

**SPRING CREEK ASSOCIATION BOARD OF DIRECTORS
REGULAR MEETING MINUTES
WEDNESDAY, MARCH 22, 2017, 5:30 P.M.
SPRING CREEK ASSOCIATION OFFICE
451 SPRING CREEK PARKWAY, SPRING CREEK, NV 89815**

CALL TO ORDER: Chair Paddy Legarza called the Meeting to order at 5:30 p.m.

DIRECTORS PRESENT: Vice Chair Josh Park, Directors, Pat Plaster, Paul McAnany, Jim Jefferies

DIRECTORS ABSENT: Mike McFarlane Travis Mahlke

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

ATTORNEY PRESENT: Katie Howe McConnell

PLEDGE OF ALLEGIANCE:

- I. COMMENTS BY THE GENERAL PUBLIC:** None
- II. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF PURCHASE A TRACTOR FOR THE ROAD DEPARTMENT AND MATTERS RELATED THERETO.** President Bahr introduced the agenda item stating we budgeted for the tractor replacement in 2017. SCA Mechanic, Guy, reviewed the history of the current Kubota tractor's maintenance issues citing the fact that the original engine overheated about a year after the tractor was obtained. The engine repair at that time was not complete: the whole engine should have been replaced when it blew, but only the heads of the engine were replaced. Now, the horsepower capacity of the engine is insufficient; horsepower rating should be at 80 hp versus 50 hp today. He added a weed spraying attachment this year at significant cost savings to SCA: a new weed sprayer would have cost \$29,000 versus the weed sprayer attachment he installed in 2017 for \$300. Guy also reviewed the condition of the John Deere Brush Hog currently in use and stated that it requires at least a 75 hp tractor to use it. He did indicate that SCA has a smaller brush hog that the current Kubota can pull so we would continue to use the Kubota for brush hogging. Three bids have been submitted for a Kubota, a Mahindra and a John Deere replacement tractor. Guy recommends the purchase of the John Deere 5100 Utility Tractor to do the jobs required which require a 100 hp engine; the mowing and weed spraying and brush hogging. Board discussion ensued and some clarification was sought on the budgeted amount for tractor replacement. No public comment was offered. Vice Chair Park moved to approve Bid B for the purchase of a replacement 2015 John Deere 5100M tractor from Stotz Equipment in the amount of \$68,010.00. The motion was seconded by Director Jefferies. The vote was called and the motion carried 5-0.
- III. PRESENTATION BY JOE BALBAS OF SERVPRO, GENERALLY RELATING TO FROZEN WATER LINES AND DAMAGES FROM BROKEN WATER LINES AND MATTERS RELATED THERETO.** Joe Balbas presented ServePro's history of 50+ years in the water damage/restoration business. He wants the SCA Board to know about ServePro and their ability to work with insurance companies for water damage and restoration issues as a preferred vendor. He and his brother own the ServePro franchise out of Twin Falls, ID and serve the Northern Nevada area down to Battle Mountain. The Board thanked him for the introduction to ServePro and his franchise and expressed appreciation for sharing the knowledge and experience with the Board. No action was taken.

- IV. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING FIELD USE PERMIT AND REQUEST TO USE SCA FIELDS WITHOUT ALL REQUIRED DOCUMENTATION, MADE BY AYSO REGION 556 AND MATTERS RELATED THERETO.** Stephanie Pecora, AYSO's Regional Commissioner, was present to introduce the agenda item. She gave some background information on the matter stating that there has been some conversation between AYSO and Spring Creek Association on whether the AYSO league would be able to use the Spring Creek soccer fields this year for soccer. She indicated AYSO would not be able to sign the "hold harmless" indemnification or execute the field use permit request to use the soccer fields as requested by SCA because the National office and the attorneys thought AYSO was going to be the only league required to execute the field permit and sign such an agreement. She stated that she and President Bahr had a conference call the previous day with their attorneys, AYSO and the National office and that the matter was clarified by SCA: all leagues who use the SCA fields must execute the field use permit request and sign the "hold harmless" indemnification. Other issues that came up during the call were addressed: the need for a roster with player last name and first initial and other detail about registration for the season. The National office and attorneys stated that they did not say they could not sign said agreements/indemnifications but that it would be cumbersome. They did indicate that these issues could be resolved prior to the start of the next season but not before the start of the current season. Ms. Pecora stated that the question remains: Can AYSO use the SCA fields this year considering their inability to resolve all permit request and indemnification issues for the current season? Comment was offered by Vice Chair Park with respect to great displeasure on how Spring Creek Association was slandered on Facebook regarding this issue. The disparity between the public criticism on Facebook and false accusations aimed at the Association and email comments received by the Association were contradictory. He stated that as a Board member he would like to see some form of "damage control" and retraction of false statements initiated by Ms. Pecora and the AYSO in the interests of Spring Creek. Further discussion and comment ensued between President Bahr and Ms. Pecora to clarify her official role with AYSO. To say that AYSO was unaware of fee increases and other SCA field use requirements last fall is not true because there are signatures verifying those notifications that went to all leagues were also received by AYSO. Ms. Pecora is now the Regional Commissioner of AYSO. Communication has been SCA's frustrating issue with AYSO in the past. How significant issues with AYSO have been handled in the past were of great concern. There has no accountability with those in local leadership roles with AYSO. The suggestion of conflicts of interest by President Bahr alleged by AYSO are totally inaccurate. Public comment was offered by Steve Trainor (Tract 100) stating waivers may not be enough; President Bahr explained SCA's position. He also had a question about liability when playing on the high school fields. Janelle Silva stated the school fields are not in as good a shape as SCA fields. She has offered to help AYSO and received no response from the local AYSO representative. Lisa Reed stated that she has signed liability forms for every event in 4H that her kids and she have participated in. She feels Spring Creek has been needlessly slandered by AYSO. Mandy Rios stated she is sad to see the personal attacks and SCA attacks on Facebook. She has coached in the past and states there is way too much drama with AYSO and no longer coaches because of that. Additional comment and discussion ensued. Leif Knox stated he is a high school soccer coach and his concern is in assuring we are educating kids, coaches and officials in what they are supposed to be learning to improve their soccer skills which doesn't seem to be occurring now. Vice Chair Park suggested that an AYSO Facebook post calling a public meeting of interested parents would help flush out some of the issues/frustrations facing the local organization and allow the community to come together to resolve the problems confronting AYSO in the Elko area today. Elex Vavrck (Tract 100) questioned whether the \$15 per player covers fees. President Bahr answered that question detailing the costs of caring for the fields by SCA staff and the supplies needed to keep the fields in good playing shape and \$15 does not cover all expenses. SCA Attorney McConnell stated that the Field Use Permit and Waiver Release/Hold Harmless Agreement documents need to be finalized by AYSO and have not been done now. Once the document is finalized, the AYSO National office has agreed to collect the Hold Harmless agreement for the Fall season. Vice Chair Park moved to proceed with AYSO field use contingent on completion of requested documents agreed to by AYSO and SCA legal counsel for the

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current season. The motion was seconded by Director Plaster. The vote was called and the motion carried 5-0.

- V. REVIEW, DISCUSSION AND POSSIBLE APPROVAL TO PURCHASE A TRAILER FOR THE PARKS DEPARTMENT AND MATTERS RELATED THERETO.** President Bahr moved to table the agenda item before moving forward.
- VI. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE TO SELL A 1997 FORD F-350 (UNIT #38) AND A 1997 FORD F-250 (UNIT #39) PURSUANT TO BOARD POLICY 08-004, DISPOSAL OF ASSETS, AND MATTERS RELATED THERETO.** Treasurer Preston introduced the agenda item stating both vehicles have been replaced by newer vehicles. No public comment was offered. Vice Chair Park moved to approve the sale of Unit # 38 and Unit #39 pursuant to Board Policy 08-004, Disposal of Assets. Director Jefferies seconded the motion. The vote was called and the motion carried 5-0.
- VII. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM DEBRA RUDZIK TO WAIVE AN IMPOSED LATE FEE AND MATTERS RELATED THERETO.** President Bahr introduced the agenda item and reviewed the Late Fee Policy 09-002. Attorney McConnell also commented on the process and the fact the Board should not make an exception for any property owner and that we must defend our position. No public comment was offered. Director Plaster moved not to grant the waiver of the \$10 late fee for Debra Rudzik. The motion was seconded by Vice Chair Park. The vote was called and the motion carried 5-0.
- VIII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER A PROPOSAL FROM RUBY MOUNTAIN FLAG COMPANY FOR THE PURCHASE AND INSTALLATION OF A FLAG POLE AT THE FAIRWAY COMMUNITY CENTER AND MATTERS RELATED THERETO.** President Bahr introduced the agenda item. Nothing has been budgeted for this flag pole but we would like to have that amenity added to the Fairway Community Center. She requested that the Board review what has been presented by Ruby Mountain Flag Company and bring additional thoughts and suggestions on size of the flag pole or other considerations back for discussion at the next BOD meeting. No action was taken.
- IX. REVIEW, DISCUSSION AND POSSIBLE ACTION TO SET THE TIME AND LOCATION FOR THE 2017 ANNUAL MEETING AND MATTERS RELATED THERETO.** Treasurer Preston introduced the agenda item. Any location can be considered but the date is set as the third Saturday in June. No public comment was offered. Vice Chair Park moved to schedule the 2017 Annual Meeting on Saturday, June 17, 2017 at the Fairway Community Center with the BBQ to start at Noon and the meeting to follow at 1:00 p.m. The motion was seconded by Director Plaster. The vote was called and the motion carried 5-0.
- X. COMMITTEE OF ARCHITECTURE:**
 - A. REPORTS:** Chair Legarza stated she appreciates the property status reports from SCA Legal Counsel.
- XI. STAFF REPORT:** President Bahr updated progress on:
 - A. Fairway Community Center** – Phone lines have not yet been run by Frontier Communications and a meeting is scheduled on March 23 @ 10:30 a.m. with Frontier to finalize the phone line install date and plan. Jason Jerman is up at the FCC with the restaurant operating and the Golf Course is open. Outdoor furniture is being delivered any moment. The punch list is *not complete*. The Point of Sale system is being installed and training on the system will follow.

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- B. Horse Palace** – Will be one of the larger projects being worked on over the next couple of years. We have some operational issues and we are working on fixing those problems.
- C. Shooting Range** – The grant was submitted on February 22, 2017. We expect to hear in the next month if funding has been granted and what will occur with improvements this year.
- D. Schuckmann's Sports Complex** – Still waiting on insight about the foundations and moving forward with updates on the complex. We expect the project to take a long time but we'll keep working on it.
- E. COA Operations** – A full assessment of every home in the Association will be done in March and there is the potential for a lot of violations and it will be a lot of work by the COA Secretary and the COA Committee members.
- F. Roads** – Top priority is sweeping, fixing potholes, doing road evaluations, having the correct equipment and keeping it maintained and making sure we employ the correct methods to fix the problems.
- G. Animal Control** – Waiting for the Elko County District Attorney's office to get the final contract draft.
- H. Weed Management** – The new tractor will help with this process and the spraying for noxious weeds in the green belts and the Marina areas, and property owners will be encouraged to manage weed containment/eradication of their respective properties.
- I. Municipalities Study** – The Municipality Study meeting is scheduled April 1, 2017 from 9 a.m.- 12 Noon. Presentation will ensue. Please have questions ready for the meeting.
- J. Geese Management** – The plan is starting: fencing, drones and dog patrols are being coordinated with volunteers. We are working with NDOW and the USDA on the oiling of eggs so we can manage the population ongoing for the future.
- K. Water Committee** – A meeting is scheduled for Wednesday, April 19, 2017 with the Public Utility Commission in the Spring Creek High School Gym at 6 p.m. Property owners are encouraged to come and address their concerns to those officials present. Assembly Bill 109 is being heard today at the Legislature to hear our concerns about the water issues.
- L. Upcoming Events:**
 - Ranch Rodeo** – April 29th
 - Fairway Community Center Grand Opening** – April 8, 2017 from 11 a.m. to 2 p.m. with tours for people.
 - Take Pride Day** – April 22nd at Fairway Community Center.
 - Take A Kid Fishing** – May 13th
 - Annual Meeting** – June 17th
 - Freedom Festival** – July 4th
 - Trunk or Treat** – October 31st

XII. APPROVAL OF THE FEBRUARY 22, 2017 REGULAR MEETING MINUTES: No Board or Public comment was offered. Vice Chair Park moved to approve minutes of the February 22, 2017 Board of Directors Regular Meeting minutes with corrections as noted. Director Plaster seconded the motion. The vote was called; motion carried 5-0.

XIII. ACCEPT FEBRUARY 2017 SPRING CREEK ASSOCIATION ASSESSMENT AND LEGAL RECEIVABLE REPORTS: No comment was offered by the Board or the public. Vice Chair Park

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moved to accept the February 2017 SCA Assessment and Legal Receivable Reports as submitted. Director Jefferies seconded the motion. The vote was called; the motion carried 5-0.

- XIV. ACCEPT FEBRUARY 2017 FINANCIAL REPORTS:** Treasurer Preston offered general comments on the financial reports. No Public comment was offered. Vice Chair Park moved to accept the February 2017 Financial Reports as presented. The motion was seconded by Director Plaster. The vote was called and the motion carried 5-0.

XV. MEETING SCHEDULE:

The next Special Board of Directors meeting is scheduled for Saturday April 1, 2017 at 9:00 a.m.

The next Regular Board of Directors meeting is scheduled for Wednesday, April 26, 2017 at 5:30 p.m.

- XVI. BOARD OF DIRECTOR COMMENTS:** Vice Chair Park indicated he would not attend the April 26, 2017 BOD Reg Meeting. Director Jefferies offered kudos to President Bahr for a job well done and other Board members concurred. Legal Counsel was also recognized for their good work.

- XVII. MEETING ADJOURNED:** 7:07 p.m.