

**SPRING CREEK ASSOCIATION BOARD OF DIRECTORS  
REGULAR MEETING MINUTES  
WEDNESDAY, OCTOBER 26, 2016, 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:** Directors, Pat Plaster, Jim Jefferies, Mike McFarlane, Paul McAnany

**DIRECTORS ABSENT:** Vice Chair Josh Park, Director Travis Mahlke

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

**CORPORATE OFFICERS ABSENT:** None

**ATTORNEY PRESENT:** Katie Howe McConnell

**PLEDGE OF ALLEGIANCE:**

- I. COMMENTS BY THE GENERAL PUBLIC:** Karen Wines (Tract 400) brought up the letter she recently received from the SCA Committee of Architecture that addresses the new regulation with respect to SCA property boundary fences and the fact that these fences, if damaged, require property owners to be responsible for their repair/replacement including the \$200 fine to property owners when associated with this type of damage. Mike Bloomfield (Tract 300), Chanda Sollinger (Tract 300), Roger Cody (Tract 300), Devin Patazzi (Tract 400) and Jack Cunningham (Tract 100) were also present to address their own concerns on the same issue and similar issues to seek further clarification on the new regulation with respect to the property boundary fences, trespass, security and other related issues with the boundary fencing. President Bahr and Attorney McConnell clarified the three-letter notification process where violations to property and fences are concerned and if fencing is damaged property owners will be required to repair that fencing. No further public comment was offered.
- II. PRESENTATION AND GENERAL DISCUSSION WITH REPRESENTATIVES FROM SPRING CREEK UTILITIES REGARDING WATER RATES, METER READING AND OTHER MATTERS RELATED THERETO.** President Bahr spoke on the issue of the very high water bills and the concern that water meters are not being read correctly. Tim Scheidt and James Eason (VP of Utilities Inc. from the Reno office) of Spring Creek Utilities were in attendance at the meeting to address the issue and explain what happened and how a solution to the problem is being addressed. The main concern is how to make the SCU issue right with the property owners. Mr. Eason explained his area of responsibility and also how the meter reading process is normally performed. He indicated that approximately 600 property owners are affected by improper meter readings. President Bahr clarified the relationship between the water consumer and the Nevada Public Utility Commission. He explained that all customers affected by the improper meter readings will have their water consumption billed by the 1<sup>st</sup> tier. The employee responsible for the meter reading issue is no longer employed by SCU. He explained that new meters are being installed gradually and over time that will facilitate automatic meter reading which will greatly enhance the accuracy of the water billing process. He reviewed the water billing tier structure and the rates by tier as well as other methods being employed to solve the problem. A larger follow-up meeting is planned in the next two weeks to solicit additional customer feedback. Public comment was offered on the proposed solution to the billing problem. Numerous property owners offered their own concerns. SCU indicated they will be recalculating billing as far back as June of 2016 when meters readings were accurate. Credits will be processed to customers if warranted. The issue of non-payment of inaccurate billing was raised and whether water would be shut off. Mr. Eason stated they would work with the property owners on a payment plan in cases where financial burden is an issue. SCA will be collecting the



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names and addresses of all property owners affected by this issue. SCU will be contacting all property owners impacted by the problem. The general public offered considerable discussion, explanation, comments and criticism affected by this enormous problem ensued. No action was taken on the agenda item.

**III. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A PROPOSAL FOR A CONTRIBUTION FOR A MUNICIPAL SITE PLAN TO COVER ALL OF ELKO COUNTY FOR AIR AMBULANCE SERVICES BY REACH AIR AND MATTERS RELATED THERETO.** The item was tabled to the November BOD meeting.

**IV. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF A LICENSE OR USAGE AGREEMENT WITH FRONTIER COMMUNICATIONS TO USE A PORTION OF THE TRAP & SKEET LAND FOR BURIED CABLE AND MATTERS RELATED THERETO.** The item was tabled to the November BOD meeting.

**V. REVIEW, DISCUSSION AND POSSIBLE ACCEPTANCE OF THE HORSE PALACE DESIGN STUDY REPORT AS PRESENTED BY LOMBARD-CONRAD ARCHITECTS AND MATTERS RELATED THERETO.** The item was tabled to the November BOD meeting.

**VI. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST FOR QUALIFICATIONS FOR GOLF PROFESSIONAL AND RESTAURANT LESSEE AND MATTERS RELATED THERETO.** Attorney McConnell explained that a sample RFQ was sent to the Board for comments. The RFQ will address the golf pro and restaurant lease position for 2017. The current agenda item does not deal specifically with Jason Jerman's current Golf Pro and Restaurant lease contract. She indicated that the proposed RFQ needs to be cleaned up and finalized but that the Board can approve staff move forward with advertising for the position(s). Public comment was offered on how the process works to advertise the position(s), receive applications and the time frame for interview and hire for these position(s). Director McFarlane moved to direct SCA staff to clean up/finalize the RFQ submitted for the Golf Pro and Restaurant Lessee position(s) and execute the document. Director Jefferies seconded the motion. Vote was called; motion carried 5-0.

**VII. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED AMENDMENT TO ARTICLE VI OF THE SCA BYLAWS REGARDING VOTING PROCEDURES AND MATTERS RELATED THERETO.** The item was tabled to the November BOD meeting as there was no a full board in attendance.

**VIII. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF PROPOSED POLICY 16-002, BOARD OF DIRECTORS-COA RELATIONSHIP POLICY AND MATTERS RELATED THERETO.** The one change to the proposed policy was the addition of the verbiage "This policy defines..." in the first section. No public comment was offered. Director McFarlane moved to accept policy 16-002 as worded. Director Jefferies seconded the motion. Vote was called; the motion carried 5-0.

**IX. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF AMENDED POLICIES TO BE INCLUDED IN THE SCA EMPLOYEE HANDBOOK AND MATTERS RELATED THERETO.** The item was tabled to the November BOD meeting.

**X. REVIEW AND DISCUSSION OF THE PROPOSED 2017 ANNUAL BUDGET, RELATED FEE SCHEDULES AND MATTERS RELATED THERETO.** Treasurer Preston introduced the item and stated that the 2017 Budget draft was submitted to the Board. She noted there was no increase in the current Budget draft. She reviewed with the Board the current Budget notes and highlighted any major differences from 2016 to the proposed 2017 Budget. She commented that proposed fee increases were included in the budget packet for discussion. The Board requested that staff return with a \$1.00/\$2.00



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increase option in fees for the November BOD meeting. Further discussion and questions ensued among the Board members. No action was taken on the proposed 2017 Budget at this time.

### **XI. COMMITTEE OF ARCHITECTURE.**

**A. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER AN APPEAL REGARDING A DECISION OF THE COMMITTEE OF ARCHITECTURE FOR VIOLATION AT 447 FOXRIDGE DRIVE (401-006-009), INCLUDING POTENTIAL REFERRAL TO LEGAL COUNSEL FOR FURTHER ACTION AND MATTERS RELATED THERETO.** The Committee of Architecture referred the nuisance violation to the BOD for legal referral. Public comment was offered by the property owner, Mr. DeLance. Mr. DeLance objects to the fine process. It was stated that nothing has been done to alleviate the feral cat issue. Mr. DeLance stated he has found homes for some of the kittens and said they are considering putting up a fence. When asked by the Board if he could get rid of the feral cats if the Board gave him 30 days, Mr. DeLance stated that he could not do that. Director Plaster moved to refer the nuisance violation at 447 Foxridge Dr. to legal for further action and to affirm the COA decision. Director McAnany seconded the motion. The vote was called; the motion carried 4-0-1 (Director McFarlane abstained).

**B. REPORTS:** No action was taken.

**XII. STAFF REPORT:** Attorney McConnell introduced the item and stated President Bahr was not able to provide the update personally. The weekly reports from Robert Howard regarding the Community Center were provided in the packet. Treasurer Preston provided general updates to the Board on various items. No public comment was offered.

**XIII. APPROVAL OF MINUTES:** No public comment was offered. Director McFarlane moved to approve minutes of the September 28, 2016 Board of Directors Regular Meeting. Director Plaster seconded the motion. The vote was called; motion carried 5-0.

**XIV. ACCEPT SEPTEMBER 2016 SPRING CREEK ASSOCIATION ASSESSMENT AND LEGAL RECEIVABLE REPORT:** No public comment was offered. Director Plaster moved to accept the September, 2016 SCA Assessment and Legal Receivable Reports. Director Jefferies seconded the motion. Vote was called. Motion carried 5-0.

**XV. ACCEPT SEPTEMBER 2016 FINANCIAL REPORTS:** Treasurer Preston noted nothing is out of the ordinary. No Public or Board comments were offered. Director Plaster moved to accept the September, 2016 Financial Reports as presented. Director McFarlane seconded the motion. Vote was called; motion carried 5-0.

### **XVI. MEETING SCHEDULE:**

- A. The next Regular Board of Director Meeting is scheduled for Wednesday, November 16, 2016 at 5:30 p.m. at the SCA Offices.
- B. The Regular Board of Directors meeting in December is scheduled for Wednesday, December 14, 2016 at 5:30 p.m.

**XVII. BOARD OF DIRECTOR COMMENTS:** Director McAnany commented on the Spring Creek Utilities water issue stating a lot of property owners don't understand how the SCU process works and how the Board tries to mitigate the issues.

**XVIII. MEETING ADJOURNED: 9:47 PM**