

**SPRING CREEK ASSOCIATION
COMMITTEE OF ARCHITECTURE REGULAR MEETING
TUESDAY, JUNE 13, 2017, 5:30 P.M.
401 FAIRWAY BLVD., SPRING CREEK, NV 89815**

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

PLEDGE OF ALLEGIANCE:

COA MEMBERS PRESENT: Chair Diane Parker, Vice Chair Jill Holland, Members: Brien Park, John Featherstone

MEMBERS ABSENT: COA Member Vacancy (One)

SCA STAFF MEMBERS PRESENT: SCA President Bahr, SCA Treasurer Preston

SCA STAFF ABSENT: COA Secretary Dunlap

COMMENTS BY THE GENERAL PUBLIC: None

NEW BUSINESS: *Agenda Items Have Been Reviewed and Acted On out of Original Agenda Numerical Order.*

IX. REVIEW, DISCUSSION AND POSSIBLE ACTION TO UPHOLD, WAIVE OR ANY OTHER ACTION AS DETERMINED BY THE COA, THE ASSESSED FINE FOR A NUISANCE VIOLATION REGARDING A DOG RUNNING AT LARGE FROM 935 PEMBERTON DR. (403-012-015), AND MATTERS RELATED THERETO: President Bahr introduced the detail of the agenda item. The landlord of the property, Ms. Bundy, was present. Ms. Bundy stated that the renter is a teacher and gone during the day. Ms. Bundy has assured that all fences are in good repair and that the renter's dogs are secured and not running at large. Comments were offered that daily issues with the black/white dog have been witnessed. The COA is looking for corrective action and requested the landlord to reinforce to the renters that there could be a \$200 fine imposed if immediate action is not taken. No public comment was offered. COA Member Park moved to hold off on imposing a \$200 fine for a dog running at large at 935 Pemberton Dr. to see whether sustained corrective action is taken and that the nuisance violation be reevaluated at the July COA meeting. COA Vice Chair Holland seconded the motion. The vote was called; the motion carried 4-0.

IV. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A CONDITIONAL USE REQUEST SUBMITTED BY STEPHANIE MOYE, AKA CARING FOR CUBS PRESCHOOL, AT 321 SPRING CREEK PKWY. PKWY. (102-012-022) REQUESTING A CONDITIONAL USE PERMIT TO BE ABLE TO OPERATE A LICENSED PUBLIC PRESCHOOL ON THIS PROPERTY AND MATTERS RELATED THERETO: Stephanie Moyer was present to explain the request. Ms. Moyer stated that she has operated a licensed preschool in Spring Creek for nine (9) years previously and they are looking to expand. She is looking at a property for purchase at 321 Spring Creek Pkwy and is working with a contractor on how the property can be used. The property is zoned correctly for conditional use or R2 for a

preschool use is acceptable. Further questions were addressed on the traffic generated by student drop off and pick up, entrances to the property, hours of operation. They are working with Newmont to coordinate most of mining work hours with childcare. No public comment was offered. Vice Chair Holland moved to approve the Conditional Use permit for Caring for Cubs preschool at 321 Spring Creek Pkwy. Member Park seconded the motion. The vote was called; the motion carried 4-0.

VII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO UPHOLD, WAIVE OR ANY OTHER ACTION AS DETERMINED BY THE COA, THE ASSESSED FINE FOR A NUISANCE VIOLATION REGARDING A DOG RUNNING AT LARGE FROM 530 PARKRIDGE PKWY. (401-008-010) AND MATTERS RELATED THERETO. President Bahr introduced the agenda item. The property owner, Leann Russell, was present. She stated she is aware the dog has been observed lying in the road. She indicated the dog does have a shock collar and is an old Alaskan Malamute. She stated that the day the Elko County Sheriff was called they had notified the Sheriff that new batteries had been ordered for the collar. She also stated that unfortunately the dog had to be euthanized because of age and the fact the dog was crippled and would longer be a problem. No public comment was offered. Chair Parker made the motion to waive the fine for nuisance violation of a dog running at large at 530 Parkridge Pkwy. Vice Chair Holland seconded the motion. The vote was called; the motion carried 4-0.

II. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A LIVESTOCK PERMIT FOR THIRTY (30) LAMBS ON 1.50 AC AT 491 ABARR DR. (402-006-006) AND 575 PALACE PKWY. (402-006-005) FOR A PERIOD OF NO LONGER THAN 30 DAYS FOR PURPOSES OF INTENSE WEED GRAZING FOR FIRE ABATEMENT AND MATTERS RELATED THERETO. President Bahr introduced the agenda item. The property owner, Wayne Ratliff, was present to explain the livestock permit request. He stated that both properties are all fenced with field fence and that the pipe panels on the properties have wire fencing the lambs can't get through. COA member Featherstone asked if he would reseed the weed areas after the lambs had grazed and suggested the weed areas in question be reseeded with Crested Wheat. Questions were raised and discussed with respect to fencing or conditional use through the easement between properties. The questions were resolved. No public comment was offered. Vice Chair Holland moved to approve the livestock permit for 30 days or less at 491 Abarr Dr. and 575 Palace Pkwy. for grazing of weeds and fire abatement. Member John Featherstone seconded the motion. The vote was called; the motion carried 4-0.

I. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A LIVESTOCK PERMIT FOR THREE (3) SHEEP ON 2.28 AC AT 893 CADDOA DR. (401-021-039) FOR 4-H AND FFA MARKET PROJECTS, AND MATTERS RELATED THERETO. President Bahr introduced the agenda item. The property owners were not present. Member Park indicated that project drawings had been submitted and it looks like a very nice setup. No public comment was offered. Member Park moved to approve the livestock permit for three (3) sheep at 893 Caddoa Dr. for 4-H and FFA Market Projects. Vice Chair Holland seconded the motion. The vote was called; the motion carried 4-0.

III. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A ZONE CHANGE REQUEST SUBMITTED BY MARK WETMORE ON BEHALF OF TIMOTHY & SERENITY ORR FOR 718 BRONCO DR. (403018-003) AND 726 BRONCO DR. (403-018-004) REQUESTING A CHANGE OF ZONING FOR THESE PARCELS FROM C2 TO

R1 FOR PURPOSES OF USE FOR SALE AND MATTERS RELATED THERETO.

President Bahr introduced the agenda item. Precedent has been set for similar rezoning requests including rezoning requests for SCA properties: some properties as originally zoned are not suitable for commercial development. Septic/sewer requirements were discussed and other details of how properties might be developed were topics of discussion. No public comment was offered. Member Park moved to approve the zoning change for 718 and 726 Bronco Dr. contingent on clarification of one single family residence per property, not one single family residence on a combination of both properties can be built. Vice Chair Holland seconded the motion. The vote was called; the motion carried 4-0.

V. REVIEW, DISCUSSION AND POSSIBLE ACTION TO UPHOLD, WAIVE OR ANY OTHER ACTION AS DETERMINED BY THE COA, THE ASSESSED FINE FOR A NUISANCE VIOLATION REGARDING A DOG RUNNING AT LARGE FROM 920 PEMBERTON DR. (403-014-07) AND MATTERS RELATED THERETO.

President Bahr introduced the agenda item and stated the dogs are constantly running and the property is not fenced. Chair Parker stated the property owner has applied for fence permit. Member Featherstone read an email sent by Sandy Smith asking for this topic to be tabled until the July 2017 COA meeting. The property owners were not present. Discussion ensued among the COA members. No public comment was offered. Member Park moved to assess the fine for a nuisance violation of a dog running at large at 920 Pemberton Dr. and if the property owner shows up at the July 2017 COA meeting with proof fencing has been erected, COA members could then act to reduce the assessed fine. Member Featherstone seconded the motion. The vote was called; the motion carried 4-0.

VI. REVIEW, DISCUSSION AND POSSIBLE ACTION TO UPHOLD, WAIVE OR ANY OTHER ACTION AS DETERMINED BY THE COA, THE ASSESSED FINE FOR A NUISANCE VIOLATION REGARDING A DOG RUNNING AT LARGE FROM 596 WESTCOTT DR. (401-017-001) AND MATTERS RELATED THERETO.

President Bahr introduced the agenda item and stated that no contact has been made by the property owner in response to the violation notice. COA members and staff reviewed complaints received by the COA Secretary and included in the COA meeting packet including an email describing an incident involving the dog that resulted in a wound. No public comment was offered. Member Park moved to approve assessing the fine for a nuisance violation of a dog running at large from 596 Westcott Dr. Vice Chair Holland seconded the motion. The vote was called; the motion carried 4-0.

VIII. REVIEW AND DISCUSSION AND POSSIBLE ACTION TO UPHOLD, WAIVE OR ANY OTHER ACTION AS DETERMINED BY THE COA, THE ASSESSED FINE FOR A NUISANCE VIOLATION REGARDING A DOG RUNNING AT LARGE FROM 531 BRENT DR. (202-019-003) AND MATTERS RELATED THERETO:

President Bahr introduced the agenda item and reviewed the background on the complaints and the fact Animal Control had responded previously to complaints. Chair Parker indicated COA Secretary had email communication from Jay Ryan and had spoken with him personally about the violation. He explained he had been there for nine (9) years and has not had a problem with his dog. Mr. Ryan stated that he works all day and that someone had abandoned the dog in question. That abandoned animal had dug into his dog's kennel to get to his dog's food. The dogs then got out through the hole created and ran at large. Mr. Ryan personally helped Animal Control and SCA Security catch both dogs. He stated he has repaired the kennel fencing and has had no further

issues with his dog getting out. He had no prior problem with his dog running at large prior to the abandoned dog incident. Chair Parker stated she did not feel that evidence was shown that the dog was intentionally left to run at large and that once Mr. Ryan had been notified of the violation, he fixed the problem. No public comment was offered. Member Park moved to waive the fine assessment for a dog running at large at 531 Brent Dr. Chair Parker seconded the motion. The vote was called; the motion carried 4-0.

XI. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING PROPERTY VIOLATIONS OF UNSIGHTLY STORAGE OF ITEMS AND ROOFING IN DISREPAIR AT 512 BLACKSTONE DR. (101-002-070) AND MATTERS RELATED THERETO. President Bahr introduced the agenda item and reviewed the violation notification history and actions taken previously. The property owner has made no attempt to contact the COA Secretary about the violation notices. Chair Parker also commented on the deteriorating condition of the horses on the property as well. Further discussion ensued. No public comment was offered. Member Park moved to refer the property at 512 Blackstone Dr. to the Board of Directors for legal action for the unsightly storage of items and roofing in disrepair. Member Featherstone seconded the motion. The vote was called; the motion carried 4-0.

XII. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE VEHICLES AT 364 BERRY CREEK PL. (201-009-035), AND MATTERS RELATED THERETO. President Bahr introduced the agenda item. Member Featherstone sought clarification of COA inoperative vehicle regulations. Chair Parker reviewed the regulation. No public comment was offered. Member Park moved to refer the property violation of inoperative vehicles at 364 Berry Creek Dr. to the Board of Directors for legal action. Vice Chair Holland seconded the motion. The vote was called; the motion carried 4-0.

XIII. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE VEHICLES AT 522 CASTLECREST DR. (201-006-007), AND MATTERS RELATED THERETO. The property owner, Rosie Avila, was present along with her boyfriend, Jim Fleischman. Chair Parker reviewed the history of the property violation letters and stated that there is no indication of any attempt to contact with the COA Secretary about the notification letters. The property has been in violation since September 2016. There are four (4) inoperative vehicles at the property. Mr. Fleischman detailed the operable condition of the vehicles in question, his work schedule and his prior and current ongoing physical problems. He described some potential remedies to the violations. COA staff recommends upholding the violation status with referral of the property to the Board of Directors for legal action. No public comment was offered. Discussion ensued and questions were asked by COA members about the operability of the vehicles. President Bahr clarified the regulations with Mr. Fleischman. Chair Parker reviewed how fines can be paid and the potential for increased costs if the property violations are referred to the Board for legal action. Chair Parker explained to Mr. Fleischman exactly what must occur to comply. Member Park moved to impose a fine of \$200 on the property at 522 Castlecrest Dr. for inoperative vehicles but delay referral to the Board of Directors for legal action for fifteen (15) days to allow for removal of the inoperative vehicles and to prove current licensing and registration of the vehicles which are operable on the property. Chair Parker seconded the motion. The vote was called; the motion carried 4-0.

- XIV. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE VEHICLES AT 942 SPRING VALLEY PKWY. (201-006-031), AND MATTERS RELATED THERETO.** President Bahr introduced the agenda item. The property owners were not present at the meeting. All notices of violation have been received. No attempt has been made by the property owner(s) to contact the COA Secretary regarding the matter. No public comment was offered. Member Park moved to refer the property at 942 Spring Valley Pkwy. to the Board of Directors for legal action and uphold the imposing of all fines. Chair Parker seconded the motion. The vote was called; the motion carried 4-0.
- XV. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF EXTERIOR CONDITION OF STRUCTURES AND STORAGE OF TOOLS AND TRASH AT 455 LYNDHURST DR. (101-006-012), AND MATTERS RELATED THERETO.** President Bahr introduced the agenda item and the history of violation notification. The property owner was not present. No attempt has been made by the property owner(s) to contact the COA Secretary regarding the matter. No public comment was offered. Member Park moved to refer the property at 455 Lyndhurst Dr. to the Board of Directors for legal action on property violations of exterior condition of structures and storage of tools and trash and in addition, to uphold imposing all fines accumulated to this point. Vice Chair Holland seconded the motion. The vote was called; the motion carried 4-0.
- XVI. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE VEHICLES AND STORAGE OF TOOLS AND TRASH AT 371 KIMBLE DR. (202-014-013), AND MATTERS RELATED THERETO.** President Bahr introduced and reviewed the notification letter history for the property. The property owner was not present. No attempt has been made by the property owner(s) to contact the COA Secretary regarding the matter. It appears there are four (4) inoperative vehicles on the property. No public comment was offered. Chair Parker moved to refer the property at 371 Kimble Dr. to the Board of Directors for legal action of inoperative vehicles and storage of tools and trash and to uphold all fines accumulated to this point. Member Featherstone seconded the motion. The vote was called; the motion carried 4-0.
- XVII. REVIEW AND DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE VEHICLES AND STORAGE OF TOOLS AND TRASH AT 502 GYPSUM DR. (202-025-030) AND MATTERS RELATED THERETO.** President Bahr reviewed the agenda item and history of notification letters. The property owner was not present. Member Park commented there appears to be only one inoperative vehicle. Discussion ensued about the number of vehicles in violation. The property owner, Dan Thompson, had been in contact with COA Secretary Dunlap. No public comment was offered. Member Park moved to impose the accrued fines to this point but hold the referral of 502 Gypsum Dr. to the Board of Directors for legal action for fifteen (15) days pending proof of current licensing and registration of the vehicles. If no response is received in that time the item will be put on the July 2017 COA agenda for referral to the Board for legal action. Vice Chair Holland seconded the motion. The vote was called; the motion carried 4-0.
- XVIII. REVIEW AND DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF STORAGE OF TOOLS AND TRASH AT 498 EDGEWATER DR. (201-003-015) AND MATTERS RELATED THERETO.** President Bahr reviewed the agenda item

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and history of notification letters. The property owner was not present. No attempt has been made by the property owner(s) to contact the COA Secretary regarding the matter. Photo evidence is ambiguous as to whether any corrective action has been taken. Member Featherstone moved to refer 498 Edgewater Dr. to the Board of Directors for legal action and to uphold all fines accumulated to this point. Member Park seconded the motion. The vote was called; the motion carried 4-0.

- XIX. REVIEW AND DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE VEHICLES AND BUILDING EXTERIOR AT 432 TIFFANY DR. (202-025-059) AND MATTERS RELATED THERETO.** President Bahr reviewed the agenda item and history of notification letters. The property owner was not present. The property owner came in to meet with COA Secretary Dunlap on June 12, 2017 and at that time stated they will be painting the shed in the next two weeks and that he did not understand why his cars were at issue since he had moved them out of view on Gypsum Dr. Secretary Dunlap explained to the property owner that the vehicles could still be seen from Gypsum Ln. and that is the reason they are part of the violation notification. He noted that the vehicles are operable but not registered but if registering them will help alleviate the violation, he will register them right away. Chair Parker noted that this property owner is pretty good at corrective action and that she observed him putting siding on the house as recently as the previous Sunday. Treasurer Preston offered comment on the consistency of how legal referrals to the Board should be handled. No public comment was offered. Member Park moved to move forward with the fines on inoperative vehicles at 432 Tiffany Dr. and to move the referral to legal of inoperative vehicles to the July 2017 COA meeting if the violation if not corrected in fifteen (15) days and to review the building exterior violation at the July 2017 COA meeting. Member Featherstone seconded the motion. The vote was called; the motion carried 4-0.

UNFINISHED BUSINESS:

- XXI. REVIEW AND DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE VEHICLES AND UNSIGHTLY STORAGE OF ITEMS AT 483 LYNX DR. (202-018-054) WHICH WAS REMANDED BACK TO THE COA BY THE BOARD OF DIRECTORS AND MATTERS RELATED THERETO.** President Bahr reviewed the status of the agenda item and the reasoning on why the Board remanded the violation back to the COA for action. Chair Parker stated she has recently did go by and review the corrective actions taken by the property owners. She stated the front yard has been mowed although Security had not taken pictures of that action. The numerous tools and junk have been removed from the front yard. One vehicle with license plates on the front is clearly visible in the side yard and another tan and brown pickup is barely visible at the back of the house. Chair Parker indicated that the property has been in violation for a very long time. No public comment was offered. Chair Parker clarified that the fine for the violation is already in place. Chair Parker moved to refer the violation at 483 Lynx Dr. to the July 2017 meeting and that a follow-up inspection by COA Secretary Dunlap occur to check for clean-up prior to that meeting. That fines have already been imposed for the violations so no additional fines are needed now. Member Park seconded the motion. The vote was called; the motion carried 4-0.

- XX. REVIEW AND DISCUSSION TO ADOPT A \$100.00 RIGHT OF WAY ENCROACHMENT APPLICATION FEE AND MATTERS RELATED THERETO.**

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President Bahr introduced the agenda item. Treasurer Preston and President Bahr reviewed history regarding how the right of way encroachment application issue has been handled with Elko County. Legal has provided the opinion that it is reasonable for SCA to charge an application fee. Chair Parker reviewed how the encroachment permit application process works. The contractor fills out the encroachment permit application first, gets it approved by the SCA COA Secretary who provides an accompanying letter to Elko County indicating that SCA has granted permission to the contractor to do the work described. The contractor takes it to the County who records it and the contractor does the work of either cutting or boring the road for the job described. After the work is completed, the COA Secretary or the road crew must go out and verify for SCA that the work has been done and the road has been patched and then notify Elko County that the work has been completed. If work has not been completed correctly or the road not patched, the COA Secretary must write letters notifying the contractor the work is not complete. When incomplete road patching occurs than the SCA road crew ends up repairing what should have been repaired by the contractor. Chair Parker commented that she feels that a \$100 right of way application fee is appropriate considering the amount of work involved by the COA staff. Elko County gets a fee for doing nothing except keep record of the work. COA members agree that a \$100 application fee is appropriate. No public comment was offered. No action was taken.

XXII. REVIEW AND DISCUSSION REGARDING MONTHLY UPDATE ON PROPERTIES AT COPENHAVER & MCCONNELL, P.C. AND MATTERS RELATED THERETO.

President Bahr commented that updates with staff notes should be reviewed. Chair Parker stated that a judgement against property owner had been received today.

XXIII. APPROVE MINUTES FROM THE MAY 9, 2017 COMMITTEE OF ARCHITECTURE REGULAR MEETING.

Chair Parker noted the SCA COA Minutes of the May 9, 2017 meeting had been read and reviewed and a correction had been noted to be made to the new meeting location at the corrected address of 401 Fairway Blvd., Spring Creek, NV 89815. Chair Parker moved to approve the May 9, 2017 COA Regular Meeting Minutes as presented with correction of meeting location. Vice Chair Holland seconded the motion. The vote was called; motion carried 4-0.

XXIV. APPROVE COMMITTEE OF ARCHITECTURE REVENUE AND VIOLATION REPORTS FOR MAY 2017.

Chair Parker moved to approve the Committee of Architecture Revenue and Violation Reports for May 2017 as presented. Member Park seconded the motion. The vote was called; the motion carried 4-0.

XXV. COMMITTEE MEMBER AND STAFF COMMENTS.

Vice Chair Holland questioned the status of the Solicitation policy is working. President Bahr commented on where that policy stands and about enforcement of the policy. There was talk about the potential for the Sheriff to assist in enforcement but it should be noted that the policy can't be enforced where non-property owners are concerned. It was noted that it would be good to begin documenting violations. There is no permit issued for soliciting; no soliciting is allowed in Spring Creek Association. Member Park asked questions about the municipality meeting and President Bahr offered insight into what is happening. Comments have been made by some property owners that they will be glad when the Association is gone. Chair Parker indicated that no matter the type of community, fees will always be part of community living expense. Member Featherstone asked about the roads and pot

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hole repair. Vice Chair Holland also noted that the house that had been tagged with graffiti had been covered.

XXVI. THE NEXT REGULAR MEETING OF THE COMMITTEE OF ARCHITECTURE IS SCHEDULED FOR TUESDAY, JULY 11, 2017 AT 5:30 P.M.

XXVII. MEETING ADJOURNED: 7:44 p.m.