



## **SPRING CREEK ASSOCIATION BOARD OF DIRECTORS REGULAR MEETING MINUTES**

Spring Creek Association ("SCA") Board of Directors  
Wednesday, February 27, 2019, 5:30 PM, PST  
Fairway Community Center Meeting Room  
401 Fairway Blvd, Spring Creek, Nevada

**PRESENT:** Chair Josh Park (Tract 100), Terry Lister (Tract 200), Pat Plaster (Tract 300), Vice Chair Paddy Legarza (Tract 400)

**At-Large Members:** Tom Hannum, Molly Popp, Jake Reed

**CORPORATE OFFICERS PRESENT:** SCA President Bahr, SCA Treasurer Austin-Preston

**CORPORATE ATTORNEY:** Katie Howe McConnell

**CALL TO ORDER:** Chair Park called the meeting to order at 5:30 PM.

**PLEDGE OF ALLEGIANCE.**

### **NOTICE:**

1. **Items may be taken out of order**
2. **Two or more items may be combined**
3. **Items may be removed from agenda or delayed at any time**
4. **Restrictions regarding Public Comment:** Pursuant to N.R.S. 241.020(c) (3), this time is devoted to comments by the general public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified to be an action item. Comments during this public comment period are limited to items NOT listed on the agenda, and shall be limited to not more than three (3) minutes per person unless the Board of Directors elects to extend the comments for purposes of further discussion. Persons making comment will be asked to begin by stating their name for the record and to spell their last name. The Chair may prohibit comment, if the content of that comment is a topic that is not relevant to, or within the authority of, the Spring Creek Association or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers.

- I. COMMENTS BY THE GENERAL PUBLIC** **ACTION SHALL NOT BE TAKEN**  
No action may be taken on a matter raised under this item of the agenda until the matter itself has been included specifically on an agenda as an item upon which action will be taken.

No public comment was received.

- II. REVIEW AND DISCUSSION OF THE STATUS AND UPDATES OF THE 2018 IRP (INTEGRATED RESOURCE PLAN), APPROVED ACTION PLAN PROJECTS FOR THE**

## **GREAT BASIN WATER COMPANY, SPRING CREEK DIVISION.**

### ***NON-ACTION ITEM***

James Eason with Great Basin Water gave an update on the 2018 IRP and approved action plan projects. The Board was provided an action plan list which included projects that have been started, projects that have been approved, but not started, and list of strikethroughs representing projects which have been denied by the Public Utilities Commission of Nevada (PUCN). He noted they are currently working on the Well #3 backup generator, as well as the rehabilitation and cleaning of Well #10. He stated they are in the process of resubmitting an amended IRP for the wastewater treatment facility.

Member Hannum asked how long the amended IRP will take? Mr. Eason stated he anticipates a draft copy back towards the end of April and a decision in June or July. He noted the PUCN did approve pipe replacement starting in the 200 Tract. He stated that he does not know what the rate increase will be at this time.

#### **Public Comment:**

Jack Turner, Tract 400, asked what the PSI of the 400 area is. Mr. Eason stated he needs the address to get the specific PSI.

Theron Hunt, Tract 100, brought documentation from the PUCN from a suit he filed. He discussed the utility company and whether or not they have the right to allow the school. He gave his opinions of the utility company, and noted that the ecosystem in Spring Creek should not be changed.

Mr. Eason stated he would keep the Board informed as other issues come up.

### **III. REVIEW, DISCUSSION AND POSSIBLE ACTION WITH THE NEVADA DEPARTMENT OF WILDLIFE REGARDING THE MULE DEER IN THE SCA AREA INCLUDING POPULATION MANAGEMENT AND PROPERTY DESTRUCTION. *FOR POSSIBLE ACTION***

Tom Donham with Nevada Department of Wildlife (NDOW) gave an update on the mule deer in the Spring Creek area.

Member Legarza voiced her concerns about the deer and noted the problem is getting worse every year.

Member Hannum asked if we track the deer population. Mr. Donham stated the urban population is not tracked. As Spring Creek grows and uses the open space it becomes more of an issue. He noted it is a national problem.

Mr. Donham clarified that NDOW is only responsible for deer if they are threat to public safety. On State and County roads it is the entity's responsibility.

#### **Public Comment:**

Alan Morris, Tract 100, suggested that undergrad students come here and do a project to track the deer.

Mr. Donham noted it would be great for Spring Creek to come up with a Mule Deer Management Plan utilizing a citizen science project. He noted that under the Oregon model, they hired deer removal experts and the meat would be harvested and donated to the homeless.

Chris Elegante, Tract 400, stated that Spring Creek has grown a lot and we need to know what the deer population is. They deer are destroying pine trees and it has become a safety issue.

Don Klebenow, Tract 400, noted that he believes it would be a bad idea to allow people to hunt on their property. He stated that people are also feeding the deer which is creating the problem. Law enforcement is aware of the problem and they are trying to get the word out to people not to feed the deer. He noted it is State law that you cannot feed the deer. He suggested that the Committee of Architecture look into this issue. He volunteered to provide help to the Association in regards to this issue.

Mr. Donham noted the problem also occurs from unintentional feeding. He reminded people to wrap their haystacks and keep grain secured.

**IV. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A SURVEY AND POSSIBLE EXPANSION OF TRANSIT SERVICES PROVIDED BY GET MY RIDE WITHIN THE SCA BOUNDARIES. *FOR POSSIBLE ACTION***

Abbie Wheeler, Elko Country Transit Coordinator for Get My Ride, provided a power point presentation to the Board members. She discussed the concerns for residents who get flight for life and have no way home from the metropolitan areas. She noted that Medicare does not support transportation at all. Elko has lost Greyhound transportation. Amtrak is available, but there are no pick up points. She provided information for expansion to Get My Ride and noted that their funding is limited. They would have to apply for funding and grants and compete for money in order to expand. She stated that overcrowding is an issue and they have had to turn people away. She noted that Elko Country is unable to donate any more funding than they currently do. They are requesting the Association to do a survey for expansion of the transit services provided by Get My Ride within the SCA boundaries.

The Board directed staff to do further research before they agree to the survey.

**V. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PURCHASE OF 5 USED GOLF CARTS, INCLUDING THE POSSIBILITY OF TRADING IN OLDER CARTS AT THE TIME OF PURCHASE. *FOR POSSIBLE ACTION***

Member Lister moved/Vice Chair Legarza seconded to approve the purchase 5 used golf carts and trade in of older golf carts at the time of purchase. Motion carried (7-0).

**VI. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF AN EXTENSION FOR THE TRAP & SKEET LEASE AGREEMENT WITH GERALD MATYS UNTIL DECEMBER 31, 2024. *FOR POSSIBLE ACTION***

President Bahr stated the Board previously approved an extension until 2023.

Treasurer Austin-Preston noted the original expiration was December of 2019. The request for the extension to 2024 is to allow Mr. Matys to schedule an event in 2024.

The Board tabled the item until Mr. Matys is able to be present at the meeting.

**VII. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING AMENITY RULES AND POLICIES REGARDING USAGE BY PERSONS NOT LISTED ON THE DEED OF THE PROPERTY WITHIN SPRING CREEK ASSOCIATION AT THE HORSE PALACE FACILITY.  
FOR POSSIBLE ACTION**

President Bahr noted the issue is with people who are not listed on the deed and renters.

The Board discussed the issues regarding residency.

Attorney McConnell advised the Board to specify the portion of the Declaration of Reservations that specifically states "members".

The Board discussed residents, family members, renter cards and having current dues to have access.

Public Comment:

Stacy Wines, Tract 400, stated that she has always paid the property owner fee as a renter. She noted that she lives with her parents and helps them out financially; however, she is not listed on the deed and has been asked to pay the non-property rates.

The Board gave direction to staff to draft a policy for members, residents, non-residents, and renters and bring before the Board for review.

**VIII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO ALLOCATE THE 2018 CARRY-FORWARD FUNDS.  
FOR POSSIBLE ACTION**

Chair Park stated the need to move forward on the plow trucks.

Member Lister moved/Member Plaster seconded to eliminate the Vista Grande park updates and allocate those funds to the line item for smaller freightliner trucks for side roads making it a total of \$125,000.00. Motion carried (7-0).

**IX. COMMITTEE OF ARCHITECTURE**

**A. REPORTS**

**NON-ACTION ITEM**

COA Secretary Shields gave an overview on the report provided to the Board.

**B. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 332 LAWDALE DRIVE (103-008-008) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

**FOR POSSIBLE ACTION**

COA Secretary Shields stated the property was on the January 23, 2019 Board of Directors agenda. The Board voted at that meeting to refer the property back to the Committee of Architecture to discuss the option of applying for a variance for the sign. The item was scheduled on the February 12, 2019 Committee of Architecture agenda

for a possible variance. The property owner was not present at that meeting. The Committee of Architecture voted to refer the item back to the Board of Directors for further action.

Chair Park moved/Member Hannum seconded to refer the property at 332 Lawndale Drive to legal counsel for further action and uphold the \$200.00 fine. Motion carried (7-0).

**C. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 681 CLOVER DRIVE (401-013-009) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields stated this property was on the January 23, 2019 Board of Directors agenda. The Board voted to uphold the \$200.00 fine and refer the property back to the Committee of Architecture to allow the property owner to follow up with the Lamoille Conservation District. The item was scheduled on the February 12, 2019 Committee of Architecture agenda. The property owner was not present at that meeting. The Committee of Architecture voted to uphold the \$200.00 fine and refer the property back to the Board of Directors for further action.

Chair Park moved/Member Popp seconded to refer the property at 681 Clover Drive to legal counsel for further action and uphold the \$200.00 fine. Motion carried (7-0).

**D. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 552 CROYDON DRIVE (101-005-027) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields stated the property owner's dog has been running at large on multiple occasions. This item was on the February 12, 2019 Committee of Architecture agenda. The property owner was not present at that meeting. The Committee voted to uphold the \$200.00 fine and refer the property to the Board for further action.

Animal Control Officers Manley and Smith were present. They stated that there have been no further issues reported. Officer Smith noted that she had made contact with the homeowner and told him that his dog had to be on the property at all times or she would arrest him and his wife if there was another incident. Officer Smith noted it is a public safety concern. Officer Manley stated that parents are not allowing their children to walk past the house due to the dog issue.

Member Plaster moved/Member Reed seconded to uphold the \$200.00 fine and refer the property at 552 Croydon Drive to legal counsel for further action. Motion carried (7-0).

**E. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 767 STERLING DRIVE (202-005-020) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields stated the property owner has been in violation since February 2017. There have been multiple conversations with the property owner. The item was scheduled on the February 12, 2019 Committee of Architecture agenda. The property owner was not present at that meeting. The Committee voted to uphold the \$200.00 fine and refer the property to the Board for further action.

The property owner was present. He noted he was not comfortable giving a copy of his registration to the Association, however he brought the registration to the meeting to show proof. He noted that the other vehicle was covered; however, he is unable to keep the cover on it as it blows off.

Member Hannum moved/Member Lister seconded to uphold the \$200.00 fine and refer the property at 767 Sterling Drive to the April 9, 2019 Committee of Architecture meeting to allow the owner to bring the property into compliance. Motion carried (6-1) Member Plaster opposed.

**F. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 483 CASTLECREST DRIVE (202-030-030) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields stated the property owner has been in violation since June 2018. On August 27, 2018, the property owner's son contacted the office and stated his father is deceased and he is trying to probate the property so he can take care of the assessment and violations. There has been no further contact. The item was scheduled on the February 12, 2019 Committee of Architecture agenda; there was no one present for the item.

Member Plaster moved/Member Popp seconded to uphold the \$200.00 fine and refer the property at 483 Castlecrest Drive to legal counsel for further action. Motion carried (7-0).

**G. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 472 WESTCLIFF DRIVE (201-008-036) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields stated the property owner has been in violation since June 2018. There has been contact with the property owner in regards to the vehicles, and both times she stated the vehicles would be removed. The item was scheduled on the February 12, 2019 Committee of Architecture agenda. The property owner was not present. The Committee voted to uphold the \$200.00 fine and refer the property to the Board for further action.

Member Plaster moved/Member Hannum seconded to uphold the \$200.00 fine and refer the property at 472 Westcliff Drive to legal counsel for further action. Motion carried (7-0).

**H. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 527 GYPSUM DRIVE (202-021-002) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

COA Secretary Shields stated the property owner has been in violation since February 2018. There has been previous communication with the property owner in regards to getting the property cleaned up. As of February 7, 2019, there had been no further contact from the property owner and the debris was still on the property. The item was scheduled on the February 12, 2019 Committee of Architecture agenda. The property owner was not present. The Committee voted to uphold the \$200.00 fine and refer the property to the Board for further action.

The property owner was present. She stated the burn pile is scraps from construction and noted they have burned a portion of it. She requested that the Board give her until the end March to bring the property into compliance.

Member Plaster moved/Member Popp seconded to uphold the \$200.00 fine and refer the property at 527 Gypsum Drive back to the Committee of Architecture giving the property owner until March 31, 2019 to bring the property into compliance. Motion carried (6-1) Member Reed abstained.

**I. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 878 SPRING VALLEY PKWY (202-025-042) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

**FOR POSSIBLE ACTION**

COA Secretary Shields stated the property owner has been in violation since May 2017. On November 27, 2019, the executor of the estate contacted the office and said she will be handling everything from this point forward. To date, the property is still in violation. The item was scheduled on the February 12, 2019 Committee of Architecture agenda. No one was present at the meeting. The Committee voted to uphold the \$200.00 fine and refer the property to the Board for further action.

Member Plaster moved/Member Hannum seconded to uphold the \$200.00 fine and refer the property at 878 Spring Valley Parkway to legal counsel for further action. Motion carried (7-0).

**J. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 777 SPRING VALLEY PKWY (202-004-015) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

**FOR POSSIBLE ACTION**

COA Secretary Shields stated the property owner has been in violation since October 2018. There has been no contact with property owner. The item was scheduled on the February 12, 2019 Committee of Architecture agenda. The property owner was not present. The Committee voted to uphold the \$200.00 fine and refer the property to the Board for further action.

Chair Park moved/Member Plaster seconded to uphold the \$200.00 fine and refer the property at 777 Spring Valley Parkway to legal counsel for further action. Motion carried (6-1) Member Reed abstained.

**K. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 163 GREENCREST DRIVE (109-002-010) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields stated the property owner has been in violation since July 2018. There was contact with the property owner in August and she stated that they would buy a cover and place it on the vehicles. There has been no further contact from the property owner. After review of the property on February 7, 2019, the property was not in compliance. The item was scheduled on the February 12, 2019 Committee of Architecture agenda. The property owner was not present. The Committee voted to uphold the \$200.00 fine and refer the property to the Board for further action. As of February 20, 2019, the vehicle was covered.

Member Hannum moved/Chair Park seconded to uphold the \$200.00 fine and refer the property at 163 Greencrest Drive back to the Committee of Architecture to close the violation. Motion carried (7-0).

**X. APPROVAL OF MINUTES:**

***FOR POSSIBLE ACTION***

**A. January 23, 2019, Regular Meeting Minutes**

Member Lister moved/Vice Chair Legarza seconded to approve the January 23, 2019 Regular Meeting Minutes. Motion carried (6-1) Chair Park abstained.

**XI. ACCEPT JANUARY 2019 ASSESSMENT AND LEGAL RECEIVABLE REPORTS.**

***FOR POSSIBLE ACTION***

Member Plaster moved/Member Lister seconded to accept the January 2019 Assessment and Legal Receivable Reports. Motion carried (7-0).

**XII. ACCEPT JANUARY 2019 FINANCIAL REPORTS.**

***FOR POSSIBLE ACTION***

Member Plaster moved/Member Reed seconded to accept the January 2019 Financial Reports. Motion carried (7-0).

**XIII. MEETING SCHEDULE**

***NON-ACTION ITEM***

The next Regular Board of Directors meeting is scheduled for Wednesday, March 27, 2019 at 5:30pm.

**XIV. PUBLIC COMMENT**

***ACTION SHALL NOT BE TAKEN***

No action may be taken on a matter raised under this item of the agenda until the matter itself has been included specifically on an agenda as an item upon which action will be taken.

No public comment was received.

**XV. ADJOURNMENT**

The meeting adjourned at 8:24 p.m.