

**SPRING CREEK ASSOCIATION
COMMITTEE OF ARCHITECTURE REGULAR MEETING
TUESDAY, SEPTEMBER 13, 2016, 5:30 P.M.**

MEETING LOCATION: 451 Spring Creek Parkway, Spring Creek, NV

CALL TO ORDER: Chairperson Parker called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE:

COA MEMBERS PRESENT: Chair Diane Parker, Members: Jill Holland, Aleathe Beddow, Ben Cortez, Donna Solomon (Arrived 5:35pm)

SCA STAFF MEMBERS PRESENT: SCA President Bahr, COA Secretary Dunlap

COMMENTS BY THE GENERAL PUBLIC: Steve Trainor (Tract 100) commented on the garbage, dog feces at the Marina. Chair Parker explained that those issues are handled by the SCA Board of Directors and not the Committee of Architecture. He also brought up the issue of the large yard sale signs posted at the Roundabout. President Bahr explained that the roundabout is not the jurisdiction of SCA Committee of Architecture or Board of Directors; it is the responsibility of Elko County since it is a dedicated County roadway.

I. NEW BUSINESS:

A. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A NUISANCE COMPLAINT OF EXCESSIVE NOISE AT 450 CASTLECREST DR. (201-006-016) AND MATTERS RELATED THERETO. The property owners, Cheryl Garcia and her son Lee Garcia, were present. Ms. Garcia explained the nature of the complaint and what has been done by the neighbor to discourage their behavior. The complainant, Mary Mosser of 442 Castlecrest Dr., was also present. She explained her complaints with respect to her neighbor over the period of the last three years. She stated they have notified the Elko County Sheriff about the noise nuisance and that she has involved the District Attorney in the matter. She presented recorded video evidence to the COA for review and offered her cell phone records with respect to the incidents. Mr. Ken Mosser spoke regarding his understanding of Nevada laws with respect to noise abatement, disturbing the peace and offensive conduct. Cheryl Garcia explained what they felt their rights were as a property owner. Peg DeShazo Baker of 434 Castlecrest Dr. commented in support of the Garcia family stating she has not been bothered by noise or music from the Garcia's property. Lee Garcia commented on his stereo playing practices. Member Solomon commented she favored dismissing the complaint since Mrs. Mosser stated the matter has been escalated to currently pending civil litigation between the two property owners. Further discussion ensued. Member Solomon moved to dismiss the complaint since it is a pending civil case. Chair Parker seconded the motion. Vote was called, motion carried 5-0.

B. NOMINATION AND ELECTION OF A VICE CHAIRPERSON: Chair Parker nominated Jill Holland for COA Vice Chair. Member Beddow seconded the nomination. Vote was called, nomination carried 5-0. Jill Holland is the new COA Vice Chair.

- C. REVIEW AND DISCUSSION REGARDING THE COA/ATTORNEY FLOW CHART AND MATTERS REALTED THERETO.** Secretary Dunlap introduced the agenda item and provided documentation on how the COA/Attorney process works. President Bahr also provided additional commentary and explanation. No public comment was offered.
- D. REVIEW AND DISCUSSION REGARDING THE COA MEMBER POLICIES AND PROCEDURES MANUAL; ACKNOWLEDGEMENT OF DUTIES AND MATTERS RELATED THERETO.** Secretary Dunlap introduced the agenda item and provided the members with the acknowledgment documentation requesting COA members to sign and return the acknowledgment in a timely manner. President Bahr also provided explanation and comment. Chair Parker raised the issue of COA Member consecutive absence from three COA meetings and the matter was discussed. Vice Chair Holland reread the current absence rule for clarification. The current COA Rule does not specify any time limitation with respect to the three consecutive absences. Secretary Dunlap will review this item and resubmit on the October COA meeting. No public comment was offered. No action was taken.
- E. REVIEW AND DISCUSSION REGARDING MONTHLY UPDATE ON PROPERTIES AT COPENHAVER & MCCONNELL, P.C. AND MATTERS RELATED THERETO.** The status of properties turned over to Copenhaver & McConnell for uncorrected violations was reviewed. Secretary Dunlap reviewed specific property issues and the status of those violation corrections. Progress has been made on some properties being cleaned up. No public comment was offered. No action was taken.

II. UNFINISHED BUSINESS:

- A. 447 FOXRIDGE DR. – (401-006-009): FOLLOW UP REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING NUISANCE COMPLAINT OF AN EXCESSIVE NUMBER OF CATS AND MATTERS RELATED THERETO.** The property owners were both present. They have not contacted anyone to remove the cats. They explained their efforts to handle the matter of excessive cats. They have about 20 cats inside and outside. Most of the cats are feral cats. President Bahr reviewed the ruling of the previous COA meeting allotting 30 days to make progress resolving the eradication of the feral cats. The property owner indicates they keep their personal cats contained but state they have no desire to euthanize or otherwise eliminate the feral cats. No public comment was offered. Chair Parker moved to refer the property to the Board for further legal action due to the lack of effort from the property owner's to have the cats removed. Member Solomon seconded the motion. Vote was called, motion carried 5-0.
- B. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SUGGESTED REVISIONS AND ADDITIONS TO THE COA RULES & REGULATIONS AND MATTERS RELATED THERETO.** Chair Parker introduced the agenda item and reviewed each COA Rule & Regulation being revised.
- 1) Chair Parker moved to accept the revision to Rule # 21 Chickens/Dicks/Geese/Rabbits; motion seconded by Member Solomon. Vote was called and motion carried 5-0.
 - 2) Chair Parker moved to accept the revision to Rule #23 Domestic Animals/Dogs/Cats; Member Beddow seconded the motion. Vote was called and motion carried 5-0.
 - 3) Member Solomon moved to accept the revision to Rule #24, Nuisance. Member Cortez seconded the motion. Vote was called and motion carried 5-0.

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- 4) Member Solomon moved to accept the revision to Rule #27, Door to Door Sales/Solicitation. Motion seconded by Member Cortez. Vote was called; the motion carried 5-0.
- 5) Member Solomon moved to pass on approving the suggested revision to Rule #28, Repetitive Violation, pending a comparison of the revision to the original rule and additional suggested revisions at the next scheduled COA Regular Meeting. Public comment was offered and further discussion ensued. Motion to pass on the approval was seconded by Chair Parker. Vote was called; motion carried 5-0.
- 6) Secretary Dunlap reviewed the revision to the Rule on Modular Home Requirements along with modifications recommended by legal. Chair Parker moved to accept the revision to the Rule on Modular Home Requirements with adjustments that have been recommended by legal. The motion was seconded by Member Beddow. Vote was called; the motion carried 5-0.

III. APPROVE MINUTES FROM THE AUGUST 9, 2016 COA REGULAR MEETING. Chair Parker moved to approve/accept the minutes of the August 9, 2016 COA meeting as presented Vice Chair Holland seconded. Vote was called; motion carried 5-0.

IV. APPROVE COMMITTEE OF ARCHITECTURE REVENUE REPORTS FOR AUGUST, 2016. Chair Parker moved to approve August, 2016 COA Revenue Reports as presented. Member Cortez seconded the motion. Vote was called; motion carried 5-0.

V. COMMITTEE MEMBER AND STAFF COMMENTS. Chair Parker commented on how much she appreciates the professionalism of the COA members with respect to the earlier nuisance complaints on 450 Castlecrest Dr. and how the discussion was handled. President Bahr stated how difficult it is to attempt to handle neighbor complaints on a case by case basis when no effort is being made between the individuals to resolve their issues. Vice Chair Holland commented on the difficulty in handling nuisance complaints and how early resolution by the COA may have helped in the 450 Castlecrest Dr. issue before it reached civil litigation status. Further discussion ensued on how difficult nuisance complaints can be to handle effectively. Vice Chair Holland asked about the status of the Community Survey and President Bahr provided feedback.

VI. THE NEXT REGULAR MEETING OF THE COMMITTEE OF ARCHITECTURE IS SCHEDULED FOR TUESDAY, OCTOBER 11, 2016 AT 5:30 P.M.

VII. MEETING ADJOURNED: 7:00 PM