

Minutes
Indian Hills General Improvement District
District Office
3394 James Lee Park Rd. #A
Carson City, NV 89705
Special Meeting
October 13, 2008
6:00 P.M.

Trustees Present: Chairman Laura Lau, Vice Chairwoman Denise Pierini, Secretary/Treasurer William Eisele, Trustee Brian Patrick, Trustee Kathryn Clark-Ross

Trustees Absent: (none)

Staff Present: Interim General Manager Art Baer, District Analyst Human Resources & Community Sandi Eisele, Accountant Linda Stewart, Water Operator II Josh Joyner, Administrative Assistant Karen Ziemer

Others Present: Attorney Scott Brook, Ron Kruse, Dianne Humble, Penni Eisele, Ron Lynch, Jim Murphy, Skip & Shelin Allen, Steve Weaver, Bill Moriarty, James Taylor

1. **Call to Order:** Chairman Lau called the meeting to order at 6:02 P.M.
2. **Pledge of Allegiance:** Led by Chairman Lau
3. **Approval of Agenda:** Chairman Lau commented that Items 9 and 10 will be rescheduled to another meeting due to legal noticing requirements.

Trustee Patrick motioned to approve the Agenda as amended with Items 9 and 10 removed. Trustee Clark-Ross seconded. Motion carried unanimously.

4. **Public Interest Comment:** Diane Humble commented about an applicant for General Manager that she believes has no governmental entity experience. Diane commented on the distribution of a confidential document by an employee. Water Operator II, Josh Joyner commented that he has been an employee of the District since April of 2002 and had no serious problems working for the District until July 29, 2008 when Art Baer was voted in as Interim General Manager. Josh commented on several incidents involving himself and Art Baer and incidents contained in a Douglas County Sheriff Report dated 8/22/08 that was distributed to attendees. (Exhibit A)
5. **Discussion and possible action regarding interviewing candidates for the IHGID General Manager position and other related matters:** Chairman Lau commented that there is one candidate to be interviewed tonight and there was discussion previously about looking into other candidates to interview. Trustee Brian Patrick commented that at the last meeting he brought up the fact that Mr. Moriarty, who is a resident of the District, had been passed over by the selection Board. After looking at Mr. Moriarty's application, Trustee Patrick felt his experience was more than adequate as far as a manager goes. Brian commented that the published job opening notices showed an Indian Hills resident would be preferred and Mr. Moriarty should be given a chance. Trustee Patrick asked the Board to also interview Mr. Moriarty this evening. Brian stated he works at the same company, in the same area as Mr. Moriarty, but is not his superior, and sees him very infrequently. Vice Chairwoman Pierini stated she is opposed to this idea as she had previously been on a committee for selection of

applicants that included Mr. Moriarty's application. At that time, all applicants were considered equally. Chairman Lau commented that Mr. Moriarty meets the minimum qualifications as described in the job announcement and she sees no harm in interviewing him. Secretary/Treasurer Eisele disclosed that Sandi Eisele is his Daughter in Law. He commented that in the first General Manager Job search, Sandi Eisele and Nancy Fredrickson went over the applications before they were given to Vice Chairwoman Pierini and himself. The selected applications were given to them in an envelope that was taken to Gardnerville Ranchos GID and reviewed by Bob Spellberg of GRID, Vice Chairwoman Pierini and Secretary/Treasurer Eisele. The applications were compared to the recommendations given to them by the Board, plus the newspaper clipping of the General Manager Job Description. Mr. Moriarty did not meet the qualifications necessary for the job at that time. During the second job search, Secretary/Treasurer Eisele had nothing to do with the applications, although Mr. Moriarty was not selected. Secretary/Treasurer Eisele stated he would abstain from any vote on this matter tonight. Trustee Clark-Ross asked Attorney Scott Brooke if at the last meeting he thought it alright to interview Mr. Moriarty. Scott Brooke replied that if the Board set up a procedure in order to give recommendations to the Board and the Board has information that makes it decide to interview other applicants, the Board has that discretion to do so. The Board could make a motion tonight to interview Mr. Moriarty with the reasoning that his resume and application met the criteria the Board has set. Being a resident was part of the consideration, but an applicant would need to meet the minimum criteria advertised for. If an applicant is added it is because during the selection process he was improperly excluded.

Public Comment: Bill Moriarty commented on the second interview process where neither he nor Mr. Taylor passed the screening process for selection. Bill commented that they should both be treated equally as far as having an interview. Steve Weaver, former board member commented that the last thing the Board needs to do is hire someone because they are living in the District. He suggested the Board hire someone who knows internal controls and how to implement them as that is a problem in the District now.

Trustee Patrick motioned that the Board consider Mr. Moriarty's application and interview him. Chairman Lau seconded. Motion carried 3-1, Ayes: Chairman Lau, Trustee Patrick, Trustee Clark-Ross; Nay: Vice Chairwoman Pierini; Abstained: Secretary/Treasurer Eisele

6. **Discussion and possible action regarding the procedure to follow during the General Manager interviews:** Chairman Lau commented that the process and interview questions were decided upon at the last Board interview meeting. No action was taken.
7. **Interviews of Candidates for the District's General Manager Position:** Candidate James Taylor was interviewed while Candidate Bill Moriarty left the Board Room. James distributed a letter to the Board of Trustees entitled "Jim Taylor preview" (Exhibit B). Board members shared in asking the interview questions except for Secretary/Treasurer Eisele who abstained from asking questions and voting.

7:25 Recess

7:35 Reconvened

Candidate Bill Moriarty was interviewed by the Board of Trustees. One copy of his resume and application was given to the public for viewing.

8. Discussion and possible action regarding candidates interviewed for the General Manager Position, possible selection, and other related matters:

Secretary/Treasurer Eisele stated he would like to postpone this decision for a while. He has a hearing coming up shortly that will let him know if he is able to vote on a General Manager. He asked the Board to do reference checks now and wait for a couple of weeks to vote.

Public Comment: Pat Murphy commented that this process has been going on long enough and that the Board should vote for someone tonight for the General Manager position. She questioned why the public should be affected with a personal issue. Steve Weaver commented that he agreed with the motion made as it is the most important decision the Board will make this year. Steve commented that the reference checks may help weed out candidates and allow the Board to get all information before they make a decision. Ron Lynch asked Chairman Lau if the IHGID Policy she referred to stated that you only check the background of your number one choice. Chairman Lau responded by reading the IHGID Policy manual out loud. Ron Lynch asked Attorney Scott Brook if the Board would be going against their own policy if they did reference checks on all four applicants. Scott Brook replied that the policy does not apply specifically to the General Manager. Ron Lynch commented that a date should be set for a decision on the General Manager position or it would be unfair to the four candidates.

Trustee Clark-Ross motioned to submit the four candidates for the General Manager position for reference checks and set a date to make a decision in two weeks. Vice Chairwoman Pierini seconded. Motion carried 3-1, Ayes: Vice Chairwoman Pierini, Trustee Clark-Ross, Trustee Brian Patrick; Nay: Chairman Lau; Abstained: Secretary/Treasurer Eisele

The Board of Trustees reached a consensus to have Interim General Manager Art Baer contact the four candidates to tell them a decision to select a candidate for the General Manager position will be made during a November 3, 2008 Special Board Meeting. The Board asked Sandi Eisele to arrange for Douglas County to do reference checks and to arrange background checks of the four candidates through an outside company of her choosing.

9. Discussion and possible action regarding the performance of the Interim General Manager Art Baer and other related matters: Item Postponed

10. Discussion and possible action regarding Agreement/Contract with Interim General Manager Art Baer and other related matters: Item Postponed

11. Chairman and Trustees Reports, Correspondence:

Chairman Lau asked to set a date for a Special Board Meeting for Agenda Items 9 and 10 that were postponed. She asked for a date of October 20, 2008 to discuss serious situations. There is legal noticing and wording that must occur for a performance evaluation of an employee. Chairman Lau commented that legal counsel advised her that Art Baer must be afforded the same steps as the former General Manager received for his performance evaluation. Attorney Scott Brooke commented that Art Baer is functioning as an employee at no charge to the District. No action was taken.

12. Adjournment:

Secretary/Treasurer Eisele motioned to adjourn the meeting. Trustee Patrick seconded. Motion carried unanimously. Meeting adjourned at 8:55 P.M.

FINAL APPROVED MINUTES AS PRESENTED

**Secretary/Treasurer
William Eisele**