



Draft

# Skyland General Improvement District Board of Trustees Notice of Public Meeting & Agenda

Friday, March 15, 2024 @ 3:00pm PST  
Zephyr Cove Public Library, 233 Warrior Way, Zephyr Cove, NV  
Zoom Meeting ID: 975 6502 5840; Passcode: 204117

*This meeting will be via Zoom only. Any member of the public is welcome to join and participate.*

- 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.
- Any supporting material for the meeting may be obtained upon request by contacting Scott Sullivan at [sullivanskylandgid@gmail.com](mailto:sullivanskylandgid@gmail.com) or 206-601-4978

## 1. Call to Order – Roll Call – Establish Quorum

Scott Sullivan - President  
Dana Englekirk - Vice President  
Karl Ney - Treasurer  
Nancy Beaulieu - Trustee  
Janine Nyre – Secretary  
Quorum established, meeting called to order at 3:04pm  
Residents attending: 7 On-line: 5 Total: 12

Note: item 3B was covered before opening Public Forum.

## 2. PUBLIC FORUM

Public Comment:

David Perez 1089 Deercliff: When do we talk about potholes? (Advised that is usually under committee reports)

Nancy Beaulieu, 1036 Golden Mantle: Mentioned that the GID is not responsible for packages left in front of people's houses.

## 3. FOR DISCUSSION AND POSSIBLE ACTION

- Approve minutes for 2024-02-16 meeting.
  - Public Comment – None
  - Trustee Comment – None Trustee Nyre moved to approve the 2/16/2024 Minutes with attachments, Trustee Beaulieu seconded the motion. Approved unanimously.
- Public Comment period re-alignment
  - In the past, we have taken public comment on each agenda item (even discussion items). Going forward we are using the same process (fully compliant with the OML) used by the Douglas County BOCC and NDOT Board of Directors which will allow for public comment at the beginning of the meeting (reserved for comments not related to agenda items), at the introduction of any topic on which the board could act (agenda section 3) and at the end of the meeting on any topic. Items in section 4 and 5 will not be open to separate public comment periods.
  - Public Comment: none
  - Trustee Comment: none
- Records Retention Requirements
  - In researching the GID records retention requirements, there are stringent requirements that require the GID to improve the hand-off between former and current board members to ensure that we are compliant. To better insure compliance, we will be digitizing more of the documents and uploading to the Google Drive.
  - Public Comment
    - o Michelle Kirby 136 Ponderosa: Suggested that we hire a professional accountant to help organize the files

- Tim Lim 136 Ponderosa wanted to know if we were the first board to address this issue. (SkylandGID.org has minutes for all meetings, but has not consistently used for other records)
  - Rick Lorio 1055 Skyland wants to make sure that the documents retention and handoff is understood to be mandatory. (2<sup>nd</sup> comment: He thinks we need a plan)
  - Larry Lewin 119 Ponderosa Concerned about the past president. Believes that we should hire someone to organize the information so it is publicly available.
  - Vickie Bergstrom 194 Carson Dr How far back do the files need to go?
  - Trustee Discussion: Digitization is for ease of use, not for retention. Documents will be retained per requirement. Action: Trustee Nyre to get quote.
- D. Fence Completion (Committee report out and possible actions)
- Rick Lorio report out: Incomplete files, came up with some high level observations and recommendations
    - The October 7 agreement may have superseded the original contract. Recommendation: Engage with current GID Counsel to review contract/agreement and advise. Additionally, have counsel review Impact's license to see if we have recourse/leverage through the Nevada General Contractor's Board.
    - Given the difficulty finding files with the potential that some are still missing, recommend that a letter be sent to all former GID members to ask for any additional information that they have in their possession related to GID matters. The committee drafted a letter and is recommending that we send.
    - Potential gaps have been identified in the Oct 7 Agreement that need to be addressed, for instance, the agreement says that salvaged wood may be used but it doesn't specify the criteria for acceptable salvaged wood and who will pay if salvaged wood is not useable. It is important that we establish a negotiation position to ensure the fence is built to the specifications of the original contract. Recommendation: Ask Counsel to review and provide recommendations.
    - Committee recommends that no additional money should be authorized for the fence. If additional funds are needed, committee would like to reconvene to review.
    - Recommendation that we try to get USDA more actively involved in helping drive an acceptable solution for the fence completion. Need a more formal letter to USDA.
    - Observation: This project lacked an engaged project manager. The October 7 agreement appears to indicate that Impact will fund the project manager efforts if they did not complete the effort by November. Action: engage RO Anderson or Impact to create punch list/checklist of items to be reviewed through the completion of the fence. Additionally, determine who pays for the effort. (Need Counsel advice)
    - Recommend that the CPA make all financial records available and explain the funds flow for the fence. (Note, all milestone information has been uploaded to the google drive.
  - Public Comment:
    - Vicky Bergstrom 194 Carson: Thank you for this effort
    - Larry Lewin 119 Ponderosa: Likes the new approach, important that we take this one step at a time. Will have his arborist look at the trees after the fence is complete. On the current contract, we need to just try to get this done. Believes it is counterproductive to get the lawyers to engage.
    - Michelle Kirby 136 Ponderosa: Wants to make sure we are keeping all aspects of the contract (elec, landscaping, etc) in mind. Also believes we may want to have a lawyer present every time we meet with Impact.
    - Rick Lorio 1055: Suggested that we meet with RO Anderson before we meet with Impact again. (He is disappointed with the documentation provided and work completed by RO Anderson and will provide some additional recommendations.)
    - Tim Lim 136 Ponderosa: Was wondering if we should have our lawyer in the meetings with RO Anderson. (That would set a precedent and they would bring their lawyer)
  - Trustee Comment: Trustee Beaulieu wanted to express appreciation for the work of the committee. Trustee Nyre asked if the committee, after reviewing the newly found data could identify data still missing. Trustee Englekirk thanked the committee for their work. Trustee Sullivan is very

appreciative of the great contributions of the committee. Trustee Ney: Please clarify what the Oct 7 Agreement is? (Clarified as the fence repair/rebuild agreement). He is concerned about the varying heights of the fence posts and the rails that are not consistent. It looks like RO Anderson allowed them to build it wrong. He is also concerned with RO Anderson's billing it was a surprisingly high amount. Trustee Nyre: concern that in the absence of a breach of contract letter, we may have inadvertently relieved the contractor of certain requirements. Trustee Sullivan believes that that the intent of the salvage wood was clear when the agreement was signed and the contractor has already purchased new posts and rails at his expense. He believes the pickets on the ground are not going to be reused, although it is a good idea to get counsel's advice on this issue.

- Motion 1: Authorize Trustee Sullivan to engage with our counsel to review the fence contracts, ask for recommendations and additionally to get clarification on salvage wood and the fence post height. (Trustee Nyre), Second (Trustee Beaulieu) Approved Unanimously.
- Motion 2: Authorize letter to all former Trustees (2019 to current) to request any materials relevant to the Skyland GID Board to be turned over and to create a "standard separation agreement" for trustees as they depart their posts. (Trustee Nyre) Seconded: (Trustee Englekirk) Approved Unanimously
- Motion 3: Authorize Trustee Sullivan to write a letter to the USDA advising them of the status of the fence and asking for recommendations. (Trustee Nyre), second (Trustee Beaulieu). Approved unanimously.
- Action (No Motion needed) : Put the financial audit results up on the Google drive.
- Action (No Motion needed) : Put together Project management checklist (Impact should pay for it)

#### 4. DISCUSSION ITEMS

A. Treasurer's report (discussion only).

Checking: \$100,386, USDA Holding Acct \$5227 (\$343/mo), USDA Acct \$51944

B. 2025 Budget status and submission process

Note: budget needs to be submitted by 4/15

Sign Printing (one time fee)	12,000
Beach support/4th of July	15,000
Sanihut bathroom May-Sept 5	4,000
Snow Removal Budgeting	80,000
Storm Drain Cleaning	15,000
Road Pothole work	200,000
Fence Upkeep	25,000
Legal	10,000
Insurance POOL Pack	9,500

Need to look at rescheduling the May meeting to approve the budget in May (public meeting must be between May 20 and 31<sup>st</sup>, we will need to move the May meeting)

C. Progress on staffing committees – Need people to Sign up

D. Beach Clean up (Everyone Welcome!) 2024-05-18

E. Neighborhood Roster Update – Will be updating and asking for updates. Trustee Englekirk indicated that she can help as well.

#### 5. COMMITTEE REPORTS

A. Entrance Committee – developed the goals and objectives of the committee, put together measurable goals for the committee

B. Hwy 50 & Bike Path (Tahoe East Shore Alliance updates emails

C. Beach Committee – please sign up

D. Snow Removal and Landscaping – JP is doing a good job, no complaints have been made.

E. Storm Drains and Roads – Carl to reach out to Janet Murphy at TDD about the invoice

## 6. FUTURE MEETING SCHEDULE

April 2024 - April 19, 3pm

May 2024 - May 17, 3pm

*Don't miss an update! Join our e-mailing list at [skylandgid.org](http://skylandgid.org)*

## 7. CLOSING PUBLIC COMMENT

Public Comment: none

## 8. ADJOURNMENT

Move to Adjourn: Trustee Sullivan      Second: Trustee Englekirk      Approved Unanimously

**Agendas posted at Skyland Entrance, Skyland Beach, Myron Court, and on the GID website (<http://www.skylandgid.org/>) three days prior to the meeting by 9:00 AM by Scott Sullivan.**

## NON-DISCRIMINATION STATEMENT

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1. mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410;
2. fax: (202) 690-7442; or
3. email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

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