



Skyland General Improvement District Board of Trustees

Meeting Minutes, January 27, 2022

Larry Sidney, President
Richard Nice, Treasurer

Jon Herwig, Vice-President
Cindy Richter, Secretary

Dana Engelkirk, Trustee

Notice of Public Meeting Thursday, January 27, 2022, 4:00pm

*This meeting will be held electronically using **Zoom**. Any member of the public is welcome to join the meeting using a computer, tablet or smartphone by going to <https://us06web.zoom.us/j/83456426564?pwd=MDdoeTA4aGNEOFVvczVBQ2VQY05Ddz09>*

Alternatively, you may dial in via phone at +1 929-205-6099

Meeting ID: 834 5642 6564 Passcode: 444770

- Pursuant to Section #241 of the NRS and laws of Nevada, the Skyland General Improvement District notifies all parties that the Board of Trustees will conduct business of the District at the above time and place. Items may not be heard in the order they are listed, items may be removed or delayed at any time, and two or more items may be combined for consideration.

- 4:00pm President Sidney called the meeting to order. Audio recording started.

- Roll Call – Quorum established, board members present are Sidney, Herwig, Nice, Engelkirk Absent: Richter

PUBLIC FORUM: Any person wishing to address the Board on items of interest not listed on the agenda may do so at this time. It is requested comments be limited to three minutes since no action may be taken by the Board on items addressed under Public Forum. Public comment on agenda items will be invited at the time action items are considered, before action is taken.

- Ben Johnson- 1090 Deer Cliff Drive- wants to thank everyone for serving. Vacation Rentals, county held a VHR advisory board meeting yesterday. He was one of the original members of the advisory council. He said he got on the board because his wife was bitten by a dog that was owned by a vacation renter. He wants to make sure we balance things. He was struck by the meeting that the county was asking Skyland residents what their opinion is regarding VHR's in our neighborhood. What is the right of property owners vs. the residents. He asks that we coordinate with the county and possibly present an opinion from the neighborhood.

-President Sidney- commented that based on the VHR meeting and the neighborhood's response to the meeting it does sound like we should have on our agenda a discussion item and possible reconstitution of our VHR committee that we have had in the past. He will look to see if any regulations were drawn up

President Sidney asking for further public comments. Hearing none.

ACTION ITEMS:

A. Discussion and possible approval of December 1, 2021 meeting minutes.

Meeting Minutes- any comments or questions from the board? None heard.

Motion made by Dana Engelkirk to accept minutes from December 1 2021 meeting. Jon Herwig seconded it. Passed 4-0

B. Discussion and possible approval of by-law changes.

By-Law changes proposed.

-President Sidney states we have been talking about the need to update our bylaws. Some changes were made at past meetings and votes but have not been written into the by-laws. Some changes are new.

-VP Herwig- we have continued to refine the revision of the bylaws. The last meeting he showed some proposed by-law changes and now we have some additional changes.

Article 5 Section 1- purchasing of contracts. The NRS regulations require us to contract for a bids from 50,000 to 100,000 requires 2 bids, proposals for above \$100,000 requires advertising.

The previous NRS regulations had required 2 bids when the proposal was from \$10,000 to \$25,000 . Advertising was required for above \$25,000. The new NRS requirements have changed the dollar amount and we changed the by-laws to reflect the NRS changes.

We can now do a sole source award of a contract below \$50,000 with a majority vote of the trustees.

We also made the change to the committees. President Sidney had pointed out the street lighting, sewer committee name was long so it was changed to the infrastructure committee.

We had our Legal Council at Minden Lawyers take a look at the by-laws and he had quite a few comments. Mostly editorial comments and mostly to get the language to conform with the current NRS codes that cover GID's. There are quite a few of them but most are minor in nature. The attorney agreed with all of the changes that Jon has proposed. We now have a set of by-laws that have been reviewed by our legal council and VP Herwig feels they are ready for potential approval by the trustees.

-President Sidney asked Jon if he should share his screen that highlights the dollar changes.

-VP Herwig would like to hear from the other trustees.

-Richard Nice would like to see the documents as he is not on zoom he called in. He would like to come back to it. Dana Engelkirk would also like to see a written copy before voting.

-President Sidney stated that they just received the attorney comments yesterday.

-VP Herwig states that the USDA is very interesting in getting the updated by-laws with the language they require in order to approve our loan application.

-President Sidney said we can schedule an early February meeting to take action and we won't need a meeting at the end of February.

-President Sidney asked if we need to just approve the conflict of interest clause.

-VP Herwig states the USDA will only review a completely approved by-laws. He feels we need to get a draft copy to all trustees so they can review prior to the next meeting,

-President Sidney states the public should also be able to review.

NO action taken today regarding the by-laws. Open for public comment

-RJ Claussen 1035 Golden Mantle- his is one of the homes that his property runs along Tahoe Drive. Changes proposed to Article 7 under assets, one of the assets is listed as the fence and the pillars along Tahoe Drive. He is curious if the attorney reviewed the changes. He is also interested in the GID's position on maintaining that asset. And their obligation.

-VP Herwig states that the attorney recommended deleting those comments regarding the fence and posts along Tahoe Drive from the by-laws as the meaning was too vague to maintain it within the by-laws. VP Herwig states he does not feel that this changes the responsibility of the GID to maintain it at a future date and we should bring it to the community.

President Sidney asked for further comments on by-law changes. No comments.

Action Items

A. Two Board Trustee Positions

-President Sidney wants to announce that we are coming up this fall on an election in November. 2 of the 5 board positions will be coming up for election. In 2020 Sidney, Herwig, and Engelkirk were elected for 4 years. Nice and Richter's position are up for election. He recommends anyone interested in serving on the board they can apply with the county.

-VP Herwig says the process to be considered you need to register for the election with the county clerk between March 7th and March 18th. That can be done at the courthouse in Minden or at the satellite office at Kahle Drive. There may be a primary election if there are enough people interested. If there are not enough people for a primary it will go to vote in November. All positions are for 4 years. Nice and Richter's are only 2 years because people left in mid-term. If elected in 2022 it will be for a 4 year term.

B. Update on Fence

-President Sidney states that the USDA has hired a new person that we are dealing with that is making us jump through a lot of hoops. We had sent in resumes and 2 were rejected. They have been updated. John is jumping through a lot of hoops.

-VP Herwig says that the person we have been working with retired last year. The new loan officer doesn't have the same powers as the last person. Cindy has been doing a great job working with commercial lenders to get refusals. We still need to get the By-Laws and Dana's resume to the USDA for approval.

All permit packages have been sent to TRPA, Tahoe Douglas Fire Protection District, Douglas County, NDOT. All review fees are in and the process is under way. We are anticipating it to take a couple of months to get reviews done and comments back. Will reach out the second week of February to see where we are in the process.

We are also reaching out to contractors to see if they are interested. Jon is asking the community that if they know of a contractor who may be interested in doing the project to please email Jon their contact information.

VP Herwig is revising the project manual which will go to all contractors with all instructions regarding the project. We should be ready to go to procurement as soon as the permitting process is complete. He will also review any comments from the permitting entities.

-President Sidney asked for comments from the board or the community on the project. No comment.

C. Fence Lighting and Storm Damage

-President Sidney states that we already had a bad lighting situation and the storms in December created more issues. We are working with Blue Sky Electric to try and get a few light fixtures up and running. Mark Hoffman has volunteered to work with the electrical company. The electrician has asked for snow removal to be removed from the entrance and for access to the electrical.

We need to discuss if we should file an insurance claim to perhaps help with some of the damage.

-VP Herwig is asking if someone took the light that was sitting on top of the snow bank. It could be used for a temporary fix of the lighting. He will ask JB if any of his workers picked it up.

-President Sidney thinks it would be good if we could get a couple on lights working at the entrance for safety reasons.

-No further items on the agenda. President Sidney asked for any other issues from the community.

-VP Herwig says some people have commented on potholes in the community. Jon said he will take a look around the neighborhood.

-President Sidney says there are some potholes that have come up this winter and also a couple have been enlarged. Perhaps we need a larger project this summer regarding the roads not near the fence. It will be placed on the next agenda.

-Treasurer Nice stated that at Ray Way and Deer Cliff there is a big ice pack that needs to be addressed.

-Sidney will reach out to JB Landscaping to see if there is anything they can do about the ice.

-Dana Engelkirk agrees with Larry that the residents on Myron do appreciate the lights being on along the fence. Especially at the entrance.

-1074 Skyland, Andy-regarding the lights. He doesn't think we should throw a lot of money at the lights if we are tearing it down this summer.

-President Sidney says we need to decide how much money we would be willing to spend to get a few lights up and running. The electrical being covered by snow is also creating an issue regarding access.

-Tim Lim 136 Ponderosa- asking if ice in the neighborhood could be addressed around the entire neighborhood.

-1027 Golden Mantle- Janine Nyre- we have experienced a lot of beach erosion from the last storms and is asking when we will be discussing the issue. Do we need TRPA approval to bring in more sand?

- President Sidney states we will have it on the March agenda. All trustees should look at the beach prior to the March meeting to assess the damage.

Next Meeting is scheduled for February 10, 2022 via Zoom. We should continue to monitor COVID and perhaps we could do our March meeting in person.

Meeting adjourned.