



***Facilities:***

**Community Center and Golf Course:** The landscaping for the community center is being finalized in the back of the building as well as the range. The board will be reviewing Jason's one year contract in either October to give staff direction on next steps.

**Shooting Range:** NDOW notified us that we did receive the grant for the shooting range and that they are working on getting us the paperwork. We have already started the survey, design and equipment bid process. Once we get the paperwork in hand, we will execute.

**Schuckmann's Complex:** The Boys and Girls Clubs of Elko are will be approving next steps with their board this month in regards to the Club/Rec Center in Spring Creek. The SCA has met with a large, private foundation to review the possibility of funding updates at the Schuckmann's Sports Complex. These could include lights, a concession stand with bathrooms, a football field, and updates to the grounds. The SCA will continue to meet with the youth sports organizations who use these facilities and continue planning. We will now develop a case statement, funding plan, and prospect list and move to a capital campaign with board approval.

**School District:** The ECSD has purchased the property from SCA and is currently looking to rezone with our legal. They have also commissioned a traffic study and are coring our roads in that area to get a better sense on what needs to be done.

**Commercial Properties:** We still have 451 Spring Creek Parkway for sale as well as the small lot behind the Dance Club.

## ***Operations:***

**Frontier:** Please see attached documentation for additional information. At SCA, we receive many calls, comments and concerns from residents who continue to have subpar internet in our Spring Creek community. These members call Frontier for help on their internet speeds since many run home businesses, take classes online for college or school or even do other work and are unable to because of continuous disconnecting and slow speeds. It appears that Frontier promises speeds they are not delivering yet residents are still paying for that speed. For instance, if you pay for 6 mbps and only deliver and get 1.5-2, you are not getting what you are paying for and that is taking advantage of the community. Many residents and businesses have reached out to managers at Frontier to no avail.

Frontier really dominates the Spring Creek and Elko area and appears to be overcharging and failing to provide the level of services advertised which creates profits for Frontier but leaves the users frustrated. It also appears that the infrastructure in our area that is promised to their customers gets shifted with certain subscribers in order to provide services to others. This is not known for sure but many assume this is the case as it has been in West Virginia and other areas who have sued Frontier for these very same reasons.

The Spring Creek Association board decided to start pursuing next steps with Frontier for a short term solution for our residents, whether that is Frontier charging customers only for the speeds they are actually receiving, and even requiring Frontier to put in additional infrastructure in our area. We will also be simultaneously working through various avenues to get this issue resolved for our residents for the long term with state and local officials. Likely this is not going to be a quick process although starting somewhere and getting the ball running is key.

**Roads and Maintenance:** SCA finished the chipseal and fog seal process. We did run into issues with fog sealing SV Parkway and plan on doing that this Spring once that road oxidizes more.

We are now focusing on road sweeping, pot holes, shouldering, and getting ready for winter. As a reminder, we have 150 miles of roads which turns into 300 when both sides need to be done.

**Animal Control:** Interviews are complete for the Animal Control position and the County has offered the position to an individual who they are training. From here, the SCA would like to meet with them to help the understand the issues we hear and face. The City is also working with us for the animals who were taken to the shelter who are SCA PO's and have loose dogs so we can follow-up on our end to help with this major issue in Spring Creek. They will send us this list every two weeks. I also spoke to the Sheriff regarding what more they can do to help fix this issue in Spring Creek as it is out of hand and they will likely be starting to make everyone who comes into the shelter get a license.

**Weed Management:** Weed management will continue to be a long term issue for SC and the residents. We are working with conservation groups on biocontrol and other methods to help with the noxious weeds in our area. We are planning for next years fire breaks and looking for a grant to do this with NDF. We may also look at contracting out side of road brush beating next year to get it done quickly as we have 150 miles of roads which turns into 300 when both sides need to be done.

**Municipalities Study:** The community meeting for the final reports for the municipalities' assessment was held in June. The board decided at last meeting to ask Hansford Consulting for a proposal for additional work as we explore options for the SC area. This will be presented at the September meeting.

**Geese Management:** The geese management plan is almost complete and will be working on contracting this out for the future. We need to send report findings to NDOW and the Feds. We will start with the dog and drone training in a few months to help maintain the population until next year. We encourage the property owners to not feed the waterfowl or tamper with any of the devices we are using. We have placed new signs at the Marina stating this. We are working with FWS, NDOW and Humboldt Wildlife Services to finalize other aspects of the plan including trapping of 150 geese. If there are questions on this, please refer them to the Geese Management Plan on the website.

**Water Issues:**

Below you will find comments regarding the PUCN's decision for the water meter reading issue. At the Utility Consumer Session on September 20<sup>th</sup>, many residents expressed their concerns in regards to water and are looking for a long term solution. We will be working with the PUCN and elected officials to have their engineers review our system and understand what we will be facing in the near future.

In a special agenda meeting Sept. 19, the Public Utilities Commission of Nevada denied GBWC's petition in which the company assert that it resolved meter reading and billing issues with its customers "consistent with its tariff." Instead, the PUCN ordered the company to reprice residents' water bills at \$3.47 per 1,000 gallons January to October 2016. The reimbursement includes "every residential Spring Creek customer" and excludes commercial customers with meter service larger than 3 inches and residents whose meters were recorded with automatic meter reading devices. For those who had their meter read with an AMR device, the PUCN allows customers to submit recommendations and supporting materials within 30 days from today. The order states that GBWC must calculate the refunds within 60 days. An individual who was already refunded by the company will have that amount deducted from the refund due. Commissioner Ann Pongracz summarized several key points of the order. She said that the commission denied the petition for several reasons, including that GBWC "failed" in its duty "to provide for safe, economic, efficient, prudent and reliable operation service." Pongracz also cited a 1970 decision from the Nevada Supreme Court decision involving Southwest Gas Corp. stating that "a regulated entity cannot escape the responsibility" for "fake ...[or]... late meter reading" and "unauthorized estimations" of usage and failure to "apply adjustments because of inadequate staff or misconduct of an employee." That precedent informed the commissioners' decision. "We make a finding that the company is responsible for the acts of their employees," Pongracz said. Chairman Joseph Reynolds said GBWC would be "held responsible" for its failure to "comply with its legal duties" and said the commission would put "accounting mechanism and reporting requirements also for Great Basin Water in going forward." "A very close eye will be kept on their future progress," Reynolds said. Along with the repricing, GBWC must annually report its progress for the next three years to improve meter reading accuracy and technicians' training, rebuild customer relationships, and offer alternative bill paying options. They must also staff GBWC representatives in Spring Creek who can address customer issues and forward them to management. Commissioner Bruce Breslow said he agreed with the order and emphasized that trust and communication between

customers in a small town and a utility company is very important. “[The] public trusts a utility with the handling of service, billing and communications,” Breslow said. “I think the utility failed the public in conveying the truth of what happened and letting them know along the way what was happening.”

In the order, the commission listed several areas of improvement for GBWC, including improving training and oversight of meter readers, analyzing trends of revenue and consumption data, and use reports “to detect data errors and omissions.”

**Safety:** We are starting to implement many items from our safety plan including training, checklists, monthly meetings etc. We received a list from insurance on each site that needs to be addressed and are working on this list. We will continue to evolve our safety plan over the year to ensure compliance.

**Neighbor 2 Neighbor:** We have developed a N2N program which will work with volunteers in SC to help their neighbors who are elderly, disabled, or a vet in need with property work like weeds or even snow removal. We are also going to connect with those local handicapped and disabled residents to put blue poles in front of their house so we can try and avoid putting snow in their driveway. We are working through a few kinks but have received applications.

**Traveling Merchant:**

The County plans to get us a draft in the next two weeks.

The SCA is working with the County on enacting a Traveling Merchant Rule to help with the issues around the County. There are two fold reasons for this request. Sheriff Pitts has concerns for these outside vendors coming in and knocking on doors with not understanding of who they are and what their background is, where they are and when. IE if they have Felonys that are significant and say involve children, we do not want them knocking on doors when just kids are home. Also, if there is an incident, say burglary, we know who is out soliciting and when. The SCA motive is to have enforcement behind our rules so that there is NO soliciting in Spring Creek.

SCA is not requesting that two different laws be combined, but instead asking that there be a provision of the traveling merchants ordinance that allows SCA to be exempted, similar to the language used in the ATV ordinance below:

Homeowners' associations (HOAs) and/or architectural review committees as recognized pursuant to section 4-9-4 of this code may ban or further restrict the operation of off highway vehicles on county highways within the respective subdivision boundaries by amendment or inclusion of the ban or restrictions within HOA approved conveniences, conditions and restrictions or declarations of reservations. Such amendments of the CC&Rs and/or DORs shall be recorded with the Elko County recorder.

SCA has banned door-to-door solicitations, with exceptions for religious or education/school purposes. It is our position that these regulations do not violate any freedom of speech issues and are allowed to be regulated by a Homeowner's association.

We think that If the County is inclined to adopt a traveling merchant ordinance, language could be crafted that would allow SCA to keep it's rule in place without the County violating any state or federal laws.

### **2017 Focus Areas**

Although this is not an all-inclusive list, below are some of the key initiatives we will be tackling this upcoming year:

**Roads:** Association roads, like many other areas in our HOA, have had years of deferred maintenance which is why we are in need of repairing so many over the next few years. Additional patch and shoulder work is needed on most roads as well as chip-sealing many of the roads and paving mailbox areas.

**Water:** The Association is pursuing legislative changes in regards to water and has set aside funds to see this through as well as any other water related issues we may need to pursue on behalf of our residents including a possible rate increase hearing.

**Geese:** We have over 500 resident geese at the Marina which are causing many issues for our members. We are working on a plan with USDA, NDOW, and other local agencies to humanely remove some of the population.

**Amenities:** Like the roads, many amenities are in a state of disrepair. We are receiving input from the amenity users and will be updating facilities although most will need to be in phases and funds saved up.

**Animal Control:** A large issue for many is animal control and specifically dogs. We are working on a plan to implement specific animal control measures in the Association to help alleviate these continued issues.

**Weeds:** Noxious weeds are very prevalent in the Association and need to be controlled. Many local agencies have come together to attack this problem County wide including the Association.

**Capital Reserves:** Implementation of a strong capital reserve program will help us be on top of repairs and additions for years to come instead of being in a state of crisis when a large issue.

### ***Events:***

**Trunk or Treat:** October 31<sup>st</sup> @ Spring Creek Marina

**Respectfully Submitted,**

Jessie Bahr, Spring Creek Association President/ General Manager