



SPRING CREEK ASSOCIATION COMMITTEE OF ARCHITECTURE REGULAR MEETING MINUTES

The meeting was held telephonically through Zoom.com due to the COVID-19 Pandemic.

Spring Creek Association Committee of Architecture
Tuesday, May 12, 2020, 5:30 PM, PST
Fairway Community Center Meeting Room
401 Fairway Blvd, Spring Creek, Nevada

PRESENT: Chairperson Jill Holland and Members: Randy Hesterlee, Diane Parker and Stefanie Sisk

ABSENT: Vice Chairperson Cassandra Banuelos

STAFF MEMBERS PRESENT: SCA President Bahr, 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.

NEW BUSINESS

1. REVIEW AND DISCUSSION REGARDING PAGE #3 ITEM #3, NOTICE OF NON-COMPLIANCE, AND POSSIBLE CHANGES TO THE WORDING.

NON- ACTION ITEM

Staff made mention that the wording in the paragraph states that each letter would come with a fine. COA needs to decide if they want to keep wording, change wording or re-write the whole paragraph.

Secretary Shields read aloud the final wording.

Committee members agreed they like the new wording.

NOTICE OF NON-COMPLIANCE: In the event that any COA Member or the COA Secretary determines that there is a property not in compliance with the DOR's, COA Rules and Regulations and/or any other policies, permits, applications or additional regulations of the Association, the COA shall then commence with a three (3) letter process to the property owner as recorded in the SCA documents/system as follows:

- The **1st letter** will list the observed violation(s) and set a limit of thirty (30) calendar days within which to correct the violation(s) or contact the SCA COA Secretary to make arrangements to correct the violation(s) or a \$200.00 fine **may be imposed by the Committee of Architecture** and a \$25 per month fee will also be applied for each month the property remains in violation for up to one year.
- If the property continues to be in violation after the thirty (30) calendar days expires, then a **2nd letter** will be sent with a set limit of fifteen (15) calendar days within which to correct the violation(s) or contact the SCA COA Secretary to make arrangements to correct the violations or a \$200.00 fine **may be imposed by the Committee of Architecture** and a \$25 per month fee will also be applied for each month the property remains in violation for up to one year.
- If the property continues to be in violation when the fifteen (15) calendar days expires then a **3rd letter** will be sent with a set limit of ten (10) calendar days within which to correct the violation(s) or contact the SCA COA Secretary to make arrangements to correct the violations or a \$200.00 **may be imposed by the Committee of Architecture** and a \$25 per month fee will also be applied for each month the property remains in violation for up to one year.
- If the property remains in violation at the conclusion of the ten (10) days, it will be placed on the COA's next regular meeting agenda for further consideration or referral to the BOD. At this time the \$200.00 fine will be imposed and a \$25 per month fee will also be applied for each month the property remains in violation for up to one year.

Member Parker moved/Member Hesterlee seconded to approve the wording as presented. Motion carried (4-0). Vice Chair Banuelos absent.

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

NON- ACTION ITEM

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

Secretary Shields read the updated wording.

Committee members all agreed they liked the new wording.

Secretary Shields stated she would bring that wording to the next meeting to be voted on.

3. REVIEW AND DISCUSSION REGARDING PAGE5 ITEM #12, INOPERATIVE /UNREGISTERED UNLICENSED VEHICLES, AND POSSIBLE ADDITIONS OR CHANGES TO THE RULE.

NON- ACTION ITEM

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

Secretary Shields read the updated wording.

Member Parker stated that she likes the word shall versus must.

Member Sisk likes the wording, no issues.

Member Hesterlee stated that he didn't like the wording must versus shall.

Committee directed to staff to speak with legal in regards to the wording "must" versus "shall"

Secretary Shields stated she would bring the final wording to the next meeting to be voted on.

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

NON- ACTION ITEM

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

Secretary Shields read the updated wording.

Member Sisk stated she would like to see more verbiage to the rule.

Member Parker stated that she wouldn't add all of the other wording that she would use the stronger wording that is already in the rule.

Member Hesterlee stated that the word reasonable could be used because it's the committee that determines what is reasonable.

Secretary Shields stated she would bring the final wording to the next meeting to be voted on.

5. REVIEW AND DISCUSSION REGARDING PAGE 5 ITEM #15, AUXILLIARY OUTDOOR LIGHTING, AND POSSIBLE ADDITIONS OR CHANGES TO THE RULE.

NON- ACTION ITEM

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

Secretary Shields read the updated wording

Member Hesterlee stated that the dark sky rules were not rules they were guidelines.

Member Parker stated that county ordinances should be looked into.

Secretary Shields stated that the wording on the permit should be changed and not the rule.

It was agreed upon that the permit will be changed and the rule will stay the same.

6. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF IMPROVEMENT STANDARDS, INOPERATIVE/UNREGISTERED/UNLICENSED VEHICLES AND EXTERIOR CONDITION OF STRUCTURES AT 844 SPRING VALLEY PKWY (202-014-010).

FOR POSSIBLE ACTION

COA Secretary Shields stated this property has been in violation since June 2018.

Rebecca Nahnacassia was present via zoom for the meeting.

Rebecca stated that Pacific Steel won't take the vehicle without a title and they can't find the title. She will have to wait for DMV to open.

Rebecca stated that she contacted her Homeowner's insurance in regards to the roof and they won't pay for it to be replaced.

Rebecca stated that she talked to her daughter and son in law to help finish the roof.

Chair Holland stated that she likes the progress that she has seen been done.

Member Parker stated that PO is doing what she can to get it taken care of.

Member Sisk stated that it looks like PO has a plan for the shed and she can't really do anything with the vehicle until the DMV opens up.

Member Hesterlee stated that there are charities that take vehicles but he wasn't sure if they take them without title.

Secretary Shields stated that she does have a list that will take them without a title and will email that over.

Member Parker moved/Member Sisk seconded to table violations until the July meeting, so PO may gather more information. Motion carried (4-0) Vice Chair Banuelos absent.

**7. 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**

COA Secretary Shields stated this property has been in violation since April 2020. There were previous letters sent in 2018 and 2019 and the issue stopped and then started back up.

Denise Garcia was present at the meeting; she stated that it was not a track that it was a ditch that was there when the property was being built. She states her son only rides during the summer and not all day.

Member Hesterlee asked if there was verification of a track.

President Bahr explained the rule and that it is considered a nuisance.

Member Parker stated that it is the rule, it's hard to uphold the rule, but there are a lot of people who don't like off road vehicles and don't appreciate the dust and noise.

Denise stated that her son can't drive on the roads because he isn't licensed yet. DMV is currently closed and not able to get the test taken.

Member Hesterlee stated that PO should contact Elko County Sherriff's Office to see what would be acceptable since DMV is closed at this time.

Member Hesterlee moved/Member Sisk seconded to table the item until the June COA meeting pending effort from PO. Motion carried (4-0) Vice Chair Banuelos absent.

**8. 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 this property has been in violation since April 2020.

Paula Taylor was present at the meeting. Son has been riding for 8 years, bought in Spring Creek to be able to do those types of things.

President Bahr asked if they were building a track with equipment.

Member Hesterlee also asked if they were building a track with equipment.

Paula stated that yes; they had used a bobcat to build jumps.

Member Hesterlee stated that it is against the rules to build a track.

Paula stated that the jumps will be removed.

Member Parker stated it is hard to enforce this rule.

Member Sisk stated that she appreciated that PO is already committing to taking down the jumps and using sprinklers.

Member Hesterlee moved/Member Sisk seconded to table item until the June COA meeting pending effort from PO. Motion carried (4-0) Vice Chair Banuelos absent.

**9. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF DOMESTIC ANIMALS/DOGS/CATS AT 920 PEMBERTON DRIVE (403-014-007).
FOR POSSIBLE ACTION**

COA Secretary Shields stated this property has been in violation since May 2020.

Officer Leann Smith with Elko County Sherriff's Department Animal Control Officer was present at the meeting. She spoke to the complainant and the property owner and explained that unless they are breaking the law she can't do anything on her end.

Officer Smith went to the property owner's home and spoke with them about socializing the animals.

Officer Smith stated that at this time there are no concerns on her end.

Albert and Sandy Smith were present at the meeting. They stated that they have had nothing but trouble with the neighbor since they moved in. They informed Officer Smith that they would fix the issue.

Member Hesterlee asked property owners if the dogs had been leaving the property.

Sandy stated that they have not been leaving the property that they have perimeter collars.

Officer Smith stated that the property owners have not broken any laws. She is currently working with the property owners.

Albert stated that they have a fence as well.

Member Hesterlee asked what type of fence property owners had.

Albert clarified what type of fencing is on the property.

Member Parker stated that this is not a COA issue, property owners have done what Animal Control has asked them to do to fix the issue.

Member Sisk agreed with Member Parker that this is not a matter that the COA needs to discuss.

Member Hesterlee moved/Member Parker seconded to dismiss the violation and fine and no further action to be taken. Motion carried (4-0) Vice Chair Banuelos absent.

10. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A HOME OCCUPATION PERMIT AT 277 CROYDON LANE (101-005-016). *FOR POSSIBLE ACTION*

COA Secretary Shields states this PO is requesting approval of a home occupation permit.

Tiffany Millard (PO) present on the phone. Stated that they are waiting on their FFL License and she will then bring a copy to the office.

Member Parker asked if it was by appointment only. It was clarified that it was by appointment only.

Member Sisk moved/ Member Hesterlee seconded to approve the home occupation permit at 277 Croydon Lane. Motion carried (4-0) Vice Chair Banuelos absent.

11. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A LIVESTOCK PERMIT AT 340 LAWNDALE DRIVE (103-008-007). *FOR POSSIBLE ACTION*

COA Secretary Shields stated this PO is requesting approval of a livestock permit for 3 goats.

Member Parker moved/Member Sisk seconded to approve the livestock permit for three (3) goats. Motion carried (4-0) Vice Chair Banuelos absent.

12. 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.

13. APPROVE MINUTES FROM THE APRIL 14, 2020 COA REGULAR MEETING. *FOR POSSIBLE ACTION*

Member Parker moved/Member Hesterlee seconded to approve the April 14, 2020 COA Regular Meeting Minutes as presented. Motion carried (4-0) Vice Chair Banuelos absent.

14. APPROVE COMMITTEE OF ARCHITECTURE REVENUE AND VIOLATION REPORTS FOR APRIL 2020. *FOR POSSIBLE ACTION*

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

15. 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.

ACTION SHALL NOT BE TAKEN

No comments by the general public.

16. THE NEXT REGULAR MEETING OF THE COMMITTEE OF ARCHITECTURE IS SCHEDULED FOR TUESDAY, JUNE 9, 2020 AT 5:30 PM.

NON-ACTION ITEM

17. ADJOURN MEETING

The meeting adjourned at 7:25 p.m.