

**SPRING CREEK ASSOCIATION BOARD OF DIRECTORS
REGULAR MEETING MINUTES
WEDNESDAY, SEPTEMBER 27, 2017, 5:30 P.M.
SPRING CREEK ASSOCIATION OFFICE
401 FAIRWAY BLVD., SPRING CREEK, NV 89815**

CALL TO ORDER: Chair Josh Park (Tract 100) Meeting Called to Order at 5:31 p.m.

DIRECTORS PRESENT: Vice Chair Pat Plaster (Tract 300), Directors: Jim Jefferies (Tract 200), Paddy Legarza (Tract 400); At Large Directors: Tom Hannum, Molly Popp

DIRECTORS ABSENT: Jake Reed @ Roll Call

CORPORATE OFFICERS PRESENT: Jessie Bahr – SCA President
Kristine Preston – SCA Treasurer

ATTORNEY: Katie Howe McConnell

PLEDGE OF ALLEGIANCE:

- I. COMMENTS BY THE GENERAL PUBLIC:** Terry Lister (Tract 200) expressed his opinions and concerns about the Parkchester roadway which is to be main road serving the new Elko County Elementary School. He stated that Parkchester is currently substandard and too narrow a road. In his opinion, as Road Supervisor for Elko County, the study done of Parkchester does not adequately address what should occur for all the roads in the Parkchester area, not just those identified between the two (2) points in the study as needing to be fixed. He stated the proposed fixes cited in the study are inadequate and that other areas of the roads will fail if the current study's proposed fixes are adopted. He noted the study provides cross sections for the roads: he proposes the main section of road between the two points be Section #8 and the three roads that go to those two points should be Section #7. He notes that there is no way the proposed solution can stand the traffic that will occur on Parkchester. He stated road failure will occur in the areas not identified to be fixed as cited in the study. He indicated the newly built areas of the roadway will not fail but when areas not identified to be fixed fail, SCA will be left bearing the estimated expense to fix the road. He suggested that now is the time for SCA to step up and make certain both the two roads identified are built properly to handle the traffic from "Day One" so that road failure is completely avoided and that Elko County School District should include all the road fixes in the initial build plan. He made additional suggestions about sidewalks and turn-around areas. He also indicated that while this building project must go before the Committee of Architecture for plan approval, this is the one instance where the Board of Directors and COA should work together to assure proper oversight of the entire project prior to approval. President Bahr provided input on the matter and Attorney McConnell provided supporting information on how rezoning and conditional use for 250 Parkchester Dr. will be handled in conjunction with all the County government parties concerned including the County Commissioners. President Bahr stated she would be meeting with the School District and would share these concerns and ideas with the ECSD.

Charlie Ekburg (Tract 220) offered his comments on enforceable environmental policies and questioned how the COA enforces the policies. President Bahr reviewed the violation process used by the COA to notify property owners of violations of the COA rules.

Mike Pappas (Tract 200) commented that he would like to see an equestrian arena in the mobile home section and pointed out the hazards of those riding horseback along the ditches and trails also competing

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with ATV riders for recreational space. After so many years of property owners in his area paying dues, they have one park as an amenity. He requested the Board to consider his suggestion for an arena.

- II. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PURCHASE AND INSTALLATION OF A COVER STRUCTURE FOR THE SALT/ SAND PILE AND MATTERS RELATED THERETO.** President Bahr introduced the agenda item and stated that Kenny Millis, Road Supervisor, would go over the bids. Mr. Millis commented on the issues that the Road crew has experienced with the salt and sand piles getting very wet and the wear and tear on spreading equipment because of the salt/sand mixture. When the salt gets wet it leaches out and in really cold weather the salt/sand freezes and causes other problems. Mr. Millis then reviewed the bids and the specifics of each bid including a 20-year warranty. Director Plaster asked if a building as big as indicated in the bids was necessary and Mr. Millis explained why he thinks a building that size is being considered. Additional discussion ensued. Public comment was offered by Terry Lister (Tract 200) who asked for clarification on the price of the structure and Chair Park stated the bid is about \$98,000 in total. Mr. Lister commented Elko County does not have covered salt/sand piles and does not have the same issues described and suggested that it could be an issue of the type of sand being bought. He doesn't feel the cost of the cover is justified. Mike Pappas (Tract 200) commented on ditches and other matters not related to this agenda item. Mr. Millis provided additional comments on some of the problems they experience working with the salt/sand mix. Vice Chair Plaster and Director Legarza stated they are not in favor of spending that amount for the structure now considering other projects currently being considered or already approved as expenses. Board discussion ensued. Chair Park commented that the snow removal is a huge service SCA must provide and those doing the job know what their issues are. Mr. Millis explained suggestions made by the State of Nevada on making snow removal more efficient. Other Board comment ensued. President Bahr asked for further direction from the Board on the matter. Chair Park moved to review and perform a cost analysis for the return on investment and any potential savings in preserving the salt/sand pile. Director Popp seconded the motion. The vote was called; the motion carried 6-0. The agenda item is tabled pending further analysis and review.
- III. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A PROPOSAL FROM HANSFORD ECONOMIC CONSULTING FOR ADDITIONAL RESEARCH AND ANALYSIS REGARDING GOVERNANCE ALTERNATIVES AND MATTERS RELATED THERETO.** President Bahr introduced the agenda item summarizing Board directions to revisit next steps and getting a proposal for further consulting service with Hansford. She indicated that she had a phone conference with Elysia at Hansford. The proposal cost is \$32,000. Director Legarza stated the study and report results were very good and the community meeting confirmed the conclusions. She offered additional comments and indicated she does not see where spending more money on additional consulting services will get SCA much more information than we have already been provided. Vice Chair Plaster offered similar comments and does not see gaining much additional information by spending more money. Chair Park commented that he is not concerned with what Elko City or County thinks about Spring Creek and our governance decisions but did say that what the SCA property owners think is of more importance to him and he stated that most SCA property owners do not want to be part of Elko and do not want to consider annexation. He feels he wanted to be well informed on our choices for future but was not looking for a decision on where we are going. He was hoping for something different than what the scope of services by Hansford provided to the Board. Director Jefferies commented that he agreed with Chair Park about looking to the future and we should continue to keep getting information and look forward to what SCA will become or if it will remain as an HOA. Board discussion ensued. Public comment was offered by Charlie Ekburg (Tract 200) who stated he does not agree that more money should be spent on studies but that the community and Board should remain proactive to all aspects of community improvement. Mike Pappas (Tract 200) commented on the issue of property values, water and ways to generate revenue. Further Board discussion ensued. Director Hannum moved not to accept the proposal from Hansford Economic Consulting for additional research. Chair Park seconded the motion. The vote was called; the motion carried 6-0.

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- IV. REVIEW, DISCUSSION AND POSSIBLE ACCEPTANCE OF A PROPOSAL FOR A ROAD/PAVEMENT MANAGEMENT PLAN AND MATTERS RELATED THERETO.** President Bahr introduced the agenda item. Director Hannum stated in the interest of disclosure that he is an employee of one of the presenters for this agenda item and would not participate in any discussion and clarified that he has no ownership position in the firm.

Power Point presentations were made by Jim Tourek and Joe Phillips of IMS and by Tom Gallagher, founder of Summit Engineering. Following the very detailed presentation by IMS, Josh Park asked if IMS would be willing to change the scope of the proposal if SCA decided to try certain aspects of the proposal with them and not the whole proposal. Mr. Tourek clarified that they would and addressed certain aspects of the proposal that Chair Park sought clarification. Public comment was offered by Rhonda Morfin (Tract 300) who asked whether there is any point in coring streets that are road based and chip sealed and not actually paved with asphalt. Mr. Tourek clarified that point and stated if SCA already knows about the pavement and has the data about how many layers are already present then it may not be necessary. Chair Park stated that he felt that coring was important because it's important to understand where the road is at a given point whether the layers are an inch or three inches, it's important to be able to plan for future needs. How long the entire process takes was also discussed. Director Legarza questioned cost of the proposal if in house employees do the work versus contracting the work out. Further discussion and comments ensued with the Board members.

Following the Summit Engineering presentation by Mr. Gallagher questions and discussion ensued with the Board members. Public comment was offered by Ms. Morfin who asked questions about testing and whether work would all be done in house.

The Board Agreed to Reconvene After a 10 Minute Break.

Further discussion ensued among the Board members. Director Hannum summarized the strategic areas to apply SCA funds better. Is Chip Seal the only option or is there a better option? Should SCA be doing something more where road maintenance is concerned and how much would that cost over ten years (as an example) and spend SCA money more wisely and maintain the same budget? That was the master plan and what the proposal was designed to address. Discussion ensued. Public comment was offered by Mike Pappas (Tract 200) who commented on his years of working on the highway from Reno to Wendover and that during all that time the key to good roads is to have a good base and good drainage and that the road management plan is a good idea. Chair Park moved to accept the proposal for a road/pavement management plan submitted by Summit Engineering. Chair Plaster seconded the motion. The vote was called; the motion carried 4-1-1 (Directors Jefferies and Hannum).

- V. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE AN ACTION PLAN FOR RESOLUTION OF THE SERVICE ISSUES WITH FRONTIER COMMUNICATIONS AND MATTERS RELATED THERETO.** President Bahr introduced the agenda item and stated she has met with Frontier and others about the issues in Spring Creek. A letter from the Attorney General's office outlines what they understand of our issues and what they will help us to achieve. She asks for direction from the Board on how to proceed. No public comment was offered. Director Hannum moved to proceed with next steps and post the SCA position and what we are doing about Frontier Communications on Facebook and the SCA website and contact the Attorney General's Office. Vice Chair Plaster seconded the motion. The vote was called; the motion carried 6-0.
- VI. REVIEW, DISCUSSION AND POSSIBLE ACTION FOR STAFF DIRECTION IN RESPONSE TO RECENT FIRES NEAR SCA BOUNDARIES, INCLUDING STATUS UPDATES AND**

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MATTERS RELATED THERETO. Chair Park tabled the agenda item and ordered the item to be placed on the agenda for the October 25, 2017 Board of Director meeting.

- VII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PURCHASE OF SAND FOR THE SALT/SAND MIXTURE FOR WINTER TREATMENT OF THE ROADS AND MATTERS RELATED THERETO.** Treasurer Preston introduced the agenda item Discussion ensued among the Board members. The bids were discussed. Chair Park indicated that Staker was previously used. No public comment was offered. Director Hannum moved to approve the purchase of sand from Vega Construction. Director Jefferies seconded the motion. The vote was called; the motion carried 6-0.
- VIII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PURCHASE OF SALT FOR THE SALT/SAND MIXTURE FOR WINTER TREATMENT OF THE ROADS AND MATTERS RELATED THERETO.** Treasurer Preston introduced the agenda item. No public comment was offered. Discussion ensued about the amount of ice kicker to be ordered and how it is used. Director Hannum moved to approve the purchase of 400 tons of salt and 100 tons of ice kicker. Director Jefferies seconded the motion. The vote was called; the motion carried 6-0.
- IX. REVIEW, DISCUSSION AND POSSIBLE ACTION TO ADOPT A RESOLUTION OF THE BOARD OF DIRECTORS TO AUTHORIZE THE SALE OF 106D PARCEL D AND TO AUTHORIZE JOSH PARK TO SIGN ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE SALE AND MATTERS RELATED THERETO.** Attorney McConnell introduced the agenda item. No public comment was offered. Board comment ensued on whether the property had been purchased and the purchase amount. Director Hannum moved to adopt a resolution of the Board of Directors to authorize the sale of 106D Parcel D and to authorize Josh Park to sign any and all documents necessary to effectuate the sale. Director Jefferies seconded the motion. The vote was called; the motion carried 6-0.
- X. REVIEW, DISCUSSION AND POSSIBLE APPROVAL TO ADOPT A RESOLUTION OF THE BOARD OF DIRECTORS TO AUTHORIZE THE SALE OF 734 PARKRIDGE PARKWAY AND TO AUTHORIZE JOSH PARK TO SIGN ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE SALE AND MATTERS RELATED THERETO.** No public or Board comment was offered. Director Hannum moved to adopt a resolution of the Board of Directors to authorize the sale of 734 Parkridge Pkwy. and to authorize Josh Park to sign any and all documents necessary to effectuate the sale. Director Jeffries seconded the motion. The vote was called; the motion carried 6-0.
- XI. COMMITTEE OF ARCHITECTURE:**
- J. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 426 EDGEWATER DR. (201-003-027) TO LEGAL COUNSEL FOR FURTHER ACTION AND MATTERS RELATED THERETO.** *The agenda item has been taken out of order of the submitted Committee of Architecture published agenda topics.* Rhonda Morfin, the daughter of the property owners, was present and contests the imposition of the fine imposed at the September 12, 2017 Committee of Architecture meeting stating the vehicle in question is now covered. President Bahr reviewed the history of the violation and notification letters sent to the property owner. No public comment was offered. Board discussion ensued and staff clarification on the SCA Rules about this type violation were clarified. Director Popp moved to allow 30 days to pay the fine otherwise the property at 426 Edgewater Dr. should be referred to legal counsel for further action. Director Hannum seconded the motion. The vote was called; the motion carried 4-2-0 (Vice Chair Plaster, Director Jeffries).

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- A. **REPORTS:** Board members reviewed the reports included in the Board packets. President Bahr summarized and commented on the Committee of Architecture reports included in the No public or Board comment was offered. No action was taken.
- B. **REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS OF DOGS BARKING EXCESSIVELY AT 575 SPRING CREEK PKWY. (101-002-041) TO LEGAL COUNSEL FOR FURTHER ACTION AND MATTERS RELATED THERETO.** Treasurer Preston reviewed the agenda item, calling attention to the supporting documentation included in the packet. The property owner was not present. Chair Park commented on the significant amount of documentation provided on the matter under consideration. No public or additional Board comment was offered. Vice Chair Plaster moved to refer the property at 575 Spring Creek Pkwy. to legal counsel for further action. Chair Park seconded the motion. The vote was called; the motion carried 5-1-0 (Director Jefferies).
- C. **REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION OF INOPERATIVE VEHICLES AT 328 SCRUB OAK DR. (402-018-004) TO LEGAL COUNSEL FOR FURTHER ACTION AND MATTERS RELATED THERETO.** The property owner was not present. Treasurer Preston reviewed the agenda item stating the fine imposed had been paid and the vehicle in question had been covered. No public or Board comment ensued. No action was taken on the property at 328 Scrub Oak Dr. since the violation had been corrected.
- D. **REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION OF INOPERATIVE VEHICLES AT 777 SPRING VALLEY PARKWAY (202-004-015) TO LEGAL COUNSEL FOR FURTHER ACTION AND MATTERS RELATED THERETO.** Treasurer Preston reviewed the agenda item citing the documentation included in the packet indicating the car still has not been covered; the fine had been imposed by the COA at the September 12, 2017 meeting. The property owner was not present; no corrective action has been taken. No public or Director comment was offered. Vice Chair Plaster moved to refer the property at 777 Spring Valley Pkwy. to legal counsel for further action. Director Legarza seconded the motion. The vote was called; the motion carried 5-1-0 (Director Jefferies).
- E. **REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION OF UNLICENSED/INOPERATIVE VEHICLES AND UNSIGHTLY STORAGE AT 468 SPRING VALLEY PARKWAY (202-031-010) TO LEGAL COUNSEL FOR FURTHER ACTION AND MATTERS RELATED THERETO.** Treasurer Preston reviewed the agenda item history of violation noting the brown van remains and the storage of tools and trash has not been totally resolved. The property owner is working to evict the renter. Attorney McConnell commented on the legal process but stated the matter had not been referred to her office yet and additional comment ensued among the Board members on recourse if the problem is not totally resolved. No public or additional Director comment was offered. Vice Chair Plaster moved to uphold the \$200 fine and allow a thirty (30) day extension for the property owner, Karl Young, to remedy the violations at 468 Spring Valley Pkwy. before referring the matter to legal and to table further action on the matter until the October 2017 Board meeting. Chair Park seconded the motion. The vote was called; the motion carried 6-0.
- F. **REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION OF EXTERIOR CONDITION OF STRUCTURES AT 890 BRONCO DRIVE (403-003-020) TO LEGAL COUNSEL FOR FURTHER ACTION AND MATTERS RELATED THERETO.** Treasurer Preston reviewed the agenda item citing the documentation included in the packet. The property owner was not present and no change in the status of the property has been noted. No public or Director comment was offered. Chair Park moved to refer the property at 890 Bronco

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Drive to legal counsel for further action. Vice Chair Plaster seconded the motion. The vote was called; the motion carried 5-1-0 (Director Jefferies).

- G. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS OF INOPERATIVE VEHICLES AND UNSIGHTLY STORAGE OF TOOLS AND TRASH AT 881 BLACK OAK DRIVE (402-004-010) TO LEGAL COUNSEL FOR FURTHER ACTION AND MATTERS RELATED THERETO.** Treasurer Preston reviewed the agenda item citing the documentation included in the packet and noted the violation had been corrected but the fine has not been paid. The property owner was not present. No public comment was offered but Board discussion ensued regarding the violation process and how it worked in this case. Chair Park noted that over the history of the property being in violation there are numerous issues that have been cited: an unlicensed vehicle, noxious weeds, structure shingles and he sought clarification on what has been corrected and how he sees numerous violations being treated fairly. Treasurer Preston indicated that the only violation now being considered is the shingles as the other items have been corrected. Further discussion ensued. Vice Chair Plaster moved to uphold the \$200 fine imposed and close the violation on the property at 881 Black Oak Drive. Chair Park seconded the motion. The vote was called; the motion carried 5-1-0 (Director Jefferies).
- H. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 566 BRENT DRIVE (202-020-019) TO LEGAL COUNSEL FOR FURTHER ACTION AND MATTERS RELATED THERETO.** Treasurer Preston reviewed the agenda item citing the documentation included in the packet and indicating the violations remain. The property owner was not present. No public or Director comment was offered. Vice Chair Plaster moved to uphold the \$200 fine and refer the property 566 Brent Drive to legal counsel for further action. Director Hannum seconded the motion. The vote was called; the motion carried 5-1-0 (Director Jefferies).
- I. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION OF INOPERATIVE VEHICLES AND UNSIGHTLY STORAGE OF TOOLS AND TRASH AT 941 SPRING VALLEY PARKWAY (201-007-007) TO LEGAL COUNSEL FOR FURTHER ACTION AND MATTERS RELATED THERETO.** Treasurer Preston reviewed the agenda item citing the documentation included in the packet and that the violations remain unresolved. No public or Director comment was offered. Vice Chair Plaster moved to uphold the \$200 fine and refer the property 941 Spring Valley Pkwy. to legal counsel for further action. Chair Park seconded the motion. The vote was called; the motion carried 5-1-0 (Director Jefferies).

XII. STAFF REPORT: President Bahr provided the Staff Report update in the Board packet and highlighted progress on:

- A. Cart Paths –
- B. Shooting Range Grant –
- C. Schuckmann’s Sports Complex –
- D. Elko County School District –
- E. COA –
- F. Frontier Communications –
- G. Roads/Maintenance –
- H. Animal Control –
- I. Weed Management –
- J. Municipality Study –
- K. Geese Management –
- L. Water Committee –
- M. Safety –
- N. Neighbor 2 Neighbor -
- O. Traveling Merchant –

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P. Upcoming Events:

Trunk or Treat – October 31, 2017 @ Spring Creek Marina.

XIII. APPROVAL OF MINUTES:

August 23, 2017 Regular Meeting Minutes – Director Hannum moved to approve the BOD Regular Meeting Minutes of August 23, 2017 as submitted. Director Jefferies seconded the motion. The vote was called; the motion carried 6-0.

XIV. ACCEPT AUGUST 2017 ASSESSMENT AND LEGAL RECEIVABLE REPORTS: No public or Board comment ensued. Vice Chair Plaster moved to accept the August 2017 SCA Assessment and Legal Receivable Reports as submitted. Director Legarza seconded the motion. The vote was called; the motion carried 6-0.

XV. ACCEPT AUGUST 2017 FINANCIAL REPORTS: No Public comment was offered. Board comment ensued. Treasurer Preston offered brief comment on the financials. Vice Chair Plaster moved to accept the August 2017 Financial Reports as submitted. Director Legarza seconded the motion. The vote was called and the motion carried 6-0.

XVI. MEETING SCHEDULE:

The next Regular Board of Directors meeting is scheduled for Wednesday, October 25, 2017 at 5:30 p.m.

- A. The Regular Board of Director's meeting in November is scheduled for November 22, 2017. As that is Thanksgiving Eve, it is the Board's pleasure to consider changing the meeting to Wednesday, November 15, 2017 at 5:30 p.m. No public or Board comment was offered. Vice Chair Plaster moved to change the November Board of Director meeting to Wednesday, November 15 at 5:30 p.m. Director Legarza seconded the motion. The vote was called; the motion carried 6-0.
- B. The Regular Board of Director's meeting in December is scheduled for December 27, 2017. As this falls within the Christmas week, it is the Board's pleasure to consider changing the meeting to Wednesday, December 13, 2017 at 5:30 p.m. No public or Board comment was offered. Vice Chair Plaster moved to change the December Board of Director meeting to Wednesday, December 13 at 5:30 p.m. Director Legarza seconded the motion. The vote was called; the motion carried 6-0.

XVII. BOARD OF DIRECTOR COMMENTS: SCA property owner Mike Pappas (Tract 200) offered public comment on the possibility of getting an arena in the 200 Tract. He also expressed concern that Spring Creek needs to do a better job of maintaining ditches and culverts and maintain the equestrian trails in his area to alleviate drainage problems. He suggested that his hay field flooded due to bushes that had not been cut back in the ditches and in turn created the drainage issue that flooded his property. Chair Park thanked him for his input. Director Hannum asked about the traffic report and Director Jefferies questioned when the Board would be discussing the 2018 Budget. Treasurer Preston said the Budget would be a topic of discussion at the next BOD meeting. Director Jefferies requested ideas from the Board on how to generate additional revenues with the amenities and also to consider if assessments will be raised.

XVIII. MEETING ADJOURNED: 9:20 P.M.