



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

Spring Creek Association ("SCA") Board of Directors  
Wednesday, April 25, 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), 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.

Mike Pappas (tract 200), commented that he is still working on getting information for an arena in the 200 tract.

**II. REVIEW, DISCUSSION AND POSSIBLE ACTION TO PURCHASE 2 MOBILE LIGHT TOWERS TO BE UTILIZED DURING SPRING CREEK ASSOCIATION EVENTS.**  
***FOR POSSIBLE ACTION***

Treasurer Austin-Preston noted that they have previously rented the towers which require staff to transport the units to and from town for each event, as well as the added insurance costs to cover the light towers on rent.

Member Hannum moved/Member Popp seconded to purchase 2 mobile light towers from BID A at a cost of \$3700.00 per light tower. Motion carried (7-0).

**III. REVIEW, DISCUSSION AND POSSIBLE ACTION TO DONATE APPROXIMATELY 5 ACRES OF LAND, PARCEL NUMBER TO BE DETERMINED ONCE A PARCEL MAP IS COMPLETED, TO THE BOYS AND GIRLS CLUB OF ELKO TO BE USED FOR CONSTRUCTION OF A REC CENTER AND BOYS AND GIRLS CLUB, INCLUDING ANY CONTINGENCIES RELATED TO THE PROPOSED DONATION INCLUDING APPROVAL OF JOSHUA PARK TO SIGN ANY AND ALL DOCUMENTS REQUIRED FOR EXECUTION OF THE DONATION.**  
***FOR POSSIBLE ACTION***

This item was considered at the Board of Director's Special Meeting on Monday, April 23, 2018 and the motion was as follows:

Chair Park moved/Member Reed seconded to approve the donation of approximately 5 acres of land, parcel number to be determined once the new parcel is completed, to the Boys and Girls Club of Elko to be used for construction of a rec center and Boys and Girls Club with the following contingencies:

- 1) The construction must commence within 5 years
- 2) If the Boys and Girls Club ceases to exist all assets on the property will revert back to the Spring Creek Association, including the building and any improvements.

The motion carried (5-0-1) Hannum abstained.

**IV. REVIEW, DISCUSSION AND POSSIBLE ACCEPTANCE OF OFFER(S) AND/OR COUNTER-OFFER TO PURCHASE PARCEL 050-006-003, LOCATED ON PARKCHESTER WAY.**  
***FOR POSSIBLE ACTION***

Karl Young with Elko Realty noted there is a full price offer with a closing date set for May 15, 2018.

It was noted that the water rights need to be secured by the potential buyers.

Member Plaster moved/Member Jefferies seconded to accept the offer in the amount of \$79,000.00 from Andrew and Breanna Besendorfer to purchase 106D parcel C. Motion carried (7-0).

**IV. REVIEW, DISCUSSION AND POSSIBLE ACTION TO ADJUST THE LISTING PRICE FOR THE ADMINISTRATION BUILDING LOCATED AT 451 SPRING CREEK PARKWAY.**

***FOR POSSIBLE ACTION***

Karl Young with Elko Realty noted that the property has been on the market for 559 days and he is requesting that the Board to reduce the asking price from \$219,000.00 to \$209,000.00 and review the property again in 30 days.

Member Plaster moved/Member Reed seconded to reduce the asking price for the administration building at 451 Spring Creek Parkway from \$219,000.00 to \$209,000.00. Motion carried (7-0).

**VI. REVIEW AND DISCUSSION REGARDING THE GREAT BASIN WATER COMPANY RATE CASE AND INTEGRATED RESOURCE PLAN.**

***NON-ACTION ITEM***

Greg Brorby with Brorby Consulting gave an update on the rate case and integrated resource plan. Data requests were submitted to the Great Basin Water Company and a response is due back by May 3, 2018. A consumer session is scheduled for May 15, 2018. Testimony must be given by July 11, 2018. The hearing is scheduled for August 21-23, 2018. If no action is taken by November 6, 2018, the case will be deemed approved.

**VII. REVIEW AND UPDATE REGARDING THE SPRING CREEK ANIMAL CONTROL REPORTS AND STATISTICS.**

***NON-ACTION ITEM***

Sheriff Jim Pitts reported the statistics for the March 2018 animal control reports which included 283 animal control calls, 240 of which were for dogs.

**VIII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO AMEND THE HORSE BOARDING/STALLING PRICING, INCLUDING WHETHER TO CONTINUE TO OFFER THE SERVICE AT THE HORSE PALACE.**

***FOR POSSIBLE ACTION***

SCA President Bahr discussed the liability and costs of the horse boarding/stalling and the concerns for continuing the service.

Member Plaster moved/Member Reed seconded to discontinue boarding/stalling horses on a monthly basis at the horse palace. Motion carried (7-0).

**IX. REVIEW, DISCUSSION AND POSSIBLE ACTION TO PURCHASE AN OUTDOOR PROJECTOR AND SCREEN TO BE UTILIZED FOR SPRING CREEK ASSOCIATION EVENTS.**

***FOR POSSIBLE ACTION***

SCA President Bahr discussed the purchase of the screen and projector for use at Spring Creek Association events. It was noted that we have commitment for 3 events at this point.

Member Jefferies moved/Member Popp seconded to approve the purchase the Airscreen Outdoor Movies 24' screen projector package in the amount of \$17,995.00. Motion carried (7-0).

**X. REVIEW, DISCUSSION AND POSSIBLE APPROVAL TO LEASE THE CAMPGROUND AREA FOR GRAZING. *FOR POSSIBLE ACTION***

SCA President Bahr gave an overview of the request.

The fees were discussed for grazing.

Member Reed moved/Member Popp seconded to lease the campground area for grazing with the fees to be \$15.00 for cow/calf pair and \$10.00 for yearlings/cows/bulls for the term stated with modified lease language to be draft by Attorney McConnell. Motion carried (6-1) Jefferies opposed.

**XI. 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 794 WILLINGTON DR. (401-022-044) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION***

COA Secretary Shields noted that for nuisances the property owner receives one letter per the COA rules and regulations.

Alan Wakefield noted that the video is not on his property and is not his son.

Chair Park noted that he is concerned with the process for nuisance letters.

Chair Park made comments regarding his concerns with the process for nuisances.

Attorney McConnell read the portion of the COA rules that deal with nuisances.

Chair Park moved/Member Reed seconded to rescind the fine and close the violation 794 Willington Drive. Motion carried (7-0).

**C. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 733 WILLINGTON DR. (401-021-020) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION***

COA Secretary Shields noted that the property owner has been sent (1) notice regarding this violation after multiple reports of ATV/OHV ridden excessively up and down the road and on SCA property. The property owner, Erika, contacted the office before the COA meeting and was explained that it would be best for her to attend the COA meeting. She stated on the phone that they do not own any ATV/OHV's. She did not attend the COA meeting and the item was referred to the Board of Directors.

The property owner was not present.

Diana Mello noted that even though they don't own the ATV, they are still riding the ATV. They took the video of them riding the ATV's. She stated it is the child's friend's ATV that they ride at their house. She feels that they are being put in danger.

Steve Mello commented on the issues they are having with the ATV/OHV's.

There was discussion on what was considered a nuisance and what is considered a civil issue that should be directed to the Sheriff.

Sheriff Jim Pitts noted that there is still an option for a citizen's arrest or a citizen's complaint which is then filed with the District Attorney to be processed. The deputies are unable to issue a citation for something they don't witness. He noted that once it goes to the District Attorney's office it is out of the Sheriff's hands.

Member Hannum moved/Member Plaster seconded to uphold the \$200.00 fine and refer the violation at 733 Willington Dr. to legal counsel for further action. Motion carried (7-0).

**D. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 503 TIFFANY DR. (202-020-057) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields noted the property is in violation for storage of tools and trash, specifically miscellaneous items around the garage. The property owner has been sent (3) notices regarding these violations in accordance with the Regulations, Policies & Procedures Manual "Notice of Non-Compliance" procedures. There has been no contact with the property owner. After 19 months the property owner has not brought the property into compliance.

Member Plaster moved/Member Reed seconded to refer 503 Tiffany Dr. to legal counsel for further action and uphold the \$200.00 fine. Motion carried (6-1) Jefferies opposed.

**E. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 848 SPRING VALLEY PKWY. (202-018-102) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields noted the property is in violation for inoperative/unregistered/unlicensed vehicles, specifically two trucks in the back yard. The property owner has been sent (3) notices regarding these violations in accordance with the Regulations, Policies & Procedures Manual "Notice of Non-Compliance" procedures. The property owner had contact in July of 2017 when the wife called and said they would have the vehicles taken care of by Friday. No further contact has been received from the property owner. After 18 months the property owner has not brought the property into compliance.

Member Plaster moved/Member Popp seconded to refer 848 Spring Valley Parkway to legal counsel for further action and uphold the \$200.00 fine. Motion carried (6-1) Jefferies opposed.

**F. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 491 BRENT DR. (202-019-008) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields noted that the property is in violation for inoperative/unregistered/unlicensed vehicles, specifically two trucks in the back yard. The property owner has been sent (3) notices regarding these violations in accordance with the Regulations, Policies & Procedures Manual "Notice of Non-Compliance" procedures. The property owner had contact in August 2017 and said the car was gone and they will get a new cover today. No further contact from the property owner was received and all mail has been returned. After 11 months the property owner has not brought the property into compliance.

Member Popp moved/Member Hannum seconded to refer 491 Brent Dr. to legal counsel for further action and uphold the \$200.00 fine. Motion carried (6-1) Jefferies opposed.

**G. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 302 LAKEPORT DR. (106A-002-094) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields noted that the property is in violation for fences and walls; specifically the fence needs to be repaired. The property owner has been sent (3) notices regarding these violations in accordance with the Regulations, Policies & Procedures Manual "Notice of Non-Compliance" procedures. The property owner has had no contact with the office. The home is in foreclosure. After 8 months, the property owner has not brought the property into compliance.

Member Reed moved/Member Plaster seconded to refer 302 Lakeport Dr. to legal counsel for further action and uphold the \$200.00 fine. Motion carried (7-0).

**H. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 860 SPRING VALLEY PKWY. (202-020-030) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields noted that the property is in violation for inoperative/unregistered/unlicensed vehicles, specifically 2 vehicles in the back and 2 in the front not registered or licensed. The property owner has been sent (3) notices regarding these violations in accordance with the Regulations, Policies & Procedures Manual "Notice of Non-Compliance" procedures. The property owner had contact with Michelle on 03/13/18 and stated that the 2 cars in the back are her grandfather's with no title. The other 2 will be registered in 2 weeks. No further contact from the property owner was received. At the last COA meeting the property owner was given until the 04/10/18 meeting to get this violation taken care of. The property owner never contacted the office to give proof of registration. After review the 2 vehicles in the back

have been removed from the property. After 12 months the property owner has not brought the property into compliance.

Member Plaster moved/Member Reed seconded to refer 860 Spring Valley Parkway to legal counsel for further action and uphold the \$200.00 fine. Motion carried (6-1) Jefferies opposed.

**XII. STAFF REPORT** **NON-ACTION ITEM**  
No staff report was given.

**XIII. APPROVAL OF MINUTES:** **FOR POSSIBLE ACTION**

A. Feb 28, 2018, Regular Meeting Minutes.

Attorney McConnell recommended not approving the minutes in order to clarify the minutes before they become part of the permanent record.

Chair Park moved/Vice Chair Legarza seconded to withhold approval of the February 28, 2018 minutes due to good cause and continue to review the timelines and components of the minutes. Motion carried (6-0) Jefferies absent at vote.

B. Mar 28, 2018, Regular Meeting Minutes.

Member Plaster moved/Member Reed seconded to approve the March 28, 2018 regular meeting minutes. Motion carried (6-0) Jefferies absent at vote.

**XIV. ACCEPT MARCH 2018 ASSESSMENT AND LEGAL RECEIVABLE REPORTS.** **FOR POSSIBLE ACTION**

Member Plaster moved/Member Reed seconded to approve the March 2018 assessment and legal receivable reports as submitted. Motion carried (7-0).

**XV. ACCEPT MARCH 2018 FINANCIAL REPORTS.** **FOR POSSIBLE ACTION**

Vice Chair Legarza moved/Member Plaster seconded to approve the March 2018 financial reports as presented. Motion carried (7-0).

**XVI. MEETING SCHEDULE** **NON-ACTION ITEM**

The next Regular Board of Directors meeting is scheduled for Wednesday, May 23, 2018 at 5:30pm.

**XVII. 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.

#### **XVIII. ADJOURNMENT**

The meeting adjourned at 7:38 p.m.