attached as Exhibit “A” to this written statement. An examination of that return reveals some interesting facts insofar as DPSEF’s financial need. For instance,

DPSEF has 50 volunteers;

DPSEF employs 39 persons;

DPSEF’s payroll costs total \$336,669;

DPSEF realizes in excess of \$586,000 in gross annual revenues (\$159,529 in revenues from fundraising events, contributions, gifts, and grants; \$413,968 in program service revenues from

¹² At the Board’s January 24, 2018 meeting when DPSEF asked that the Board enter into the current agreement, IVGID staff publicly represented that at least 70 of the then approximate 200 participants in this program were *not* residents of Incline Village/Crystal Bay. Since Mr. Wolf won’t share with the public the number of participants who are not residents (“we average 175-225 athletes annually of *which a large percentage are Incline Village/Crystal Bay residents*”), we have every right to expect the percentage is roughly the same today.

¹³ See ¶XIV, “Term,” at page 65 of the 11/18/2020 Board packet.

¹⁴ This agenda item seeks direction “to develop terms of a (new MOU to)...includ(e *but not be limited to*) a long term land use agreement (between)...IVGID and DPSEF.” The remainder of a contemplated MOU will most assuredly include extension of the current DPSEF agreement.

¹⁵ See page 177 of the packet of materials prepared by staff in anticipation of the Board’s February 7, 2018 meeting [https://www.yourtahoeplace.com/uploads/pdf-ivgid/2-7-18_-_Regular_-_Item_F.1._-_Minutes_-_January_24__2018.pdf (“the 2/7/2018 Board packet”)].

tuition, hosted ski races, reimbursed travel, and chairlift sponsorship; and, \$12,841 in investment (interest) revenues; and,

DPSEF ended the fiscal year with \$402,895 of net assets (it deducted \$18,800 in depreciation reducing its net, net number to \$384,095). Of this sum \$237,722 consisted of cash.

And remember ***none of this takes into account the \$200,000 or greater annual subsidy provided by IVGID*** (see discussion below).

Moreover, Consider That DPSEF Realizes Nearly \$340,000 Annually, Just in Tuition Fees: For 2018-19 DPSEF charged a whopping \$337,939 in tuition fees. Today this tuition ranges as high as \$4,850 per season per participant! In particular, from:

\$800 to \$1,900 for each “Mighty Mite” (6-9 year olds) member¹⁶;
\$2,250 to \$3,300 for each U10/U12 (8-11 year olds) race team member¹⁷;
\$2,700 to \$3,675 for each U14 (12-13 year olds) race team member¹⁸;
\$3,000 to \$4,000 for each U16 (14-15 year olds) race team member¹⁹;
\$3,500 to \$4,850 for each U19 (16-18 year olds) race team member²⁰;
\$1,775 to \$2,250 for each “shredder” (8-11 year olds) member²¹;
\$1,775 to \$1,995 for each “all mountain team” (10-15 year olds) member²²; and,
\$1,125-\$1,500 for each “masters” (19+ years old) member²³.

And Moreover Still, DPSEF Proposes the Ability to Generate the Over \$2M it Requires to Construct a New Ski Team Facility⁵⁵:

The Public’s Annual Subsidy to DPSEF:

Introduction: According to staff, the DPSEF’s estimated subsidy from the public via the current agreement is \$16,448 annually²⁴. But as the reader will see, this number is disingenuously low;

¹⁶ Go to <https://www.dpsef.org/page/show/5908242-mighty-mites-2020-2021-?subseason=701412>.

¹⁷ Go to <https://www.dpsef.org/page/show/5908246-u10-u12-2020-2021-?subseason=701408>.

¹⁸ Go to <https://www.dpsef.org/page/show/5908255-u14-2020-2021-?subseason=701407>.

¹⁹ Go to <https://www.dpsef.org/page/show/5908257-u16-2020-2021-?subseason=701409>.

²⁰ Go to <https://www.dpsef.org/page/show/5908259-u19-fis-2020-2021-?subseason=701410>.

²¹ Go to <https://www.dpsef.org/page/show/5911925-shredders-2020-2021-?subseason=701406>.

²² Go to <https://www.dpsef.org/page/show/5908247-all-mountain-2020-2021-?subseason=701991>.

²³ Go to <https://www.dpsef.org/page/show/5908262-masters-2020-2021->.

by nearly \$200,000! This fact is relevant to the current discussion because undoubtedly, DPSEF proposes a new MOU which will not only continue this massive subsidy, but what I predict will be the further subsidy of a ninety-nine (99) year land lease at a whopping \$1 per year.

The Kinds of “Resources” Which Represent the “Subsidy” Provided by the Public:

Obviously, direct payments of money from IVGID to DPSEF (such as a retention of a portion of revenue realized from DPSEF’s sale of daily lift tickets to visiting ski team members/their parents/ other family members) represents a “cost” the public incurs. However, there are many other types of transactions/ in kind donations which represent the equivalent of this “cost.” For instance, IVGID:

1. Donates things to DPSEF other than “money” (such as free Diamond Peak season passes), which have a value the equivalent of money; or,
2. Donates the use of things to DPSEF other than “money” [such as free use of the Diamond Peak base lodge or the DPSEF headquarters building (aka the “race shack”)], which have a rental value the equivalent of money; or,
3. Donates the use of “things” to DPSEF other than “money” (such as preferred Diamond Peak parking places and the back of Crystal quad chair lifts), which are capable of generating revenue, where DPSEF can sell those things to the public and retain the proceeds for itself; or,
4. Sells things to DPSEF (such as food and beverage passes) at a discount (compared to the retail prices those things are sold to the public), where the discount is the equivalent of money.

These losses of revenue *all* represent “costs” the public incurs, to which I speak.

Therefore when we examine the “cost,” it is important to include all of these elements. Because DPSEF and staff won’t, I will. So let’s begin.

Subsidy #1 - \$101,800 of Free Diamond Peak Season Passes Given to DPSEF Coaches:

The current agreement includes the giveaway of up to forty [40 (free)] non-transferable season passes allegedly for DPSEF’s coaching staff²⁵, *the overwhelming majority of whom are not residents of our*

²⁴ See the bottom of page 8 of the packet of materials prepared in anticipation of this January 24, 2018 meeting [https://www.yourtahoepplace.com/uploads/pdf-ivgid/BOT_Packet_Regular_1-24-18.pdf (“the 1/24/2018 Board packet”).]

²⁵ DPSEF represents it has thirty (30) coaches for 2020-21 (count them for yourself); Konrad Rickenbach, DeeDee Cole Driller, Richard Cole, Pete Lewis, Eric Anderson, Edward Schelert, Kayla Wiczorek, Samantha Ladich, CJ Bawden, Madalyn Johnson, Rachael Meyer, Fiona Zieir, Trish McKowen, Peter Figgins, Mike Vester, Mimi Meyer, Kait Flocchini, Peter Van Peborgh, Jim Weiss, Todd Davis, Geno Stiles, Kaitlyn McCabe, Niklas Pietzke, Margarita Welczk, Kaci Meyer, JP Donovan, Austin Schrage, Sami Lampe, Mark Bernstein, and Ryan Ritchie (see <https://www.dpsef.org/coaches>). *Why*

community²⁶. Given the retail value of each pass is \$509²⁷, and the cost of this giveaway becomes a whopping \$20,360 per year²⁸! And since the current agreement's term is five (5) years, and unreasonably assuming that the price of season passes do not increase in future years (even though they have increased for 2020-21²⁹), I calculate the total value of this giveaway at \$101,800!

Subsidy #2 - \$31,900 of Discounted Diamond Peak Season Passes Sold to Non-Resident Ski Team Members: Staff doesn't share with the Board and the public that the parents/legal guardians of non-resident ski team participants are allowed, under the current agreement, to purchase Diamond Peak season passes for their children at the preferred resident rate *plus an insulting to local property owners surcharge of only \$10*³⁰! The difference in pricing between resident³¹ (\$149) and non-resident²⁷ (\$229) child (7-12 years old) season passes is \$80, and the difference between resident³¹ (\$189) and non-resident²⁷ (\$289) youth (13-23 years old) season passes is \$100. So how many of these season passes are sold to the parents of non-resident ski team members, and at what subsidy?

Staff do not break down the number of discounted non-resident child and youth season pass sales to DPSEF team members, *and they should* because it's *not my obligation* and it *is* staff's obligation to share with the Board and the public *all* material facts pertaining to this and other public issues! Because here staff have failed to satisfy their obligations, the public is forced to speculate as to the extent of the discounts offered to the parents/legal guardians of non-resident ski team children property owners are subsidizing above/beyond the \$10 surcharge³⁰.

Given staff have admitted that 35% or more of ski team members are non-residents¹², I feel justified in presuming seventy-nine (79) of these season passes were sold to the parents/legal guardians of non-resident children. But how many were child versus youth season passes? Although staff do not answer this question, I feel justified in assuming approximately 33⅓% (i.e., 26) were child sales,

then the need for forty (40) free season passes? Given these passes are non-transferable, for whom are these additional passes, and for exactly what purposes if not coaching?

²⁶ I don't know these coaches personally, but from the list, I know that at least half do not reside in our community! I wouldn't be surprised if the number is *none*.

²⁷ See <https://www.diamondpeak.com/tickets-specials/season-passes-pass-perks>.

²⁸ See page 7 of the 1/24/2018 Board packet.

²⁹ See page 80 of the packet of materials prepared by staff in anticipation of the Board's March 11, 2020 meeting ["the 3/11/2020 Board packet" (https://www.yourtahoeplace.com/uploads/pdf-ivgid/3-11-2020-BOT_Packet_Regular.pdf)], and <https://www.diamondpeak.com/tickets-specials/lift-tickets> once this page is updated.

³⁰ See ¶II(F) of the current agreement (see page 58 of the 11/18/2018 Board packet).

³¹ Go to

https://shopdp.yourtahoeplace.com/estore/Content/Commerce/Products/DisplayProducts.aspx?ProductGroupCode=1100&_ga=2.5235511.580867175.1605389125-1828259987.1605389125.

and 66⅔% (i.e., 53) were youth sales. Applying these numbers to the difference in resident and non-resident child (\$80) and youth (\$100) pricing, less the \$10/season pass received, and I calculate \$6,380 in lost revenue *just for this season!* And since the current agreement's term is five (5) years, and unreasonably assuming that the price differential between residents and non-residents season passes does not increase in future years (even though it has increased for 2020-21²⁹), I calculate the total value of this giveaway at \$31,900!

Subsidy #3 - \$59,520 of Discounted Diamond Peak Season Passes Sold to the Non-Resident Parents/Legal Guardians of Ski Team Members: But it's not just the parents/legal guardians of non-resident ski team members who receive discounts on Diamond Peak season passes. Staff doesn't share with the Board and the public that they can readily purchase Diamond Peak adult season passes at the resident preferred rate *plus the same insulting to local property owners surcharge of \$10³⁰ for themselves!* The difference in pricing between resident³¹ (\$349) and non-resident²⁷ (\$509) adult (24-64 years old) Diamond Peak season passes is \$160. So how many of these season passes are sold, and at what subsidy?

Staff do not break down the number of discounted adult season pass sales to the non-resident parents/legal guardians of DPSEF team members, *and they should* because it's *not my obligation* and it *is* staff's obligation to share with the Board and the public *all* material facts pertaining to this and other public issues! Because here staff have failed to satisfy their obligations, the public is forced to speculate as to the extent of the discounts offered to the parents/legal guardians of non-resident ski team children property owners are subsidizing above/beyond the \$10 surcharge³⁰.

Given I feel justified in assuming seventy-nine (79) of ski team members are non-residents (see discussion above), I feel similarly justified in assuming that at least one of the non-resident parents/legal guardians of these children purchased Diamond Peak season passes at this discounted pricing. Applying these numbers to the difference in resident and non-resident adult pricing (\$160), less the \$10/season pass received, and I calculate \$11,850 in lost revenue *just for this season!* And since the current agreement's term is five (5) years, and unreasonably assuming that the price differential between residents and non-residents season passes does not increase in future years (even though it has increased for 2020-21²⁹), I calculate the total value of this giveaway at \$59,520!

Subsidy #4 - \$124,800 of Free Diamond Peak Daily Lift Tickets Given to Race Day Volunteers: The current agreement indicates that Diamond Peak will provide up to thirty (30) complimentary race day volunteer (course workers and officials) lift tickets³². Given the retail value of each non-holiday adult lift ticket (for the 2020/21 season) is \$104²⁹, and assuming eight (8) race days per season³³, the cost of this giveaway is \$24,960 just for this year! And since the current agreement's

³² See ¶III(D) of the current agreement (see page 57 of the 11/18/2018 Board packet).

³³ ¶III(A) of the current agreement (see page 57 of the 11/18/2020 Board packet) states that the "District...will make available portions of the mountain for...approximately four (4) Far West race events and approximately four (4) non-U.S.S.A. race events' *for a total of eight (8) races.*

term is five (5) years, and unreasonably assuming the price of an adult lift ticket does not increase in future years (even though it has increased for 2020-21²⁹), I calculate the total value of this giveaway at \$124,800!

Subsidy #5 - \$131,100 of Discounted Diamond Peak Daily Lift Tickets Sold to Visiting Ski Team Athletes: Staff doesn't share with the Board and the public that the daily Diamond Peak lift tickets sold to visiting ski team members is discounted from the retail price³⁴. Although the pricing of these discounted lift tickets is supposed to be "established once each ski season," staff reveal that for some years it has been discounted from \$44 to \$20 for child (7-12 years old) members, and from \$84 to \$44 for youth (13-23 years old) members³⁵. So how many of these daily lift tickets are sold, and at what subsidy?

At page 8 of the 1/24/2018 Board packet staff reveal that 1,157 of these daily lift tickets are sold throughout the ski race season, and that on average, the blended average revenue/lift ticket realized [before revenue sharing (see discussion below)] is \$32. But staff do not break down the number of discounted child and youth daily lift ticket sales to visiting ski team members, *and they should* because it's *not my obligation* and it *is* staff's obligation to share with the Board and the public *all* material facts pertaining to this and other public issues! Because here staff have failed to satisfy their obligations, the public is forced to speculate as to the extent of the discounts offered to visiting ski team members. So I feel justified in making the same assumption I made for the sale of non-resident DPSEF team member season passes (see discussion above); that one-third (386) were sold to visiting child ski team members, and two-thirds (771) were sold to visiting youth ski team members. Applying these numbers to the difference in resident and discounted child (\$24) and youth (\$40) pricing, less the average of \$12/lift ticket assessed, and I calculate \$26,220 in lost revenue *just for this season!* And since the current agreement's term is five (5) years, and unreasonably assuming that the price differential between residents and non-residents season passes does not increase in future years (even though it has increased for 2020-21²⁹), I calculate the total value of this giveaway at \$131,100!

Subsidy #6 - \$145,800 of Discounted Diamond Peak Daily Lift Tickets Sold to the Family Members of Visiting Ski Team Athletes: But it's not just visiting ski team participants who receive discounts on daily lift tickets. Staff doesn't share with the Board and the public that the daily lift tickets Diamond Peak sells to the families and friends of visiting race day participants are also discounted from the retail price²⁷; on average, by \$72/adult lift ticket³⁵ (from \$104 to \$32). So how many of these daily lift tickets are sold, and at what subsidy?

Again, staff do not break down the number of discounted adult daily lift ticket sales to the parents/other family members of visiting ski team athletes, *and they should* because it's *not my*

³⁴ ¶II(G) of the current agreement (see page 58 of the 11/18/2020 Board packet) states that "Diamond Peak Ski Resort will provide...*Discounted* Daily Lift Tickets to participants in DPSEF racing events (as well as)...race participants' parents."

³⁵ See page 8 of the 1/24/2018 Board packet.

obligation and it is staff's obligation to share with the Board and the public *all* material facts pertaining to this and other public issues! Because here staff have failed to satisfy their obligations, the public is forced to speculate as to the extent of the discounts offered to the parents/other family members of visiting ski team athletes property owners are subsidizing.

Given I feel justified in assuming that thirty-five percent (35%) of the projected 1,157 lift tickets (405) to be sold to the parents/other family members of visiting ski team athletes (see discussion above), this gives us a loss of revenue, *just for this season*, of at least \$29,160. And since the current agreement's term is five (5) years, and unreasonably assuming the price of a daily lift ticket does not increase in future years (even though it has increased for 2020-21²⁹), I calculate the total value of this giveaway at \$145,800!

Subsidy #7 - \$74,880 of Free Diamond Peak Race Day Lift Tickets Given to Visiting Ski Team Coaches: The current agreement indicates that Diamond Peak will "provide on race day ski comp (lift) ticket per eight (8) athletes registered (to race) to be used by visiting coaches on the day of a DPSEF race."³² So how many of these daily lift tickets are given away, and at what subsidy?

Again, staff do not break down the number of free adult daily lift tickets given to visiting ski team coaches, *and they should* because it's *not my obligation* and it is staff's obligation to share with the Board and the public *all* material facts pertaining to this and other public issues! Because here staff have failed to satisfy their obligations, the public is forced to speculate as to the extent of these giveaways property owners are subsidizing.

Given staff in essence admit that roughly 144 visiting athletes register for each DPSEF race³⁶, I calculate that eighteen (18) comp lift tickets will be earned pursuant to this provision of the current agreement, on average, for each race. Applying this number, the retail value of this giveaway totals \$1,872/race. And assuming eight (8) race days per season³³, the cost of this giveaway, *just for this season*, totals \$14,976 in lost revenue! And since the current agreement's term is five (5) years, and unreasonably assuming the price of a daily lift ticket does not increase in future years (even though it has increased for 2020-21²⁹), I calculate the total value of this giveaway at \$74,880!

Subsidy #8 - \$92,560 of Revenues From the Sale of Already Discounted Diamond Peak Daily Lift Tickets to Visiting Ski Team Participants Subject to Revenue Sharing: The current agreement also indicates that Diamond Peak will share with the DPSEF in half of the revenue (realized from *already discounted* visiting) race day lift ticket sales."³⁷ So how many of these daily Diamond Peak revenue sharing lift tickets are sold, and at what subsidy?

³⁶ 1,157 visiting ski team athletes divided by eight (8) races equals roughly 144 visiting athletes/race.

³⁷ ¶II(G) of the current agreement (see page 58 of the 11/18/2020 Board packet) also states that the "revenue from (Diamond Peak) *Discounted* Daily Lift Ticket sales will be split 50%/50% between DPSEF and Diamond Peak."

At page 8 of the 1/24/2018 Board packet staff reveal that 1,157 daily lift tickets are sold throughout the ski season pursuant to revenue sharing, the gross revenue realized by DPSEF is \$37,024, and the portion retained by DPSEF is \$18,512. Therefore the cost of this giveaway, *just for this season*, totals \$18,512 in lost revenue! And since the current agreement's term is five (5) years, and unreasonably assuming the price of a daily lift ticket does not increase in future years (even though it has increased for 2020-21²⁹), I calculate the total value of this giveaway at \$92,560!

Subsidy #9 - \$32,400 of Revenues From Already Discounted Diamond Peak Daily Lift Tickets Sold to the Parents/Other Family Members of Visiting Ski Team Participants Subject to Revenue Sharing: But it's not just the daily Diamond Peak lift tickets DPSEF sells to visiting ski team members which are subject to revenue sharing. The current agreement also extends these lift tickets to "race participants' parents."³⁴ So how many of these daily revenue sharing lift tickets are sold, and at what subsidy?

Again, staff do not break down the number adult daily lift tickets sold to the parents/other family members of visiting ski team members which are subject to revenue sharing, *and they should* because it's *not my obligation* and it *is* staff's obligation to share with the Board and the public *all* material facts pertaining to this and other public issues! Because here staff have failed to satisfy their obligations, the public is forced to speculate as to the extent of these sales property owners subsidize.

Given I have assumed that thirty-five percent (35%) of the projected 1,157 lift tickets (405) subject to revenue sharing will be sold to the parents/other family members of visiting ski team athletes (see discussion above), and the sales price/ticket is a discounted \$32, this results in an additional \$12,960 in sales subject to revenue sharing *just for this season*. And since DPSEF's portion is 50%, here we're talking \$6,480 in lost revenue. And since the current agreement's term is five (5) years, and unreasonably assuming the price of a daily lift ticket does not increase in future years (even though it has increased for 2020-21²⁹), I calculate the total value of this giveaway at \$32,400!

Subsidy #10 - \$14,000 or More of Discounted Food Passes For DPSEF Coaches: Staff doesn't share with the Board and the public that DPSEF's forty (40) ski team coaches can purchase food and non-alcoholic beverages at a 50% discount off the retail rate³⁸. So how many of these discounted food passes are sold, and at what subsidy?

Because it is staff's obligation to share all material facts pertaining to this and other public issues with the Board and the public, and *not my obligation*, I presume that a modest ten (10) meals for each of the forty (40) coaches (for a total of 400 meals) at Diamond Peak's premium retail pricing/meal (\$14) generates \$2,800 in food discounts. And since the current agreement's term is five (5) years, unreasonably assuming the price of food does not increase in future years, I calculate the total value of this giveaway at \$14,000!

³⁸ See ¶11(I) of the current agreement (see page 59 of the 11/18/2020 Board packet).

Subsidy #11 - \$100,000 of Exclusive Preferred Reserved Parking at Diamond Peak: The current agreement states that the District will provide two (2) designated parking space .in close proximity to the base lodge for use by DPSEF at its sole discretion³⁹. These parking spots need not be used by the DPSEF! Rather, their exclusive use can be and is assigned “to anyone determined by DPSEF.” There-fore each year the DPSEF auctions off these parking spots during its UllrFest event, typically for \$20,000/each! The proceeds are retained by the DPSEF *to fund its other endeavors*. And since the current agreement’s term is five (5) years, unreasonably assuming the price of food does not increase in future years, I calculate the total value of this giveaway at \$100,000!

Subsidy #12 – Thousands of Dollars Worth of Additional Off-Site “On Season” Parking For DPSEF’s Team Transport Vehicles and Equipment Trailers: The current agreement provides that “the District may provide up to six [6 (additional)] parking spaces on District Property, off-site from Diamond Peak...for DPSEF’s parking of its team transport vehicles and equipment trailers.”⁴⁰ *What is fair market rent for dedicated use of the public's parking facilities during Diamond Peak's operational months (shouldn't it be something)?* You come up with a number.

Subsidy #13 – Thousands of Dollars Worth of Additional On-Site “Off Season” Parking For DPSEF’s Team Transport Vehicles and Equipment Trailers: The current agreement provides that “DPSEF may keep its team transport vehicles and equipment trailers on Diamond Peak grounds during the off-season.”⁴⁰ *What is fair market rent for dedicated use of the public's parking facilities during Diamond Peak's "Off Season" (shouldn't it be something)?* You come up with a number.

Subsidy #14 – Tens of Thousands of Dollars Worth of Free Rent For DPSEF’s Dedicated Race Department Headquarters Building: aka the “Ski Team Building” aka the “Race Shack.” Staff doesn't share with the Board and the public that under the current agreement IVGID makes exclusive use of this building available to DPSEF for no cost⁴¹ other than reimbursement of utility charges⁴². *What is fair market rent for such a structure (shouldn't it be something)?* You come up with a number.

Subsidy #15 – Tens of Thousands of Dollars Worth of Capital Repairs and Improvements to DPSEF’s Dedicated Race Department Headquarters Building: Have you noticed that in the last several years the exterior siding to the DPSEF’s dedicated race department headquarters building has been replaced and re-stained? Also, a new galvanized steel stairwell has been fabricated and installed. Who has paid for these improvements? Although I doubt seriously it was DPSEF, I have made a public records request to learn of the answer. I’ll be sure to share that answer once Ms. Herron has provided the same.

³⁹ See ¶III(J)(i) of the current agreement (see page 59 of the 11/18/2020 Board packet).

⁴⁰ See ¶III(J)(ii) of the current agreement (see page 59 of the 11/18/2020 Board packet).

⁴¹ See ¶III(E) of the current agreement (see page 57 of the 11/18/2020 Board packet).

⁴² See ¶II(I) of the current agreement (see page 56 of the 11/18/2020 Board packet).

Subsidy #16 – Tens of Thousands of Dollars Worth of Free Office Space and a Locker Room for the DPSEF Race Staff: Staff doesn't share with the Board and the public that under the current agreement, IVGID is responsible for “supply(ing) office space and a locker room for the DPSEF race staff on the grounds of” Diamond Peak⁴². *What is fair market rent for such office space and lockers (shouldn't it be something)?* You come up with a number.

Subsidy #17 – Thousands of Dollars Worth of Contributions Towards DPSEF's Costs of Investigating the Feasibility of Acquiring its Own Office Space and Locker Rooms: Staff doesn't share with the Board and the public that under the current agreement, IVGID has agreed to pay half of the direct costs “regarding (investigation of the) feasibility of...identify(ing) opportunities for...office space and locker room(s).”⁴¹ *Is not the P+R Design & Engineering space assessment³ one of those costs?*

Subsidy #18 – Hundreds of Dollars Worth of Use of Diamond Peak Office Equipment/Supplies: Staff doesn't share with the Board and the public that the current agreement provides that “DPSEF (may) use Diamond Peak (office) equipment including, but not limited to copy machine(s), typewriters, paper goods...FAX machine(s)...etc.”⁴³ Although DPSEF is supposed to be billed \$0.05/copy plus the cost of telephone calls, if any, these costs are minimal compared to the capital costs IVGID incurs to make such equipment and supplies available for DPSEF's use. Moreover, I question whether DPSEF is billed anything. To answer this question I have made a records request with Ms. Herron to provide records evidencing such billings. Regardless, shouldn't DPSEF be paying *something* for access to this equipment? Or stated differently, shouldn't DPSEF be providing its own telephones, FAX machines, copy machines and other office equipment? So you come up with a number.

Subsidy #19 – Thousands of Dollars Worth of Free Rent For Exclusive Use of the Upstairs “Fireplace Room” in the Diamond Peak Base Lodge: Staff doesn't share with the Board and the public that IVGID makes exclusive use of the “Fireplace Room” adjacent to the upstairs bar in the base lodge available to the DPSEF for no cost “lunches, training breaks, meetings, athlete video analysis, etc., when not in use by the... Sierra Scouts lunch program or other...scheduled...events/programs.”⁴⁴ *What is fair market rent for such exclusive use of such facilities (shouldn't it be something)?* You come up with a number.

Subsidy #20 – Tens of Thousands of Dollars Worth of Free Rent For the Exclusive Use of the Diamond Peak Base Lodge: Staff doesn't share with the Board and the public that IVGID makes exclusive use of the Diamond Peak base lodge available to the DPSEF for no cost “for DPSEF team functions.”⁴⁴ What functions? How about DPSEF's UllrFest event which takes over Diamond Peak for a weekend in February of each year? Moreover, DPSEF has taken over the Chateau, *for free*, for a sit

⁴³ See ¶III(H) of the current agreement (see page 60 of the 11/18/2020 Board packet).

⁴⁴ See ¶II(H) of the current agreement (see page 59 of the 11/18/2020 Board packet).

down dinner/ silent auction. *What is fair market rent for such exclusive use of both facilities* (after all, rent just for the Chateau on Saturdays is \$4,660⁴⁵)? You come up with a number.

Subsidy #21 – Thousands of Dollars Worth of Race Fees: Staff doesn't share with the Board and the public that just like Crystal chair lift advertising (see discussion below), the current agreement allows DPSEF to charge race and other fees every time it puts on a ski race, and to retain those fees for itself⁴⁶. How much fee revenue? Or more importantly, *how much fee revenue could Diamond Peak generate for itself if its staff were charging these fees?* You come up with a number.

Subsidy #22 – At Least \$2,200 Worth of Advertising Revenue From the Back of Crystal Lift Chairs: Have you ever ridden on the Crystal quad chairlift at Diamond Peak? If you have, you recall seeing advertising and other messages on the chair backs of those chairs in front of you. Staff doesn't share with the Board and the public that IVGID allows DPSEF to sell advertising space for placement on the back of these chairs, and it gets to keep 100% of the revenue generated. How much revenue? According to DPSEF's 2018-19 IRS Form 990 (see Exhibit "A"), at least \$2,200 annually. But more to the point, *how much revenue could Diamond Peak generate for itself if its staff sold this advertising?* You come up with a number.

Subsidy #23 – Thousands of Dollars Worth of Advertising Revenue Opportunities on Diamond Peak Grounds Themselves: Staff doesn't share with the Board and the public that just like Crystal chair lift advertising (see discussion above), the current agreement allows DPSEF to place advertising/ sponsorship materials it has sold to others throughout Diamond Peak⁴⁷. How much in sales? Or more importantly, *how much revenue could Diamond Peak generate for itself if its staff were selling advertising?* You come up with a number.

Subsidy #24 – Thousands of Dollars Worth of Race Course Slope Grooming For All DPSEF Sponsored Races: Staff doesn't share with the Board and the public that Diamond Peak is responsible for initial slope grooming insofar as each of the DPSEF's eight⁴⁸ sponsored races are concerned⁴⁸. And although DPSEF may be setting the courses for its ski races, all of the course equipment belongs to Diamond Peak. What is the cost Diamond Peak charges when it provides slope grooming and race course equipment for ski racing events (shouldn't it be *something*)? You come up with a number.

⁴⁵ See page 74 of the packet of materials prepared in anticipation of the IVGID Board's regular meeting of December 13, 2017 meeting ["the 12/13/2017 Board packet" (https://www.yourtahoeplace.com/uploads/pdf-ivgid/BOT_Packet_Regular_12-13-17.pdf)].

⁴⁶ See ¶¶VII(C) and (E) of the current agreement (see page 62 of the 11/18/2020 Board packet).

⁴⁷ See ¶16 of Exhibit "A" to the current agreement (see page 67 of the 11/18/2020 Board packet).

⁴⁸ See ¶III(A) of the current agreement (see page 57 of the 11/18/2020 Board packet).

Subsidy #25 – Tens of Thousands of Dollars Worth of Race Course Slope Grooming For Daily Race Training: Similarly, staff doesn't share with the Board and the public that Diamond Peak is responsible for daily “routine slope grooming” for DPSEF’s race training⁴⁹. This isn't normal slope grooming for all of Diamond Peak. Rather, it is specialized grooming exclusively for DPSEF ski race training. What is the cost Diamond Peak charges when it provides slope grooming for ski racing events other than DPSEF’s (shouldn't it be *something*)? You come up with a number.

Subsidy #26 – Exclusive Use of Portions of Diamond Peak For Race Training and Races to the Detriment of Diamond Peak Customers/Passholders: Staff doesn't share with the Board and the public that Diamond Peak gives DPSEF *exclusive* use of portions of the mountain for daily ski race training and at least eight⁴⁰ race events. This means that when both the public and DPSEF team members are on the mountain, the terrain available to the public is reduced and compromised. And when there is a lack of snow, which is so oftentimes the case, taking away this much terrain for the public is terribly unfair. Shouldn't DPSEF be required to make up for this unfairness and the less than comfortable experience the public realizes when sharing the mountain with DPSEF? If so, you come up with a number; i.e., *something*.

But there's something far more egregious when it comes to giving DPSEF exclusive use of portions of Diamond Peak to the detriment of local parcel/dwelling unit owners paying the Recreation Facility Fee (“RFF”). According to IVGID, the RFF is a standby service charge that allegedly pays for the mere *availability to use* IVGID's recreational facilities⁵⁰, expressly *including* Diamond Peak⁵¹. If you're a parcel owner who pays the RFF and all of Diamond Peak isn't available for you to use when you elect to use it, what does that say about the RFF's validity? It is for this reason that I and others I know say to IVGID either give away the store to DPSEF and your other favorite collaborators and not assess we parcel/dwelling unit owners the RFF, or assess the RFF and keep our recreational facilities available for our use when we choose to use them just as you represent. *But not both!*

Subsidy #27 – Lift Line Cutting Privileges: Staff doesn't share with the Board and the public that Diamond Peak not only agrees to allow but encourages DPSEF members to cut lift lines⁵². This is a benefit for which many ski areas charge a premium. Yet here DPSEF pays nothing. Shouldn't the public be realizing *something* for this benefit? Again, you come up with a number.

⁴⁹ See ¶III(B) of the current agreement (see page 57 of the 11/18/2020 Board packet).

⁵⁰ See pages 111 and 113 of the packet of materials prepared by staff in anticipation of the Board's May 27, 2020 meeting [https://www.yourtahoeplayce.com/uploads/pdf-ivgid/BOT_Packet_Regular_5-27-2020.pdf (“the 5/27/2020 Board packet”)].

⁵¹ “The Board specifically finds that the availability of the use of...Diamond Peak Ski Resort...are all benefits which inure to the owners of properties assessed hereunder” [see ¶I4(b) at page 109 of the 5/27/2020 Board packet].

⁵² See ¶I7 of Exhibit "B" to the proposed agreement (see page 68 of the 11/18/2020 Board packet).

Subsidy #28 – Preferred Early Diamond Peak Access For Race Training: Staff doesn't share with the Board and the public that Diamond Peak makes its slopes available exclusively to DPSEF members *before* Diamond Peak opens to the public. This is a benefit for which many ski areas charge a premium (especially for powder mornings). Yet here DPSEF pays nothing even though Diamond Peak is incurring additional employee and utility costs to open several hours early. Shouldn't the public be realizing *something* for this benefit? Again, you come up with a number.

Because a Subsidy of Nearly \$200,000 Annually Isn't Enough, DPSEF Proposes IVGID Lease it Some 5,000 Square Feet² or More of Prime Diamond Peak Property For Next to Nothing: We haven't yet heard "the next to nothing" part of this statement, but trust me; this is what "takers do!"

Financial Impact: Unbelievably, the staff memorandum represents "there is no financial impact to the District."⁵³ Given DPSEF's request is that staff and the District's attorney "develop terms of a" MOU⁴, does anyone think our attorney will work for free? And what about unreimbursed staff time? Does that translate into "no financial impact?" Finally, since the land in question is IVGID's, who do staff think is going to file and prosecute all land use/permit issues? There are a whole series of financial ramifications simply ignored by staff.

Alternatives: Unbelievably, the staff memorandum proposes no alternatives⁵³? *HOW ABOUT NO?* Isn't that an alternative?

Conclusion: So you tell me. Does Mr. Wolf's proposal sound fair to the public? Although staff have asserted in the past that Diamond Peak benefits financially as a result of the District's partnership with DPSEF⁵⁴, it fails to demonstrate, as I have demonstrated, exactly how much and from who! Although staff points to \$23,000 in season pass sales each year, isn't this disingenuous given the approximate 130 DPSEF resident-participants would likely purchase Diamond Peak season passes whether/not there were a ski team? Moreover, staff don't share with the Board and the public that many ski team members and their parents don't really pay for their season passes because they're allowed to provide "in kind" vegetation clearing work on the Diamond Peak mountain in lieu!

Past Boards have directed staff to operate the public's recreational facilities, and Diamond Peak in particular, on a revenue neutral basis. Yet on average over Diamond Peak's history, this has rarely if ever occurred. For a program which costs local parcel/dwelling unit owners so much, and benefits so few, it should be eliminated. If DPSEF wants to make Diamond Peak its home, with a new \$2 million or greater facility⁵⁵, that's fine. But because it charges participants in its program tuition, and the public already provides a \$200,000 or greater annual subsidy, its proposal for even more, should be rejected.

⁵³ See page 33 of the 11/18/2020 Board packet.

⁵⁴ See page 9 of the 1/24/2018 Board packet.

⁵⁵ See page 52 of the 11/18/2020 Board packet.

And You Wonder Why the RFF Which Has Financed This Colossal Giveaway to Another Special Interest Group is Out of Control? I've now provided more answers.

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

EXHIBIT "A"

Form **990**

Return of Organization Exempt From Income Tax

OMB No 1545-0047

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

2018

- ▶ Do not enter social security numbers on this form as it may be made public
- ▶ Go to www.irs.gov/Form990 for instructions and the latest information.

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

A For the 2019 calendar year, or tax year beginning 07-01-2018 , and ending 06-30-2019

- B** Check if applicable:
- Address change
 - Name change
 - Initial return
 - Final return/terminated
 - Amended return
 - Application pending

C Name of organization
DIAMOND PEAK SKI EDUCATION FOUNDATION

Doing business as

Number and street (or P O box if mail is not delivered to street address) Room/suite
PO BOX 5591

City or town, state or province, country, and ZIP or foreign postal code
INCLINE VILLAGE, NV 89450

D Employer identification number
94-3015906

E Telephone number
(775) 832-1176

G Gross receipts \$ 598,694

F Name and address of principal officer
ANDY WOLF
PO BOX 5591
INCLINE VILLAGE, NV 89450

H(a) Is this a group return for subordinates? Yes No

H(b) Are all subordinates included? Yes No
If "No," attach a list (see instructions)

H(c) Group exemption number ▶

I Tax-exempt status 501(c)(3) 501(c) () (insert no) 4947(a)(1) or 527

J Website: ▶ WWW DPSEF ORG

K Form of organization Corporation Trust Association Other ▶

L Year of formation 1984 **M** State of legal domicile NV

Part I Summary

1 Briefly describe the organization's mission or most significant activities
TO ESTABLISH, ADMINISTER & PROMOTE AN EDUCATIONAL PROGRAM FOR THE DEVELOPMENT AND TRAINING OF SKIERS AS A MEANS OF HEALTHFUL RECREATION & PHYSICAL FITNESS

2 Check this box if the organization discontinued its operations or disposed of more than 25% of its net assets

3 Number of voting members of the governing body (Part VI, line 1a)	3	7
4 Number of independent voting members of the governing body (Part VI, line 1b)	4	7
5 Total number of individuals employed in calendar year 2018 (Part V, line 2a)	5	39
6 Total number of volunteers (estimate if necessary)	6	50
7a Total unrelated business revenue from Part VIII, column (C), line 12	7a	0
7b Net unrelated business taxable income from Form 990-T, line 34	7b	0

	Prior Year	Current Year
8 Contributions and grants (Part VIII, line 1h)	245,927	159,529
9 Program service revenue (Part VIII, line 2g)	488,119	413,968
10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)	5,700	12,841
11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	-97,996	-74,352
12 Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)	641,750	511,986
13 Grants and similar amounts paid (Part IX, column (A), lines 1-3)	25,747	12,729
14 Benefits paid to or for members (Part IX, column (A), line 4)	145,229	98,171
15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)	339,138	336,669
16a Professional fundraising fees (Part IX, column (A), line 11e)	0	0
b Total fundraising expenses (Part IX, column (D), line 25) ▶		
17 Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)	55,282	110,794
18 Total expenses Add lines 13-17 (must equal Part IX, column (A), line 25)	565,396	558,363
19 Revenue less expenses Subtract line 18 from line 12	76,354	-46,377
20 Total assets (Part X, line 16)	Beginning of Current Year 438,363	End of Year 408,896
21 Total liabilities (Part X, line 26)	3,410	24,801
22 Net assets or fund balances Subtract line 21 from line 20	434,953	384,095

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge

Sign Here

Signature of officer: _____ Date: 2019-11-14

ANDY WOLF PRESIDENT
Type or print name and title

Paid Preparer Use Only

Print/Type preparer's name: _____ Preparer's signature: _____ Date: 2019-11-14

Check if self-employed PTIN: P00818706

Firm's name ▶ CASEY NEILON INC Firm's EIN ▶ 20-5570744

Firm's address ▶ 503 N DIVISION ST Phone no (775) 283-5555
CARSON CITY, NV 89703

Part VIII Statement of Revenue

Check if Schedule O contains a response or note to any line in this Part VIII

		(A) Total revenue	(B) Related or exempt function revenue	(C) Unrelated business revenue	(D) Revenue excluded from tax under sections 512 - 514	
Contributions, Gifts, Grants and Other Similar Amounts	1a Federated campaigns	1a				
	b Membership dues	1b				
	c Fundraising events	1c	148,610			
	d Related organizations	1d				
	e Government grants (contributions)	1e				
	f All other contributions, gifts, grants, and similar amounts not included above	1f	10,919			
	g Noncash contributions included in lines 1a - 1f \$		34,570			
	h Total. Add lines 1a-1f		159,529			
Program Service Revenue	2a TUITION	Business Code				
		713990	337,939	337,939		
	b HOSTED RACES	713990	81,550	81,550		
	c TRAVEL REIMBURSEMENT	713990	14,205	14,205		
	d OTHER	713990	4,090	4,090		
	e CHAIRLIFT SPONSOR	713990	2,200	2,200		
	f All other program service revenue		-26,016	-26,016		
g Total. Add lines 2a-2f		413,968				
Other Revenue	3 Investment income (including dividends, interest, and other similar amounts)		2,925		2,925	
	4 Income from investment of tax-exempt bond proceeds					
	5 Royalties					
	6a Gross rents	(i) Real				
		(ii) Personal				
		b Less rental expenses				
		c Rental income or (loss)				
	d Net rental income or (loss)					
	7a Gross amount from sales of assets other than inventory	(i) Securities				
		(ii) Other	9,916			
		b Less cost or other basis and sales expenses	0			
		c Gain or (loss)	9,916			
d Net gain or (loss)		9,916		9,916		
8a Gross income from fundraising events (not including \$ 148,610 of contributions reported on line 1c) See Part IV, line 18	a		12,356			
	b Less direct expenses	b	86,708			
	c Net income or (loss) from fundraising events		-74,352		-74,352	
9a Gross income from gaming activities See Part IV, line 19	a					
	b Less direct expenses	b				
	c Net income or (loss) from gaming activities					
10a Gross sales of inventory, less returns and allowances	a					
	b Less cost of goods sold	b				
	c Net income or (loss) from sales of inventory					
11a Miscellaneous Revenue	Business Code					
	b					
	c					
	d All other revenue					
	e Total. Add lines 11a-11d					
12 Total revenue. See Instructions		511,986	413,968	0	-61,511	

Part II Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv), 170(b)(1)(A)(vi), and 170(b)(1)(A)(ix)

(Complete only if you checked the box on line 5, 7, 8, or 9 of Part I or if the organization failed to qualify under Part III. If the organization fails to qualify under the tests listed below, please complete Part III.)

Section A. Public Support

Calendar year (or fiscal year beginning in) ▶	(a) 2014	(b) 2015	(c) 2016	(d) 2017	(e) 2018	(f) Total
1 Gifts, grants, contributions, and membership fees received (Do not include any "unusual grant.")						
2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
3 The value of services or facilities furnished by a governmental unit to the organization without charge						
4 Total. Add lines 1 through 3						
5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f)						
6 Public support. Subtract line 5 from line 4						

Section B. Total Support

Calendar year (or fiscal year beginning in) ▶	(a) 2014	(b) 2015	(c) 2016	(d) 2017	(e) 2018	(f) Total
7 Amounts from line 4						
8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources						
9 Net income from unrelated business activities, whether or not the business is regularly carried on						
10 Other income Do not include gain or loss from the sale of capital assets (Explain in Part VI.)						
11 Total support. Add lines 7 through 10						
12 Gross receipts from related activities, etc. (see instructions)					12	
13 First five years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here ▶ <input type="checkbox"/>						

Section C. Computation of Public Support Percentage

14 Public support percentage for 2018 (line 6, column (f) divided by line 11, column (f))	14	
15 Public support percentage for 2017 Schedule A, Part II, line 14	15	
16a 33 1/3% support test—2018. If the organization did not check the box on line 13, and line 14 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization ▶ <input type="checkbox"/>		
b 33 1/3% support test—2017. If the organization did not check a box on line 13 or 16a, and line 15 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization ▶ <input type="checkbox"/>		
17a 10%-facts-and-circumstances test—2018. If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part VI how the organization meets the "facts-and-circumstances" test The organization qualifies as a publicly supported organization ▶ <input type="checkbox"/>		
b 10%-facts-and-circumstances test—2017. If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part VI how the organization meets the "facts-and-circumstances" test The organization qualifies as a publicly supported organization ▶ <input type="checkbox"/>		
18 Private foundation. If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions ▶ <input type="checkbox"/>		

Part XI Reconciliation of Net Assets

Check if Schedule O contains a response or note to any line in this Part XI

1	Total revenue (must equal Part VIII, column (A), line 12)	1	511,986
2	Total expenses (must equal Part IX, column (A), line 25)	2	558,363
3	Revenue less expenses Subtract line 2 from line 1	3	-46,377
4	Net assets or fund balances at beginning of year (must equal Part X, line 33, column (A))	4	434,953
5	Net unrealized gains (losses) on investments	5	-4,481
6	Donated services and use of facilities	6	
7	Investment expenses	7	
8	Prior period adjustments	8	
9	Other changes in net assets or fund balances (explain in Schedule O)	9	0
10	Net assets or fund balances at end of year Combine lines 3 through 9 (must equal Part X, line 33, column (B))	10	384,095

Part XII Financial Statements and Reporting

Check if Schedule O contains a response or note to any line in this Part XII

		Yes	No
1	Accounting method used to prepare the Form 990 <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Accrual <input type="checkbox"/> Other _____ If the organization changed its method of accounting from a prior year or checked "Other," explain in Schedule O		
2a	Were the organization's financial statements compiled or reviewed by an independent accountant? If 'Yes,' check a box below to indicate whether the financial statements for the year were compiled or reviewed on a separate basis, consolidated basis, or both <input type="checkbox"/> Separate basis <input type="checkbox"/> Consolidated basis <input type="checkbox"/> Both consolidated and separate basis		No
b	Were the organization's financial statements audited by an independent accountant? If 'Yes,' check a box below to indicate whether the financial statements for the year were audited on a separate basis, consolidated basis, or both <input type="checkbox"/> Separate basis <input type="checkbox"/> Consolidated basis <input type="checkbox"/> Both consolidated and separate basis		No
c	If "Yes," to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant? If the organization changed either its oversight process or selection process during the tax year, explain in Schedule O		
3a	As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133?		No
b	If "Yes," did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why in Schedule O and describe any steps taken to undergo such audits		

Part IX Statement of Functional Expenses

Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must complete column (A)

Check if Schedule O contains a response or note to any line in this Part IX

Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII.	(A) Total expenses	(B) Program service expenses	(C) Management and general expenses	(D) Fundraising expenses
1 Grants and other assistance to domestic organizations and domestic governments See Part IV, line 21				
2 Grants and other assistance to domestic individuals See Part IV, line 22	12,729	12,729		
3 Grants and other assistance to foreign organizations, foreign governments, and foreign individuals See Part IV, line 15 and 16				
4 Benefits paid to or for members	98,171	98,171		
5 Compensation of current officers, directors, trustees, and key employees				
6 Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)				
7 Other salaries and wages	279,069	279,069		
8 Pension plan accruals and contributions (include section 401 (k) and 403(b) employer contributions)				
9 Other employee benefits				
10 Payroll taxes	57,600	57,600		
11 Fees for services (non-employees)				
a Management				
b Legal	70		70	
c Accounting	10,286		10,286	
d Lobbying				
e Professional fundraising services See Part IV, line 17				
f Investment management fees				
g Other (If line 11g amount exceeds 10% of line 25, column (A) amount, list line 11g expenses on Schedule O)				
12 Advertising and promotion				
13 Office expenses	3,009		3,009	
14 Information technology	1,040		1,040	
15 Royalties				
16 Occupancy				
17 Travel				
18 Payments of travel or entertainment expenses for any federal, state, or local public officials				
19 Conferences, conventions, and meetings				
20 Interest				
21 Payments to affiliates				
22 Depreciation, depletion, and amortization	4,700	4,700		
23 Insurance	30,074	30,074		
24 Other expenses Itemize expenses not covered above (List miscellaneous expenses in line 24e. If line 24e amount exceeds 10% of line 25, column (A) amount, list line 24e expenses on Schedule O.)				
a ALL OTHER EXPENSES	42,603	4,756	37,847	
b VEHICLE EXPENSE	6,899	6,899		
c MERCHANT CARD FEES	5,496		5,496	
d UTILITIES	4,244		4,244	
e All other expenses	2,373	2,373		
25 Total functional expenses. Add lines 1 through 24e	558,363	496,371	61,992	0
26 Joint costs. Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation. Check here <input type="checkbox"/> if following SOP 98-2 (ASC 958-720)				

Part X Balance Sheet

Check if Schedule O contains a response or note to any line in this Part IX

		(A) Beginning of year		(B) End of year
Assets	1 Cash—non-interest-bearing	274,536	1	230,181
	2 Savings and temporary cash investments	17,510	2	7,541
	3 Pledges and grants receivable, net		3	
	4 Accounts receivable, net		4	12,347
	5 Loans and other receivables from current and former officers, directors, trustees, key employees, and highest compensated employees Complete Part II of Schedule L		5	
	6 Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), persons described in section 4958(c)(3)(B), and contributing employers and sponsoring organizations of section 501(c)(9) voluntary employees' beneficiary organizations (see instructions) Complete Part II of Schedule L		6	
	7 Notes and loans receivable, net		7	
	8 Inventories for sale or use	17,974	8	4,617
	9 Prepaid expenses and deferred charges		9	
	10a Land, buildings, and equipment cost or other basis Complete Part VI of Schedule D	10a 23,500		
	b Less accumulated depreciation	10b 4,700	10c 0	18,800
	11 Investments—publicly traded securities		11	
	12 Investments—other securities See Part IV, line 11	128,343	12	135,410
	13 Investments—program-related See Part IV, line 11		13	
	14 Intangible assets		14	
	15 Other assets See Part IV, line 11		15	
16 Total assets. Add lines 1 through 15 (must equal line 34)	438,363	16	408,896	
Liabilities	17 Accounts payable and accrued expenses		17	6,792
	18 Grants payable		18	
	19 Deferred revenue		19	
	20 Tax-exempt bond liabilities		20	
	21 Escrow or custodial account liability Complete Part IV of Schedule D		21	
	22 Loans and other payables to current and former officers, directors, trustees, key employees, highest compensated employees, and disqualified persons Complete Part II of Schedule L		22	
	23 Secured mortgages and notes payable to unrelated third parties		23	
	24 Unsecured notes and loans payable to unrelated third parties		24	
	25 Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17 - 24) Complete Part X of Schedule D	3,410	25	18,009
	26 Total liabilities. Add lines 17 through 25	3,410	26	24,801
Net Assets or Fund Balances	Organizations that follow SFAS 117 (ASC 958), check here <input type="checkbox"/> and complete lines 27 through 29, and lines 33 and 34.			
	27 Unrestricted net assets		27	
	28 Temporarily restricted net assets		28	
	29 Permanently restricted net assets		29	
	Organizations that do not follow SFAS 117 (ASC 958), check here <input checked="" type="checkbox"/> and complete lines 30 through 34.			
	30 Capital stock or trust principal, or current funds	0	30	0
	31 Paid-in or capital surplus, or land, building or equipment fund	0	31	0
	32 Retained earnings, endowment, accumulated income, or other funds	434,953	32	384,095
33 Total net assets or fund balances	434,953	33	384,095	
34 Total liabilities and net assets/fund balances	438,363	34	408,896	

EXHIBIT "B"

MINUTES OF A SPECIAL MEETING OF THE
BOARD OF TRUSTEES OF THE INCLINE VILLAGE
GENERAL IMPROVEMENT DISTRICT

June 29, 1976

A special meeting of the Board of Trustees of the Incline Village General Improvement District was called to order at the meeting place of the District at 893 Southwood Boulevard, Incline Village, Nevada at 7:00 P.M. on Tuesday, June 29, 1976.

ROLL CALL:

On roll call, present were Trustees Howard S. Smith, A. H. Johnston, Jr., Dominic Spallone, Edward S. Jensen and Gregory Engelhard. Also present were District General Manager Kermit McMillin, Recreation Supervisor James McCoy, District General Counsel Lester H. Berkson, District Bond Counsel Andrew C. Hall, and Mr. Roger Wikner of Miller and Schroeder Municipals, Inc.

Chairman Smith announced the agenda for the evening which included three items. The first item to be discussed was the method of financing the golf course purchase, the second would be a determination on the ski area option, and the third item would be a determination of the recreation charge increase.

METHOD OF FINANCING GOLF COURSE PURCHASE:

Chairman Smith outlined the alternatives available to the Trustees for the financing of the golf course purchase. He noted that the Board had completed short-term financing proceedings and had been authorized by the Department of Taxation of the State of Nevada to enter into a short-term financing of the golf courses. The District has also received a commitment from Nevada National Bank to loan the District \$750,000 for a period not to exceed five years at an interest rate of 6%. This method of financing would require the District to advance from the surpluses of the Beach Recreation Revenue Fund \$450,000 and would, in a typical year, reflect a very slim margin of resources versus expenditures.

The second alternative available to the Board would be an advance refunding of the 1968 Recreation Revenue Bonds and the issuance of additional bonds to cover the purchase of the golf courses and bowling alley and the further provision of providing \$150,000 for water line replacement. This method of financing could be spread over twenty-three years at an interest rate not to exceed 9% and would create no problems with cash flow.

The second alternative was approved for the method of financing of the golf course and bowling alley purchase on motion by Trustee Jensen, seconded by Trustee Johnston and unanimously carried.

SKI AREA OPTION:

Chairman Smith outlined the options available to the Board on the purchase of the Ski Incline properties. Japan Golf Promotion (U.S.A.), Inc. had offered this option to the



Board in May and had extended that option when there was a protest to the Board's Judicial Confirmation proceedings. The option would include the ski area properties, having an appraised valuation of \$1,480,000, and the 2.14 acre parcel adjacent to the driving range at the Championship Golf Course, which has an appraised valuation of \$150,000. The option price for these properties was \$1,500,000, or some \$115,000 less than the appraised valuation established by the Washoe County Assessor.

Chairman Smith noted that there were considerable repairs to be made to the ski area before the District could open it and that these repairs would have to be added to the amount of the purchase price in determining a bonding amount for that option. He noted that some \$355,000 worth of repairs and replacement would be necessary immediately, with additional expenditures over a period of time of \$195,000 in maintenance items and \$270,000 in facilities expansion. He further noted that the ski area has been a profitable enterprise; however, he felt that if there was adequate maintenance of the area the profits shown by the previous operators would be cut by some \$50,000 a year.

Chairman Smith also noted that the ski area is of prime economic value to the area and that continued lack of proper maintenance would be devastating to the community. The opportunity to purchase the ski area is available to the community at a price not exceeding the appraised value and it was a high priority of those who responded to the recent recreation survey.

The District's Bond Counsel has advised the Board that the District could sell bonds to sufficiently cover the acquisition and the initial cost of rehabilitation, providing the Board was willing to increase the annual Recreation Charge. The Bond Counsel has indicated that a minimum increase necessary would be a \$25 increase to those presently paying \$50 a year. He has recommended that the Board provide some flexibility by increasing the Recreation Charge at least by \$35.

After his remarks regarding the ski area option, Chairman Smith asked if there was any public input to the Board on its deliberations over the ski area option.

A Mr. Lewis, who introduced himself as a property owner within the District, had several comments regarding the Board's actions to date in acquiring other recreation properties and noted that there were fifteen ski areas within the Tahoe Basin which were generally in a better location than Ski Incline. He felt that even if Ski Incline were not to continue to operate, that no real crisis would occur because of the other areas that were available. He further noted that local government wages have increased 865% over the past ten years and these have increased the pension liabilities of these local governments to the point that they were bankrupting several local governments.

Mr. Lewis noted that the purchase of the ski area by the District would remove a considerable assessed valuation from the tax rolls and would, as a result of that removal, increase the taxes collected from other property owners. He felt that the Board was, in essence, bailing out a private corporation because of the low income from their investment and asked if it were wise for local government to invest in a nonproductive venture. He asked if the District had a plan for management or promotion. He asked if the District had looked into the possibilities of leasing the property or of a general obligation bond issue.

The Board answered most of these questions to the satisfaction of most of the people in the audience.

Mr. Arnold Olitt, who identified himself as a property owner, also responded to Mr. Lewis' questions, noting that the community is not particularly interested in the other fourteen ski areas in the Tahoe Basin but is quite concerned over the Ski Incline property. He felt that there was a real need for the community to acquire the area and to properly maintain it. He felt that there was a crisis because of the lack of maintenance to the area in the past. He noted that the acquisition of the area by the District would afford year-round employment for the golf course personnel. He felt that the maintenance of the area would continue at a high level because of District operation, regardless of the profits generated from the operation. He also expressed the opinion that property values of every property owner in the District would increase annually by at least the amount that the Board would ask as an increase in the Recreation Charge.

Mr. Russell Graff, who also identified himself as a property owner and as a representative of the Incline Ski Club, urged the Board to proceed with the acquisition of the ski area. He noted that Ski Incline was unique when compared with other areas in the Tahoe Basin because of its snow making capability.

Mr. Charles Zanay, who also introduced himself as a property owner, supported the acquisition of the ski area and asked that the Board proceed with the acquisition.

Four other persons in attendance at the meeting asked that the Board proceed with the acquisition of the ski area, with the only opposing view other than that of Mr. Lewis being expressed by Mr. Jonny Johnson, who suggested that it was a socialistic move and asked where the purchases by the District were to end.

There being no further comments from the audience, Chairman Smith asked that a motion by made on a determination of the option to purchase the ski area. Trustee Jensen moved that the Board exercise its option to purchase the ski area and the 2.14 acre parcel for the option price of \$1,500,000. The motion was seconded by Trustee Engelhard and was unanimously carried.

RECREATION CHARGE INCREASE:

Chairman Smith noted that in the recreation poll conducted by the Board other recreation facilities were indicated as high priority items and most of these would not be revenue producing facilities and would, therefore, be a burden on the tax roll or on the recreation charge. Inasmuch as there had been an indication from the Bond Counsel that a minimum of \$25 or \$35 increase in the Recreation Charge be levied for the acquisition of Ski Incline, it was felt that something in excess of these amounts would be necessary if the Board were to proceed with the acquisition and/or construction of these additional facilities.

As a result of this deliberation the Board has examined the results of an increase of doubling the amount of the annual Recreation Charge and have determined that sufficient revenues would result from this increase to fund the expanded

recreation programs which the community desires. On motion by Trustee Engelhard, seconded by Trustee Spallone and unanimously carried, it was determined to increase the Recreation Charge by doubling the amount presently assessed, with the exception of the General Forest zoned properties which would be exempt from this increase.

ADJOURNMENT:

There being no further business to come before the Board at this time the meeting was adjourned.


Secretary

EXHIBIT "C"

I.2. AMENDMENT TO EASEMENT WITH SCHNEIDER RANCH FOR IVGID'S WASTEWATER EXPORT LINE

Trustee Callicrate moved to approve an amendment to the existing easement agreement between the owners of the Schneider Ranch and IVGID and authorize the Board Chairman to execute the "Amendment to Easement" document. The motion was seconded by Trustee Brosten and unanimously carried by the four Trustees present.

J.1 APPROVAL OF LEASE WITH PARASOL FOUNDATION FOR LEASE OF IVGID LAND FOR THE DONALD W. REYNOLDS NON-PROFIT COMMUNITY CENTER

Director of Community Services Doug Doolittle reported that the draft lease that is before the Board at this meeting is the culmination of many hours of work by the staffs and attorneys of Parasol Foundation and IVGID, and covers just about every item that the Board has raised with regard to the lease. Mr. Doolittle stated that Elizabeth Croom, the Executive Director of the Parasol Foundation is present to answer any questions.

Mr. Doolittle stated that the exhibits are not included with the lease at this time. Those exhibits are the legal description of the lease parcel, the Lessee's Sublessee Selection Criteria, and the business plan. He reported that the legal description of the parcel is being prepared, IVGID has received a draft of the Sublessee Selection Criteria, and the Business Plan has not been completed.

Trustee Krolick asked when they could expect to see the exhibits. Ms. Croom responded that with regard to Exhibit C, the Business Plan, pursuant to the terms of the lease it should be completed before any site work is begun. She stated that if the Business Plan does not meet with IVGID's approval when it is submitted, it would trigger a default under the lease, and the Board would be protected by executing the lease now and receiving that exhibit later.

Trustee Callicrate stated that he would feel more comfortable approving the lease at this meeting, without the exhibits, if, in the event the Board has concerns about the Business Plan that is presented, there be a public statement that, in that event, the Parasol Foundation would not go into a litigatory situation against the District. Ms. Croom responded that she does not envision this as an impediment to the smooth execution of the lease; however, if it does, she is virtually positive that IVGID will not be subjected to litigation.

Trustee Brosten asked if this could be put in writing as a hold harmless clause, and Ms. Croom responded that the lease does include a hold harmless clause. She noted that it also includes a provision for arbitration.

Trustee Brosten confirmed that the final lease and breaking of ground are still subject to signing off on all the conditions previously worked on.

In response to questions from Trustee Brosten about finances, Ms. Croom stated that these concerns could be addressed during the long-range plan, and she pointed out that the lease requires that the premises be free and clear of liens and that any lien would trigger a default.

Trustee Callicrate moved to approve the lease as presented, and authorize the Board Chairman and Secretary to execute the lease, with the understanding that the necessary exhibits are forthcoming. The motion was seconded by Trustee Brosten.



Edwina Wiersma, Fiduciary Foundation, stated that if anyone had attended any of their meetings, they would have found out how much the Parasol Foundation is going to do for the community.

Chairman Marson called for a vote on the motion and it was unanimously carried by the four Trustees present.

J.2 ADOPTION OF STRATEGIC PLAN

General Manager Danielson thanked the Board and public for their patience and support in the development of the Strategic Plan document, which is being presented to the Board at this time for their recommendations.

Trustee Callicrate stated that he had looked through the preliminary document as it was being finalized. He stated that this is a great working document and all the existing plans will be integrated with the Strategic Plan. Trustee Callicrate commended the people who were present at the January 9, 1999, meeting. He noted that copies of the document will be available for the public to check out and review and will be made available to everyone who participated in the meeting. Trustee Callicrate thanked General Manager Danielson and his staff for putting the document together.

Trustee Krolick stated that it is an outstanding document, and she thanked the community and staff for their participation.

Chairman Marson stated that the Strategic Plan is an excellent document and will serve as a guideline for this and future Boards.

Trustee Callicrate moved to adopt the Strategic Plan as presented. The motion was seconded by Trustee Krolick and unanimously carried by the four Trustees present.

K. PUBLIC COMMENTS

There were no public comments at this time.

L. ADJOURNMENT

The meeting was adjourned at p.m.

/s/ Gail Krolick
Secretary