SPRING CREEK ASSOCIATION STAFF UPDATE AUGUST 2017

Facilities:



<u>Community Center and Golf Course:</u> The landscaping for the community center is being finalized as we speak. The board will be reviewing Jason's one year contract in either September or October to give staff direction on next steps.

Shooting Range: NDOW notified us that we did receive the grant for the shooting range and that they are working on the paperwork with the feds. We have met with our shooting range committee and determined next steps with ordering, work, surveying etc.

<u>Schuckmann's Complex</u>: The Boys and Girls Clubs of Elko are currently strategically planning for the SC Club and will have final thoughts at the end of this month so we can move on with overall planning. The SCA has met with a large, private foundation to review the possibility of funding updates at the Schuckmann's Sports Complex. These could include lights, a concession stand with bathrooms, a football field, and updates to the grounds. The SCA will continue to meet with the youth sports organizations who use these facilities and continue planning. We will now develop a case statement, funding plan, and prospect list and move to a capital campaign with board approval. This will likely be in September for the planning phase.

School District: The ECSD has interest in putting a school on 106D property. The appraisal came in for the property at \$240,000. The information is in your board packet for next steps. The ECSD will have their meeting on the fourth Tuesday to also talk about this.

Read more here: <u>http://elkodaily.com/news/local/spring-creek-association-supports-location-for-new-school/article_95a47689-06ac-5796-94b2-b243df8e3f75.html</u>

<u>Commercial Properties:</u> Bids are in your packets for purchase of the commercial properties for sale. We still have 451 Spring Creek Parkway for sale.

Operations:

Frontier: As noted at the last board meeting, we are looking to help our community in regards to the Frontier issues. I have reached out to many community leaders to try and join us together to fix the issues instead of all working separately doing the same research and trying to make this a joint effort. I and a few others will be meeting on the 24th with JoJo, email noted below as well as with the City at 1 to review the issues.

Good afternoon,

I wanted to let you know that I will be visiting Elko on August 24th, 2017 and will be having a meeting at 905 Railroad Street, Suite 104 D (ground floor of the building). I would very much like for you to attend. I have reserved the board room from 10:15-1:15 in order to accommodate schedules and will hold meetings every hour. My 1st meeting in Elko will be with the School District and their superintendent and IT Director at 9:00 a.m. 10:15-11:15

11:15-12:15

12:15-1:15

The entire purpose of my visit is to start to understand your Broadband situations, challenges, and how my position and the Governor's Office of Science, Innovation, and Technology can better align our efforts and strategies with Elko's. Please let me know if you can make any of the above times and please come prepared to discuss current broadband, needed broadband, and please feel free to bring any interested parties that you deem appropriate for this meeting. Please bring maps or broadband information to take back with me if possible. You know your community better than I so please reach out to your commissioners, city council, IT directors, and planners, etc. if you think they should be at this meeting. I plan on doing a lot of listening and note taking and then we can discuss next steps.

Thank you and I look forward to speaking with you. Please do not hesitate to call my phone listed below.

<image003.jpg>

Jojo Myers Campos State Broadband Development Manager Governor's Office Science, Innovation, and Technology 100 North Stewart Street, Suite 220 Carson City, NV 89701 775.687.0993 – Office <u>Imyers@gov.nv.gov</u>

<u>Roads and Maintenance</u>: SCA is currently chipsealing which should end Friday. We have completed the 30 miles of roads but need to fog seal a few which the bid is in your packets.

After this, the SCA will go back to focusing on road sweeping, pot holes, shouldering, and mowing sides of roads and spraying weeds. As a reminder, we have 150 miles of roads which turns into 300 when both sides need to be done. This takes a long time to complete and get to.

Animal Control: Interviews for this position will be held on the 24th which I will attend at the Sheriff's office. After this person is hired, they will be trained and ready to go. The City is also

working with us for the animals who were taken to the shelter who are SCA PO's and have loose dogs so we can follow-up on our end to help with this major issue in Spring Creek. They will send us this list every two weeks. I also spoke to the Sheriff regarding what more they can do to help fix this issue in Spring Creek as it is out of hand and they will likely be starting to make everyone who comes into the shelter get a license.

Weed Management: The SCA is currently out spraying many roads and amenities in SC with the brush beater and sprayer combination which we hope will save time and be more efficient in dealing with the weeds. We are looking at contracting this out in the future.

Municipalities Study: The community meeting for the final reports for the municipalities' assessment was held in June. The board will need to decide next steps in regards to becoming another entity at this board meeting. There are several points I have been thinking since the results came out including having a review of our assessment fees and having a 10 year plan to get us to a sustainable level for income to keep the operations running at a decent level of service. Also, I have been researching contract cities (a few outside of Denver and in Washington State) who have a limited number of employees and run their towns on contracts to reduce costs. A major reason we are not able to get taxes is because of the change in legislation which grandfathered in towns like Jackpot so I am also curious if there is a way to change legislation although that may be a long shot. Additional questions and answers are posted from the meeting on our website.

Geese Management: The geese management plan is almost complete and will be working on contracting this out for the future. We need to report findings to NDOW and the Feds. We will start with the dog and drone training in a few months to help maintain the population until next year. We encourage the property owners to not feed the waterfowl or tamper with any of the devices we are using. We have placed new signs at the Marina stating this. We are working with FWS, NDOW and Humboldt Wildlife Services to finalize other aspects of the plan including trapping of 150 geese. If there are questions on this, please refer them to the Geese Management Plan on the website.

Water Issues:

Water Meter Reading:

The PUCN has its regular agenda item this morning at 10. GBWC's Pahrump division is item number 3C for the IRP case. The draft order dismisses the application because they did not properly notice the customers and also orders a show cause proceeding to determine if administrative fines are appropriate. Here is one quote from the draft order:

2. The Commission further finds GBWC's actions within this Docket, as well as the Company's business practices exhibited in this proceeding and in other proceedings before this Commission,² call into question whether GBWC has the technical, managerial, and financial capability to operate in compliance with the Commission's regulations, including, but not limited to, the requirements enumerated at NAC 703.190.

I would speculate that this docket is why we have not seen anything yet on the SC issue. The commission, staff and BCP are clearly upset with them.

The PUCN Commission had their final hearing a few weeks ago regarding the water meter issues we are facing in Spring Creek. The PUCN staff and BCP really put in the time to understand the issues and express their continued concerns to the Commission that there is likely more customers effected in this case, as well as pointed out there are really no strong programs for staff training and policies and procedures in place as well as the lack of customer service and satisfaction in our area.

The next steps are Commissioner Pongracz will write a draft order. In the last section, there will be Commission Discussion & Findings and then it will say "it is ordered that.." & that's where you'll want to look for the outcome. Then the Draft Order will go on an agenda to be voted on by the Commission. Upon an approval by the entire Commission, the order will come out which will order the company to do whatever it entails. So we have to wait for that draft order to become an item on an agenda.

Overall this is a step in the right direction to help our Spring Creek community deal with the water issues we have been facing for years. This is only one small step in a large process to fix the problem once and for all.

Key Highlights:

Lila Glaser Testimony: Q: Does staff agree with refund methods that GBWC has proposed as resolution in this matter. A: No. Staff believes that any refund amount should be calculated and potentially refunded to every Spring Creek customer...

Yasuji Otsuka Testimony: Q: What are you recommendation to the Commission regarding the issues outlined.. A: I recommend that the Commission find that the BBWC's two comparative analyses of field technicians' meter reading practice do not provide conclusive evidence to support its assertion that the meter reading problems: (1) are limited to only on particular field tech; and (2) started in June 2016.

Yasuji Otsuka Testimony Page 12: ...GBWC should have investigated if there were any process, procedure and control issues related to the claimed fraud practice. However it appears that

GBWC did not even try to do. This is disconcerting and does not demonstrate serious management attention towards identifying the root cause(s) of this problem.

http://pucweb1.state.nv.us/puc2/Dktinfo.aspx...

Docket 16-12006

Safety: We are starting to implement many items from our safety plan including training, checklists, monthly meetings etc. We received a list from insurance on each site that needs to be addressed and are working on this list. We will continue to evolve our safety plan over the year to ensure compliance.

Neighbor 2 Neighbor: We have developed a N2N program which will work with volunteers in SC to help their neighbors who are elderly, disabled, or a vet in need with property work like weeds or even snow removal. We are working through a few kinks but have received applications.

Traveling Merchant:

The County plans to get us a draft in the next two weeks.

The SCA is working with the County on enacting a Traveling Merchant Rule to help with the issues around the County. There are two fold reasons for this request. Sheriff Pitts has concerns for these outside vendors coming in and knocking on doors with not understanding of who they are and what their background is, where they are and when. IE if they have Felonys that are significant and say involve children, we do not want them knocking on doors when just kids are home. Also, if there is an incident, say burglary, we know who is out soliciting and when. The SCA motive is to have enforcement behind our rules so that there is NO soliciting in Spring Creek.

SCA is not requesting that two different laws be combined, but instead asking that there be a provision of the traveling merchants ordinance that allows SCA to be exempted, similar to the language used in the ATV ordinance below:

Homeowners' associations (HOAs) and/or architectural review committees as recognized pursuant to section <u>4-9-4</u> of this code may ban or further restrict the operation of off highway vehicles on county highways within the respective subdivision boundaries by amendment or inclusion of the ban or restrictions within HOA approved conveniences, conditions and restrictions or declarations of reservations. Such amendments of the CC&Rs and/or DORs shall be recorded with the Elko County recorder.

SCA has banned door-to-door solicitations, with exceptions for religious or education/school purposes. It is our position that these regulations do not violate any freedom of speech issues and are allowed to be regulated by a Homeowner's association.

We think that If the County is inclined to adopt a traveling merchant ordinance, language could be crafted that would allow SCA to keep it's rule in place without the County violating any state or federal laws.

2017 Focus Areas

Although this is not an all-inclusive list, below are some of the key initiatives we will be tackling this upcoming year:

Roads: Association roads, like many other areas in our HOA, have had years of deferred maintenance which is why we are in need of repairing so many over the next few years. Additional patch and shoulder work is needed on most roads as well as chip-sealing many of the roads and paving mailbox areas.

Water: The Association is pursuing legislative changes in regards to water and has set aside funds to see this through as well as any other water related issues we may need to pursue on behalf of our residents including a possible rate increase hearing.

Geese: We have over 500 resident geese at the Marina which are causing many issues for our members. We are working on a plan with USDA, NDOW, and other local agencies to humanely remove some of the population.

Amenities: Like the roads, many amenities are in a state of disrepair. We are receiving input from the amenity users and will be updating facilities although most will need to be in phases and funds saved up.

Animal Control: A large issue for many is animal control and specifically dogs. We are working on a plan to implement specific animal control measures in the Association to help alleviate these continued issues.

Weeds: Noxious weeds are very prevalent in the Association and need to be controlled. Many local agencies have come together to attack this problem County wide including the Association.

Capital Reserves: Implementation of a strong capital reserve program will help us be on top of repairs and additions for years to come instead of being in a state of crisis when a large issue.

Events:

Movie in the Park: August 18th @ Spring Creek Marina **Trunk or Treat:** October 31st @ Spring Creek Marina

Respectfully Submitted,

Jessie Bahr, Spring Creek Association President/ General Manager