



## **SPRING CREEK ASSOCIATION COMMITTEE OF ARCHITECTURE REGULAR MEETING MINUTES**

Spring Creek Association Committee of Architecture  
Tuesday, June 9, 2020, 5:30 PM, PST  
Fairway Community Center Meeting Room  
401 Fairway Blvd, Spring Creek, Nevada

**PRESENT:** Chairperson Jill Holland, Vice Chairperson Banuelos and Members: Randy Hesterlee, Diane Parker

**ABSENT:** Member Stefanie Sisk

**STAFF MEMBERS PRESENT:** SCA President Jessie Bahr via phone, SCA Vice President Kerr and COA Secretary Shields

**CALL TO ORDER:** Chair Holland 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 Committee of Architecture 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.

**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 comments by the general public.

## **UNFINISHED BUSINESS**

### **1. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING PAGE 4 ITEM #6, METAL STORAGE CONTAINERS, AND POSSIBLE ADDITIONS OR CHANGES TO THE RULE. *FOR POSSIBLE ACTION***

Secretary Shields stated that at the March COA meeting, the committee mentioned they wanted additional wording added to the rule. In the second sentence of the rule after property the following will be added:

“or an aesthetically pleasing color which coincides with the surrounding landscape”

No public comment was offered.

Member Hesterlee moved/Chair Holland seconded to approve the proposed change in language for metal storage containers wording as presented. Motion carried (4-0). Member Sisk absent.

### **2. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING PAGE 5 ITEM #12, INOPERATIVE /UNREGISTERED UNLICENSED VEHICLES, AND POSSIBLE ADDITIONS OR CHANGES TO THE RULE. *FOR POSSIBLE ACTION***

At the March COA meeting Committee made mention that they wanted wording added to the rule.

Secretary Shields stated that shall will remain in the rule and “before the violation will be dismissed or violation will proceed to the BOD for further action” will be added to the rule.

No public comment was offered.

Vice-Chair Banuelos moved/Member Parker seconded to approve the word changes “shall provide a copy of the registration certificate as evidence to the COA Secretary before the violation will be dismissed or violation will proceed to the BOD for further action. Motion carried (4-0), Member Sisk absent.

### **3. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING PAGE 5 ITEM #13, EXTERIOR CONDITION OF STRUCTURES, AND POSSIBLE ADDITIONS OR CHANGES TO THE RULE. *FOR POSSIBLE ACTION***

At the March COA meeting Committee made mention that they wanted wording added to the rule.

Secretary Shields stated that “as determined by the SCA COA” has been added to the rule.

No public comment was offered.

Member Parker moved/Vice Chair Banuelos seconded to accept the wording as presented that will state “as determined by the SCA COA”. Motion carried (4-0), Member Sisk absent.

**4. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF MATERIALS & PRACTICES NOT ALLOWED AT 819 OAK CREEK LANE (402-010-048). *FOR POSSIBLE ACTION***

Secretary Shields stated that this item was on the May 2020 agenda and the COA voted to table the item until the June meeting giving the homeowner the opportunity to eradicate the issue of excessive riding.

Denise Garcia was present via Zoom. She stated they were contacted by an officer and told that their son couldn't ride on the roads because he didn't have a license and the ATV was not registered. She stated she was told previously to watch the timeframe when he is riding. She stated that her immediate neighbors do not have an issue with riding on their property.

Chair Holland asked what has been done with the track and that it is still visible. She stated that they need to stop using the track and possibly reseed the area that has become a track.

Denise stated that there was no intentional track built and it is just dirt and sagebrush.

Member Hesterlee has concerns with previous correspondence to the property owner and that two different procedures are used such as 3 letters to some property owners and others 1 letter to others and comes to the COA.

President Bahr clarified the difference between a nuisance violation and a letter process. Issues such as ATV noise/dust or barking dogs would be considered nuisances and would be addressed right away by the COA.

Public Comment:

Paula Taylor spoke about dogs causing a track on properties and that it is more of a fire hazard with planting grass. She does not believe that telling people to plant seed is correct and is a fire hazard.

Member Hesterlee moved/Member Banuelos seconded to forward this matter to the Board of Directors with no action taken by the COA. Vote (3-0-1) Member Parker abstained and Member Sisk absent.

**5. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF MATERIALS & PRACTICES NOT ALLOWED AT 691 WOLCOTT DRIVE (401-019-010). *FOR POSSIBLE ACTION***

COA Secretary Shields stated that the property has been in violation since May of 2020. The property owners were given until the June meeting to eradicate the situation.

Paula and Russell Bryan Taylor were present. The stated that the issue has been not eradicated because they haven't gotten any equipment and they do not know what they intend to do. They want to get it on an agenda in front of the Board.

Paula Taylor wanted clarification why they were served with a certified letter and were not notified. Jumps were constructed during quarantine.

Chair Holland clarified the rule that there are no tracks allowed. Annual reviews are done and if a track is visible it comes before the COA.

Secretary Shields clarified the difference between the nuisance and the 3 letter notification process.

Member Hesterlee had concerns about why a similar violation was handled differently for notice.

Paula Taylor stated they should have rights on their own property to do what they wish during the noise ordinance times. They stated that they could take the track down but they can ride on their own property.

Bryan Taylor asked what happens if he does not take the track down?

Chair Holland clarified that this is a homeowners's association and there are rules that you agree to follow and you cannot have a track on your property.

Member Hesterlee requested if the track has been in use since the last meeting? The Taylor's stated that they have not used it since that time. They stated that they will have to rent a piece of equipment to remove the mounds.

Member Hesterlee discussed if this will be forwarded to the Board that the Board and property owner have access to the audio or transcription.

Paula Taylor requested any evidence such as pictures. It was clarified that there are no pictures. She requested any letters or pictures for a hearing.

No public comment was offered.

Member Hesterlee moved/Member Parker given that the property owner of this property have requested to be heard by the BOD I move that this committee forwards this item with no action to the BOD and further request that staff make as accurate as possible transcription of this discussion to be available to parties concerned. Motion carried (4-0), Member Sisk absent.

**6. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF EXTERIOR CONDITION OF STRUCTURES AT 412 EDGEBROOK WAY (106B-006-036). *FOR POSSIBLE ACTION***

This property was on the January COA agenda and the COA voted to uphold the fine but give the PO until June 1, 2020 to complete the roof otherwise this violation would go to the BOD for further action. There has been no contact from the PO and the roof is not complete.

No public comment was offered.

Vice Chair Banuelos moved/Member Parker seconded to uphold the fine and refer to the BOD for further action (4-0) Member Sisk absent.

**7. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE/UNREGISTERED/UNLICENSED VEHICLES, STORAGE OF TOOLS AND TRASH AND IMPROVEMENT STANDARDS AT 353 TRECARTES AVE (201-009-052). *FOR POSSIBLE ACTION***

COA Secretary Shields stated this property has been in violation since February 2018. The item was on the January agenda and the COA voted to have the 3 vehicles in question to either be removed, 2 removed and 1 covered, or they will all be licensed by February 2020. The rest of the items they will give until the end of May 2020 and if all items are not completed, it'll be forwarded to the BOD for further action.

Jeremy Smith was present at the meeting and stated that the cars have been resolved and he continues to haul items to the dump.

Jeremy stated that the items in the tarped trailer will be disposed of and has been unable to finish the dog kennel.

Member Hesterlee stated that it was obvious that progress was being made, but there was a lot of storage of building materials and debris.

Member Parker commented on the overall appearance as very scattered.

Jeremy stated that the cleanup could be completed by the end of summer.

No public comment was offered.

Member Parker moved/Member Banuelos seconded to give until August 1<sup>st</sup> to have everything required cleaned up or removed and if not completed by that time, the COA will move forward with sending it the Board and upholding the fine. Motion carried (4-0), Member Sisk absent.

## **NEW BUSINESS**

### **8. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF STORAGE OF TOOLS AND TRASH AND IMPROVEMENT STANDARDS AT 743 HAYLAND DRIVE (202-009-010). *FOR POSSIBLE ACTION***

COA Secretary Shields stated this property has been in violation since February 2020. The PO called and sent an email stating that they had cleaned up and the building in question has been stained.

Vice-Chair Banuelos asked if the debris has been picked up and staff has not been able to verify.

Member Parker asked about the shop in the back. Secretary Shields stated that there would be a separate letter sent for that issue.

Member Hesterlee stated the PO has made substantial effort to come into compliance.

No public comment was offered.

Member Parker moved/Chair Holland seconded to close the violation upon review that it is in compliance and cut the fine in half to \$100. Motion carried (4-0) Member Sisk absent.

### **9. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF STORAGE OF TOOLS AND TRASH AT 584 GILIA PLACE (202-037-023). *FOR POSSIBLE ACTION***

COA Secretary Shields stated this property has been in violation since February 2020. There has been no contact from the Property Owner. Secretary Shields stated that the property is for sale the violation could be handled through Escrow. Secretary Shields clarified the process for when a property is for sale and a demand is sent to SCA and we would designate that the property is in violation. The sale cannot close when there is a violation on the property.

No public comment was offered.

Member Parker moved/Vice Chair Banuelos seconded to table the item and that it is handled through escrow and the closing of the property that is now for sale. Motion carried (4-0) Member Sisk absent.

**10. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF STORAGE OF TOOLS AND TRASH AT 340 DOVE CREEK DRIVE (201-009-012).  
FOR POSSIBLE ACTION**

COA Secretary Shields stated this property has been in violation since February 2020. There has been no contact from the property owner.

Member Hesterlee asked for clarification of the photos enclosed.

Member Parker and Vice-Chair Banuelos suggested driving by each property to view the violations.

No public comment was offered.

Vice Chair Banuelos moved/ Chair Holland seconded to uphold the fine and refer to the Board of Directors for further action.

After discussion, the motion was amended.

Vice Chair Banuelos moved/Chair Holland seconded to uphold the \$200 fine and refer to the Board of Directors for further action. Motion carried (4-0) Member Sisk absent.

**11. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF STORAGE OF TOOLS AND TRASH AND INOPERATIVE/UNREGISTERED/ UNLICENSED VEHICLES AT 613 DIAMONDBACK DRIVE (303-003-013).  
FOR POSSIBLE ACTION**

COA Secretary Shields stated this property has been in violation since March 2020. There has been no contact from the property owner.

No public comment was offered.

Member Parker moved/Member Hesterlee seconded to uphold the fine of \$200 and refer this property to the Board for further action. Motion carried (4-0) Member Sisk absent.

**12. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF STORAGE OF TOOLS AND TRASH AT 451 BRENT DRIVE (202-018-050).  
FOR POSSIBLE ACTION**

COA Secretary Shields stated this property has been in violation since February 2020. There has been no contact from the property owner.

Vice-Chair Banuelos drove by the property and commented on its need for cleanup.

Member Hesterlee commented on the supplied pictures.

No public comment was offered.

Vice Chair Banuelos moved/Member Parker seconded to uphold the fine of \$200 and refer to the Board of Directors for further action. Motion carried (4-0), Member Sisk absent.

**13. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF STORAGE OF TOOLS AND TRASH AT 380 BERRY CREEK DRIVE (201-010-006).  
FOR POSSIBLE ACTION**

COA Secretary Shields stated that this property has been in violation since February 2020. There has been no contact from the property owner.

No discussion or public comment.

Member Parker moved/Vice Chair Banuelos seconded to uphold the \$200 fine and refer to the Board of Directors for further action. Motion carried (4-0), Member Sisk absent.

**14. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF STORAGE OF TOOLS AND TRASH AND INOPERATIVE/UNREGISTERED/ UNLICENSED VEHICLES AT 53 ARROYO VISTA DRIVE (301-007-016).  
FOR POSSIBLE ACTION**

This property has been in violation since October 2019. Kevin Nelson, Property Owner, was present at the meeting. He stated he has spent over \$300 to clean up the property and moved items to where they are not visible. He requested whether car covers are acceptable and it was clarified that he could have 1 vehicle under a car cover. He plans to keep some vehicles and get rid of others by giving away or hauling them to Pacific Steel. He continues to try to register the other vehicles, but the DMV has been closed to this point. He will continue to work on the issue and asked for an extension of 1 month to have all items up to standard.

Chair Holland stressed the importance of communication to keep staff informed of the progress made on the property.

Member Banuelos asked for a specific timeline.

Member Hesterlee provided other options to get rid of unwanted vehicles.

No public comment was offered.

Member Parker moved/Vice Chair Banuelos seconded to allow the PO until the 1<sup>st</sup> of August to make as much progress as possible by getting rid of vehicles and cleaning up and to stay in contact with Amie through the process. Motion Carried (4-0), Member Sisk absent.

**15. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A LIVESTOCK PERMIT AT 907 PALACE PKWY (403-016-014).  
FOR POSSIBLE ACTION**

Property owner is requesting a livestock approval for 1 steer.

No discussion or public comment

Vice Chair Banuelos moved/Member Parker seconded to approve the livestock permit. Motion carried (4-0), Member Sisk absent.

**16. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A LIVESTOCK PERMIT AT 825 AESOP DRIVE (403-008-008). FOR POSSIBLE ACTION**

Property owner is requesting a livestock permit for 6 piglets.

No discussion or public comment.

Member Parker moved/Member Hesterlee seconded to approve the livestock permit as presented. Motion carried (4-0), Member Sisk absent.

**17. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A LIVESTOCK PERMIT AT 456 RAWLINGS DRIVE (304-006-033). FOR POSSIBLE ACTION**

Property owner is requesting a livestock permit for 2 mini goats.

COA Secretary stated that we did not receive a letter from the owner of the property to allow the renter to have a livestock permit and recommends tabling the item until it is received.

No public comment was offered.

Member Hesterlee moved/Chair Holland seconded to table until the applicant has hard correspondence from the land owner and other deficiencies are corrected. Motion carried (4-0), Member Sisk absent.

**18. REVIEW AND DISCUSSION REGARDING MONTHLY UPDATE ON PROPERTIES AT MCCONNELL LAW. NON-ACTION ITEM**

COA Secretary Shields provided the SCA/COA Legal Account Status Report for the COA members to review.

Chair Holland requested information on how long it takes staff to verify the status.

Member Parker requested information on the Robert Brown property.

No public comment was offered.

**19. APPROVE MINUTES FROM THE MAY 12, 2020 COA REGULAR MEETING. FOR POSSIBLE ACTION**

Member Hesterlee asked for additional context in the minutes where possible.

No public comment was offered.

Member Parker moved/Member Hesterlee seconded to approve the May 12, 2020 COA Regular Meeting Minutes as presented. Motion carried (3-0-1) Vice Chair Banuelos abstained and Member Sisk absent.

**20. APPROVE COMMITTEE OF ARCHITECTURE REVENUE AND VIOLATION REPORTS FOR MAY 2020. FOR POSSIBLE ACTION**



No public comment was offered.

Member Parker moved/ Vice Chair Banuelos seconded to approve the Committee of Architecture Revenue and Violation Reports for May 2020. Motion carried (4-0), Member Sisk absent.

**15. PUBLIC COMMENT**

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***ACTION SHALL NOT BE TAKEN***

Member Parker would like have an agenda item for an ordinance that there be no riding of off road vehicles within 300 feet of a residence. She stated it is the same as the City of Elko Ordinance.

There was further discussion on rules and ordinances.

Chair Holland requested information on 844 Spring Valley Parkway and the home occupation permit for firearms.

Member Hesterlee requested information on whether like items can be combined for one motion. VP Kerr discussed consent agendas.

Member Hesterlee would like a discussion on the agenda for the prohibition of OHV's.

Chair Holland clarified the 2 items that were proposed for the agenda. Member Parker would like to have a rule or ordinance within the parameters already specified by the BOD regarding OHV's being ridden within the properties with a suggested 300 foot limit next to a residence similar to Elko City. Member Hesterlee would like a discussion about a committee presentation to the Board at some time regarding the actual permission to have OHV's in SCA and could we change that or offer suggestions to help that be a better situation for the community. VP Kerr suggested it be put before the President and Legal and send their recommendations to Secretary Shields.

No comments by the general public.

**16. THE NEXT REGULAR MEETING OF THE COMMITTEE OF ARCHITECTURE IS SCHEDULED FOR TUESDAY, JULY 14, 2020 AT 5:30 PM.**

***NON-ACTION ITEM***

**17. ADJOURN MEETING**

The meeting adjourned at 8:08 p.m.