



SPRING CREEK ASSOCIATION BOARD OF DIRECTORS SPECIAL MEETING MINUTES

Spring Creek Association ("SCA") Board of Directors
Monday, July 09, 2018, 5:30 PM, PST
Fairway Community Center Meeting Room
401 Fairway Blvd, Spring Creek, Nevada

PRESENT: Chair Josh Park (Tract 100), Jim Jefferies (Tract 200), Vice Chair Pat Plaster (Tract 300), 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, DISCUSSION AND POSSIBLE ACTION TO REMOVE JAMES JEFFERIES FROM THE SPRING CREEK ASSOCIATION BOARD OF DIRECTORS PURSUANT TO SPRING CREEK ASSOCIATION BYLAW 5.9. *FOR POSSIBLE ACTION*

Chair Park stated that the SCA Board of Directors has specific duties and responsibilities that are required by law. Director Jefferies has continuously ignored his responsibilities and created significant problems and costs for the SCA, its members, Board of Directors and staff. Evidence was presented in regards to Director Jefferies inconsistencies and alleged misconduct during his time on the board.

Director Jefferies responded to the presentation by stating that he has no legal counsel to defend himself against the allegations and requested that the Board postpone the meeting until he has legal representation.

Attorney McConnell stated that Director Jefferies was personally served pursuant to N.R.S. 241.033 on June 28, 2018, by a process server. McConnell stated that it is her opinion that Director Jefferies has had a sufficient amount of notice, that at this meeting, the Board was going to be considering his alleged misconduct. McConnell stated it is the pleasure of the Board to move forward with this item.

Public Comment:

Mike Pappas, tract 200, stated that he brought the petition to withdraw tract 200 from the association to Director Jefferies, noting that he thought it was the Board's decision.

Terry Lister, tract 200, stated that he had no problem with the petition to withdrawn tract 200 from the association if it wasn't coming from a director. He stated that the County has no obligation to take over the roads if tract 200 withdraws from the association and he is not sure they would get better service than the association offers.

Charles Ekburg, tract 200, stated he was approached about the plan for succession and did not feel that it was in such a way to insight opposition to the board or in contempt of the board. He made comments regarding a prior removal of a board member.

Ruth Collins, tract 200, asked Director Jefferies if he doesn't want to be part of the association, then why does he want to sit on the Board. She noted that he can't represent everyone fairly while circulating a petition to withdraw.

Bernard Addenbrooke, tract 200, stated he feels that withdrawing from the association is in his best interest and Director Jefferies is representing the members in the 200 tract.

Brien Park, tract 100, noted that Director Jefferies has been to Committee of Architecture ("COA") meetings and has been instrumental in asking unique questions and having the COA think differently. He may come with good ideas and good thoughts, but he doesn't come prepared. He doesn't come prepared to listen or to respond to questions given to him. It creates a situation of constant argument, over talking and it's confusing to listen to and

determine which direction the thought process it going. He has great ideas but they don't do much to help his tract or resolve any issues.

Pam Ames, tract 200, noted that this was the first meeting she has attended. She was not aware of the petition to withdraw. She stated that the 200 tract is not being made aware of where the money is going. Chair Park stated that every year the association gives out the financial statement, which shows where every dime is spent. President Bahr noted that she is happy to meet with her personally.

Director Legarza, noted that most of the members got here because they were curious to know where the money was being spent. Director Jefferies was included in the strategic planning and has had ample opportunity to be involved, vote and bring ideas to the board. There have been numerous things done to attempt to improve the amenities and President Bahr has worked to have more events, but it is not going to be a for profit thing. We are attempting to do the very best we can.

Vice Chair Plaster has been a property owner for many years and has properties in the 200 tract. She'd like to think the board is a progressive board. Everything isn't always going to go your way, it's a consensus board. You are one vote of seven. Often times Director Jefferies shows up with packet in hand, and has not read the packet. If you don't read your packet and aren't informed, you walk away wondering what just happened.

Director Reed noted he is a fairly new board member and hasn't seen a lot of things that the rest of the board members have. Director Jefferies has come with some good ideas. There is a lot of turmoil happening and we can't get much done other than arguing. It might be in the best interest of the Board if we move on.

Director Popp noted she is also a new member to the board but has been in Spring Creek since 1975. Through this period of time Director Jefferies came with a lot of good ideas and got the board thinking in a different direction. However, when people don't go in the direction of the betterment of the company and the business, it is time to make a change. Feels Director Jefferies has his own agenda and when you are on a board, you can't have your own agenda. It's time to replace the position.

Director Hannum noted he hasn't known Director Jefferies very long. Director Jefferies is very passionate about getting his point across however misguided it is. We paid a professional to do a study to determine if the association should be abolished and I think we have already addressed that. As a board member you shouldn't bring forward a petition to withdraw from the association. If that is the direction you want to go, do it as a citizen. Director Jefferies knows where the money goes, he has been at the meetings for the last 3 years and he sees the financials every month.

Director Hannum moved/Vice Chair Plaster seconded to remove Director Jefferies from the Spring Creek Association Board of Directors pursuant to Spring Creek Association Bylaw 5.9. Motion carried (6-0) Jefferies abstained.

III. PUBLIC COMMENT

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Rusty Bahr, tract 400, suggested that the Board look at the safety of the situation and ensure the safety of the staff.

Bob Collyer, tract 100, stated there seems to be a competition going between the tracts. He noted that is out of line; we are one community and one Spring Creek. We have amenities where they are located and it is for all of the property owners. He would like to see the competition between tracts stop.

Ruth Collins noted that for the people who say they don't have time to go to meetings, President Bahr is very accessible. They are on Facebook, have a website and you can sign up for email notifications. You can walk into the office anytime or call. There are a lot of ways to get your questions answered even if you can't make it to a meeting.

Director Popp noted that as a property owner in the association, you do own all of the amenities equally. If you ever do decide to cut yourself off from the Spring Creek Association, you would lose all of those amenities.

IV. ADJOURNMENT

The meeting adjourned at 7:22 p.m.