



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

Spring Creek Association Committee of Architecture  
Tuesday, August 11, 2020, 5:30 PM, PST  
Fairway Community Center Meeting Room  
401 Fairway Blvd, Spring Creek, Nevada

**PRESENT:** Vice-Chair Cassandra Banuelos and Members: Diane Parker and Stefanie Sisk via phone. Member Sisk entered the meeting at 6:15pm

**ABSENT:** Chairperson Jill Holland, Member Randy Hesterlee

**STAFF MEMBERS PRESENT:** SCA President Bahr, SCA Vice President Kerr, SCA Secretary/Treasurer Austin-Preston, Attorney McConnell

**CALL TO ORDER:** Vice Chair Banuelos called the meeting to order at 5:48 PM via phone and in person.

### **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***

Jared Smith voiced concerns regarding the chip seal project and cleaning up of chip. President Bahr explained the process.

## **UNFINISHED BUSINESS**

### **1. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A NUISANCE COMPLAINT; COA RULE #24: NUISANCE FILED FOR EXCESSIVE NOISE AND DUST AT THE RESIDENCE OF 691 WOLCOTT DRIVE, (Tract 401, Block 019, Lot 010).**

#### **FOR POSSIBLE ACTION**

VP Kerr introduced the item and provided history of the violation.

Paula & Brian Taylor, property owners, were present. They stated that there was no excessive noise or dust at their property, and they had had a hose out there.

President Bahr explained the process that a complaint comes before the COA and they make the determination if it is excessive.

Ronald Smith, neighbor of the Taylor's, stated that he had not seen excessive dust or noise from the property.

President Bahr further explained that they are not allowed to have jumps per the COA rules. The PO had stated previously they would remove the jumps and the track with equipment.

Attorney McConnell explained this item was solely for the nuisance complaint and the other violations would go through the normal COA violation process. She also provided information that they would have an appeal right to the Board of Directors if they COA determines there is a nuisance on the property.

Member Parker asked if the riding has continued on the property.

Property owners stated that there has been very little riding.

Vice Chair Banuelos stated that a neighbor testified that there was not excessive noise or dust at the property.

Public Comment:

John Bastien, 100 Tract, stated that he does not agree with the complaint.

Brian Taylor requested that the COA let the violation go and if it happens again to bring it back in front of them if there is a continuing issue.

Member Parker moved/Vice Chair Banuelos seconded that it appears the problem of excessive noise and dust has been remedied as there is no riding on the property and to close the violation. Motion carried (3-0). Chair Holland and Member Hesterlee absent.

### **2. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A NUISANCE COMPLAINT; COA RULE #24: NUISANCE FILED FOR EXCESSIVE NOISE AND DUST AND A VIOLATION OF COA RULE #2: MATERIALS AND PRACTICES NOT ALLOWED AT 819 OAK CREEK LANE, (Tract 402, Block 010, Lot 048).**

#### **FOR POSSIBLE ACTION**

VP Kerr stated that the property owner has been in violation since April 2020 for a nuisance of noise and dust.

Denise Garcia, property owner, was present and stated that her son has not been home for several weeks and does not ride past 7:30pm. She stated that law enforcement had told her that he could not ride on the roads as he is not a licensed driver and the ATV was not registered. She also stated that the track was not being used anymore.

No public comment was offered.

Member Sisk moved/Member Parker seconded to close and dismiss the violation. Motion carried (3-0), Chair Holland and Member Hesterlee absent.

**3. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF COA RULE #12: INOPERATIVE / UNREGISTERED / UNLICENSED VEHICLES, DOR C-15: STORAGE OF TOOLS AND TRASH, AND SCA DOR A-1: IMPROVEMENT STANDARDS INCLUDING A DECK AT 353 TRECARTES AVE, (Tract 201, Block 009, Lot 52). FOR POSSIBLE ACTION**

VP Kerr stated that the property has been in violation since February 2018 and given until August 1, 2020 to have the property cleaned up. Photos were taken on 7-27-20, and the debris remains.

Jeremy Smith, buyer of the property, was present. He stated that the property is unkempt, but it is not trash.

Vice Chair Banuelos stated that they had given him 2 years with a final deadline of August 1 to have the building materials stacked nicely, the unlicensed cars resolved, and the weeds resolved.

Jeremy Smith stated that 2 of the cars had been removed.

Member Parker commented on the longevity of the violation and the leniency of the Committee.

No public comment was offered.

Member Parker moved/Member Sisk seconded to refer the violation to the Board of Directors for further action. Motion carried (3-0), Chair Holland and Member Hesterlee absent.

**4. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF COA RULE #12: INOPERATIVE / UNREGISTERED / UNLICENSED VEHICLES AND DOR C-15: STORAGE OF TOOLS AND TRASH, AND SCA DOR #A-1: IMPROVEMENT STANDARDS AT 53 ARROYO VISTA DRIVE, (Tract 301, Block 007, Lot 016). FOR POSSIBLE ACTION**

VP Kerr stated that the property has been in violation since October 2019 with a deadline of August 1, 2020 to be complete. As of July 27, 2020, it appears that several vehicles remain that are not registered.

The property owner was not present.

The Committee commented on the length of the violation time, that a plan was made and there was no follow through.

No public comment was offered.

Member Parker moved/Vice-Chair Banuelos seconded to refer the violation to the Board of Directors for further action. Vote (3-0) Chair Holland and Member Hesterlee absent.

**5. DISCUSSION AND POSSIBLE ACTION TO RESCIND THE \$100 FINE IMPOSED ON 320 OAKMONT DRIVE, (Tract 402, Block 001, Lot 056). FOR POSSIBLE ACTION**

VP Kerr stated that Chair Holland had requested the item to rescind the fine because the property owner had complied within the timeframe.

Dave Fish, property owner, was present and stated that there is currently 1 cat on the property.

Attorney McConnell cautioned the Committee that cutting the fine in half is very discretionary and it would be best if they imposed the whole fine or no fine.

No public comment was offered.

Member Sisk moved/Member Parker seconded to rescind the fine. Motion carried (3-0), Chair Holland and Member Hesterlee absent.

**6. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF THE COA RULE #13; EXTERIOR CONDITION OF STRUCTURES/ ROOF REPAIRED OR REPLACED AT 904 SPRING VALLEY PKWY; (Tract 202, Block 025, Lot 055). FOR POSSIBLE ACTION**

VP Kerr stated that the property has been in violation since May 2019 and given until June 2020 to correct the violations. There has been no contact from the property owner.

Member Parker stated that there are signs of progress on the roof.

No public comment was offered.

Member Sisk moved/Vice Chair Banuelos seconded to put the item on the September meeting to review the progress and direct staff to contact the property owner for further information and to attend the next meeting. Motion carried (3-0) Chair Holland and Member Hesterlee absent.

**7. DISCUSSION AND CONSIDERATION REGARDING CHANGING OR REMOVING COA RULES AND REGULATIONS ITEM #2 "MATERIALS AND PRACTICES NOT ALLOWED;"**

- "The following list contains materials, practices or uses, not allowed within the Spring Creek Association which are in addition to those specifically set forth in the DOR's or are otherwise prohibited or restricted by federal, state or local laws, rules or regulations:
  - o The developing, building, or construction of dirt mounds, hills, jumps or ramps for the explicitly use of riding Motorcycles, ATV's or OHV's, will be considered a 'racetrack' or 'practice track' by the COA and is therefore expressly prohibited...".

VP Kerr read the rule and stated that the Taylor's requested that the rule on tracks be changed. Paula Taylor stated that they are requesting the rule be changed because horses make trails, roping arenas and round pens make dust and kids cannot ride bikes in their own back yards. She stated that they did build jumps on their property and do not understand why they cannot have them and why they would have to plant grass over the trails.

VP Kerr read Member Hesterlee's statement into the record. A copy of which will remain with the records.

Member Parker stated that you cannot get rid of rule when one group does not like it and you have to protect all property owners and they all have a right to live in the area peacefully.

Attorney McConnell stated that this item was whether to change the rule or if they want to change it. The language for a change would need to be brought back with 2 readings before a rule could be changed.

President Bahr stated that whether the rule is changed, nuisance complaints could still be filed on a property.

Public Comment:

Ronald Smith discussed being able to confront an accuser.

Amy Bastien, 100 Tract, stated that the rule takes away from the kids and the committee should find a middle ground and be fair.

Vice Chair Banuelos moved/Member Sisk seconded to consider changing the rule at the next meeting to correct the wording and direct staff to provide verbiage for the rule. Motion carried (3-0). Chair Holland and Member Hesterlee absent.

**8. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A LIVESTOCK PERMIT AT 971 ALPINE DRIVE, (Tract 402, Block 010, Lot 005) – 1 ACRE. FOR POSSIBLE ACTION**

VP Kerr stated that the property owner intends to have the animals housed in the front yard area and since that is in violation of the DOR's to deny the livestock permit.

No public comment was offered.

Vice Chair Banuelos moved/Member Parker seconded to deny the livestock application for 971 Alpine as it is in violation of the DOR's. Motion carried (3-0), Chair Holland and Member Hesterlee absent.

**9. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A LIVESTOCK PERMIT AT 508 ABARR DRIVE, (Tract 402, Block 090, Lot 041) – 1.03 ACRE. FOR POSSIBLE ACTION**

VP Kerr stated that property owner is requesting a livestock permit for 2 goats. The pictures were unclear what structures and fences are available for the livestock.

No public comment was offered.

Member Sisk moved/Member Parker seconded to deny the livestock permit and direct staff to contact the property owner to give more information for the permit. Motion carried (3-0), Chair Holland and Member Hesterlee absent.

**10. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A LIVESTOCK PERMIT AT 388 VALLEY BEND DRIVE, (Tract 103, Block 001, Lot 011).**

**FOR POSSIBLE ACTION**

VP Kerr stated the property owner was requesting a permit for 2 dwarf goats.

No public comment was offered.

Member Sisk moved/Member Parker seconded to approve the livestock permit as submitted for 2 dwarf goats. Motion carried (3-0), Chair Holland and Member Hesterlee absent.

**11. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF COA RULE #12: INOPERATIVE / UNREGISTERED / UNLICENSED VEHICLES AND DOR C-15: STORAGE OF TOOLS, AND SCA DOR #A-1: IMPROVEMENT STANDARDS AT 468 SPRING VALLEY PKWY, (Tract 202, Block 031, Lot 010).**

**FOR POSSIBLE ACTION**

VP Kerr stated that the property has been in violation since May 2019 that the vehicle is not covered, and registrations have not been provided.

Alberto Rodriguez, son of the property owner, was present and asked for clarification on the violations. He stated that he could help his father with the truck and car registrations and asked for an additional month to comply with all items.

No Public comment was offered.

Member Parker moved/Vice Chair Banuelos seconded to give the property owner until September 1 to comply, including registrations for all vehicles and cleanup of the property and to direct staff to provide a list of items. Motion carried (3-0), Chair Holland and Member Hesterlee absent.

**12. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF THE COA RULE #13; EXTERIOR CONDITION OF STRUCTURES AND DOR C-15: STORAGE OF TOOLS, AT 377 KIMBLE DRIVE; (Tract 202, Block 014, Lot 014).**

**FOR POSSIBLE ACTION**

VP Kerr stated that the property appears to be abandoned and there has been no contact from the property owner.

No public comment was offered.

Member Parker moved/Vice Chair Banuelos seconded to refer the violation to the Board of Directors for further action. Motion carried (3-0), Chair Holland and Member Hesterlee absent.

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

Updates were provided on various properties currently in legal status.

**14. APPROVE MINUTES FROM THE JUNE 09, 2020 AND JULY 14, 2020 COA REGULAR MEETING. FOR POSSIBLE ACTION**

President Bahr provided a correction on the June 9, 2020 minutes that she was present via phone for the meeting.

Member Parker moved/Vice Chair Banuelos seconded to approve the June 9, 2020 minutes as presented adding Jessie Bahr was present by phone and approve the July 14, 2020 minutes as presented. Motion carried (3-0), Chair Holland and Member Hesterlee absent.

**15. APPROVE COMMITTEE OF ARCHITECTURE REVENUE REPORTS FOR JUNE 2020 AND JULY 2020. FOR POSSIBLE ACTION**

Vice Chair Banuelos moved/Member Sisk seconded to approve the June and July 2020 COA revenue reports as presented. Motion carried (3-0), Chair Holland and Member Hesterlee absent.

**16. APPROVE COMMITTEE OF ARCHITECTURE VIOLATION REPORTS FOR JULY 2020. FOR POSSIBLE ACTION**

VP Kerr provided an overview of the current systems statistics.

Vice Chair Banuelos moved/Member Sisk seconded to approve the violation reports for July 2020 as presented. Motion carried (3-0), Chair Holland and Member Hesterlee absent.

**17. PUBLIC COMMENT  
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. NON-ACTION ITEM**

Vice Chair Banuelos commented on items that were requested for further discussion not coming back before the committee. President Bahr asked all the members to go through their notes to bring any items that may have been missed.

President Bahr informed the committee that Lisa Farmer had been hired for the COA Secretary position and will start in the next week.

Member Parker commented on the fine system regarding consistency.

**18. THE NEXT REGULAR MEETING OF THE COMMITTEE OF ARCHITECTURE IS SCHEDULED FOR TUESDAY, SEPTEMBER 08, 2020 AT 5:30 PM. NON-ACTION ITEM**

**19. ADJOURN MEETING**

The meeting was adjourned at 7:56pm.