

**SPRING CREEK ASSOCIATION
COMMITTEE OF ARCHITECTURE REGULAR MEETING
TUESDAY, JANUARY 10, 2017, 5:30 P.M.**

- MEETINGLOCATION:** 451 Spring Creek Parkway, Spring Creek, NV
- CALL TO ORDER:** Vice Chair Holland called the meeting to order at 5:31 p.m.
- PLEDGE OF ALLEGIANCE:**
- COA MEMBERS PRESENT:** Chair Diane Parker, Vice Chair Jill Holland, Member: Ivan Shigaio
- COA MEMBERS ABSENT:** Brien Park, One (1) Vacant Seat
- SCA STAFF MEMBERS PRESENT:** SCA President Bahr, COA Secretary Dunlap
- COMMENTS BY THE GENERAL PUBLIC:** None

I. WELCOME NEW COA MEMBERS:

**Ivan Shigaio
Brien Park**

II. UNFINISHED BUSINESS:

A. 518 SPRING CREEK PKWY. (101-003-020): REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A NUISANCE COMPLAINT OF EXCESSIVE ATV/MOTORCYCLE ACTIVITY AT THIS PROPERTY AND MATTERS RELATED THERETO. Secretary Dunlap and President Bahr reviewed the history of the complaints lodged against the property owners. The property nuisance violation was included for discussion and possible action on the COA meeting agenda of November 2016. The property owners were not in attendance at the November 2016 COA meeting to state their position relative to the complaint. The violation matter was referred to the SCA Board of Directors for further action at that time. At the December 14, 2016 BOD meeting the property owner, Robert Montoya, did appear to state his case. The BOD suggested to Mr. Montoya at that meeting that he should not continue to ignore COA notification letters addressing the complaint issue. The Board gave Mr. Montoya another chance to show up at the next COA meeting to address how he would rectify the complaint. A copy of the original complaint letter, additional complaint documentation and COA follow-up documentation is included in the current COA meeting packet for reference. Secretary Dunlap explained that COA documentation on future violation notification letters will include photo evidence of the violation and the number of complaints received so that a more substantial notification package is sent to property owners. Public comment was offered by Diane Parker (Tract 100) stating she and her husband are personally affected by the matter of the motorcycles, the noise and dust created, particularly as it relates to her husband's sleep pattern when he works nights and tries to sleep days. She indicated this nuisance activity occurs after school hours and on weekends. President Bahr stated since the BOD has already addressed this issue in the December 2016 meeting and since Mr. Montoya

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has chosen not to be present for this meeting, it is appropriate to consider initiating the fine process and possible further legal action to be approved by the BOD at a future meeting. Vice Chair Holland suggested it would be prudent to deal with this issue sooner than leaving it for later. Member Shigaio moved to impose a \$200 fine on the property owner of 518 Spring Creek Pkwy. If the fine is not paid the matter will be referred to the BOD for legal action. Vice Chair Holland seconded the motion. A vote was called; the motion carried 2-1 (Chair Parker abstained).

III. NEW BUSINESS:

- A. **REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A COMMERCIAL SIGN PERMIT FOR ELAINE MADRIGAL, TAQUERIA MICHOACAN, AT THE SCOREBOARD CASINO AND MATTERS RELATED THERETO.** Discussion ensued on the design, production and size of the sign and the purpose for the permit request. The new sign will replace signage for a restaurant which is no longer operating at the Scoreboard Casino. No public comment was offered. During COA discussion Chair Parker stated she had reviewed the specifics of the proposed sign and stated the proposed new sign meets SCA signage specifications. Chair Parker moved to approve the new signage permit submitted by Elaine Madrigal for the Taqueria Michoacán Restaurant at the Scoreboard Casino location. The motion was seconded by Member Shigaio. The vote was called; the motion carried 3-0.
- B. **REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE AN AMENDMENT TO THE COA RULES AND REGULATIONS REGARDING THE APPEALS PROCESS AND MATTERS RELATED THERETO:** Secretary Dunlap reviewed the history of the amended COA rules and regulation with respect to the Appeals Process and stated the BOD had reviewed the requested amendment to assure that it complies with the BOD policies. The areas addressed in the amendment relate to boundary line adjustments, zone changes, conditional uses, variances, nuisance violations and home occupations. No public comment was offered. Discussion ensued with the COA members; Chair Parker stating she thinks it is important to have consistency in the COA and BOD policies to alleviate confusion between the two SCA bodies. Chair Parker moved to approve the amendments to COA Rules and Regulations regarding the Appeals Process. Vice Chair Holland seconded the motion. The vote was called; the motion carried 3-0.
- C. **REVIEW, DISCUSSION AND POSSIBLE ACTION TO ADOPT AN APPLICATION AND FEE SCHEDULE FOR A HOME OCCUPATION OR COMMERCIAL BUSINESS PERMIT THROUGH SCA AND MATTERS RELATED THERETO:** SCA President Bahr presented background on the agenda item. It has become obvious that SCA develop a method of tracking businesses in SCA, particularly home based businesses. Secretary Dunlap presented the guidelines for the business permit process for both a home occupation and a commercial business and why a permit is needed. A sample of the application was provided for review and comment. Discussion ensued on what would constitute the difference between a home-based occupation versus a commercial business. Chair Parker questioned whether appeals could be made if a permit was denied and whether appeals, if allowed, would be addressed to the BOD or COA. The necessity of charging a permit fee was also addressed. Secretary Dunlap reviewed how the permit fee is handled by the City of Elko and cited some examples. Further discussion ensued among the members. No public comment was offered. Chair Parker moved to table the agenda item pending further discussion and more input as well as the opportunity to have a full

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quorum before voting on the matter. Vice Chair Holland seconded the motion. The vote was called; the motion carried 3-0.

- D. REVIEW, DISCUSSION AND POSSIBLE ACTION TO AMEND THE COA RULES AND REGULATIONS TO INCLUDE THE REQUIREMENT FOR A HOME OCCUPATION OR COMMERCIAL BUSINESS PERMIT THROUGH SCA AND MATTERS RELATED THERETO:** Questions and comments were offered by Member Shigaio for clarification on the agenda item. No public comment was offered. Chair Parker moved to table the agenda item pending further discussion and clarification on the previous agenda item. The motion was seconded by Vice Chair Holland. The vote was called; the motion carried 3-0.
- E. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A FIRM LIMIT ON THE NUMBER OF SPECIFIC LIVESTOCK AS CURRENTLY STATED IN THE LIVESTOCK PERMIT APPLICATION AND MATTERS RELATED THERETO:** Secretary Dunlap reviewed SCA past practices. The purpose of the proposal is not to have examples of set limits but to establish firm limits on what is permitted. Discussion ensued on the specifics of what has been allowed in the past for 4-H and FFA projects and what should be considered moving forward. Discussion ensued on possible scenarios of what could be allowed or should not be allowed. No public comment was offered. Chair Parker moved to table the agenda item pending further discussion and additional input. Member Shigaio seconded the motion. The vote was called; the motion carried 3-0.
- F. REVIEW, DISCUSSION AND POSSIBLE ACTION TO IMPLEMENT A SET NUMBER FOR CHICKENS/DUCKS/GEESE AND OTHER BARNYARD ANIMALS AND PLACING A RESTRICTION ON ROOSTERS ON SMALLER LOTS AND MATTERS RELATED THERETO.** Secretary Dunlap reviewed the details of the agenda item. Chair Parker offered comment on her experience with various barnyard animals. Additional comments and experiences were offered by COA members on what they found offensive or not offensive with barnyard animals. Member Shigaio questioned how many complaints are received by SCA. President Bahr clarified the scope of those type complaints. Vice Chair Holland moved to table the item pending further discussion and input. Member Shigaio seconded the motion. The vote was called; the motion carried 3-0.
- G. REVIEW AND DISCUSSION REGARDING MONTHLY UPDATE ON PROPERTIES AT COPENHAVER & MCCONNELL, P.C. AND MATTERS RELATED THERETO.** Secretary Dunlap summarized that 17 accounts that are in violation of SCA rules are currently with Copenhaver & McConnell in various stages of legal activity. President Bahr offered clarification on some of those matters and questioned one case that has been in litigation for quite some time. How the legal process works once properties in violation have been turned over to legal was reviewed. Discussion on the status of specific properties and where they currently stand in the legal process were reviewed. Actions that can be taken by the COA on these properties while they are at legal was discussed. A request was made of Copenhaver & McConnell several months ago, to provide the COA and BOD with monthly updates on the status of properties currently in litigation. The monthly updates are intended to keep the COA and BOD informed on the status of each case versus wondering what is happening. No action was taken on this agenda item.

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IV. MINUTES:

A. APPROVE MINUTES FROM THE NOVEMBER 8, 2016 COMMITTEE OF ARCHITECTURE REGULAR MEETING. Chair Parker moved to approve the November 8, 2016 COA Regular Meeting Minutes as presented. Vice Chair Holland seconded the motion. The vote was called; motion carried 3-0.

B. APPROVE MINUTES FROM THE DECEMBER 13, 2016 COMMITTEE OF ARCHITECTURE REGULAR MEETING. Vice Chair Holland moved to approve the December 13, 2016 COA Regular Meeting Minutes as presented. Chair Parker seconded the motion. The vote was called; motion carried 3-0.

V. REPORTS:

A. APPROVE COMMITTEE OF ARCHITECTURE REVENUE REPORTS FOR NOVEMBER 2016. Secretary Dunlap explained the purpose and content of the report for new COA member Shigaio. Chair Parker moved to approve the Committee of Architecture Revenue Reports for November 2016 as presented. Member Shigaio seconded the motion. The vote was called; the motion carried 3-0.

B. APPROVE COMMITTEE OF ARCHITECTURE REVENUE REPORTS FOR DECEMBER 2016. Chair Parker sought clarification from Secretary Dunlap on a \$1,500 legal entry. Chair Parker moved to approve the Committee of Architecture Revenue Reports for December 2016 as presented. Vice Chair Holland seconded the motion. The vote was called; the motion carried 3-0.

VI. COMMITTEE MEMBER AND STAFF COMMENTS. Secretary Dunlap commented on the copies of the report that she produced from the COA violation software and detailed how the report is broken down. The COA software was put into service in September 2016 and the report covers the period since that time. Included in the report are the types of violations that occur, what percentage of the whole each violation represents, how many of each violation has occurred, the location of the violation and the status of correction for each violation; i.e. the violation has been corrected, the violation is on hold, the property owner has been in contact with the COA, etc. These reports will be part of the COA agenda for each meeting moving forward. The issue of addressing violations with vacant properties was also covered along with issues of ditch maintenance and natural drainage. Discussion on where the road edge stops and where easements begin and the responsibility to maintain easement areas by property owners was discussed. The need to get a permit from Elko County to maintain an easement or ditch was questioned. Public comment was offered by BOD Chair Legarza with respect to maintenance issues. Who is responsible for problems created by utilities and contractors was also discussed. Proposed standards for maintaining these issues should be presented at a future meeting.

VII. THE NEXT REGULAR MEETING OF THE COMMITTEE OF ARCHITECTURE IS SCHEDULED FOR TUESDAY, FEBRUARY 14, 2017 AT 5:30 P.M.

VIII. MEETING ADJOURNED: 7:05 PM