

**SPRING CREEK ASSOCIATION
COMMITTEE OF ARCHITECTURE REGULAR MEETING
TUESDAY, DECEMBER 12, 2017, 5:30 P.M.
401 FAIRWAY BLVD., SPRING CREEK, NV 89815**

CALL TO ORDER: Chair Parker called the meeting to order at 5:31 p.m.

PLEDGE OF ALLEGIANCE:

COA MEMBERS PRESENT: Chair Diane Parker, Vice Chair Jill Holland, Members: Brien Park, Cassandra Banuelos, John Featherston

MEMBERS ABSENT: None

SCA STAFF MEMBERS PRESENT: SCA President Bahr, SCA Secretary Shields

COMMENTS BY THE GENERAL PUBLIC: None

UNFINISHED BUSINESS:

- 1. REVIEW, DISCUSSION AND POSSIBLE ACTION TO ADOPT A \$100.00 RIGHT OF WAY ENCROACHMENT APPLICATION FEE AND MATTERS RELATED THERETO.** Secretary Shields introduced the agenda item. Dick Campbell (Tract 400), representing NV Energy, offered public comment stating NV Energy is opposed to the \$100 fee and made their objection known to their Legal Dept. COA member Park asked if NV Energy had been to Elko County and ask them about their fee. Mr. Campbell indicated they had done so. Mr. Campbell explained that NV Energy cites that Spring Creek is not a gated community per se, the Association has no legal standing to collect fees or impose any restrictions on the use of the right of way citing NRS 116.350 as justification for NV Energy's position on the matter. Attorney McConnell clarified SCA's position stating that NRS 116.350 does not apply to Spring Creek Association which is a rural, agricultural common interest community. She cited the only applicable regulations for Spring Creek that apply are covered in NRS 116.1201. Steve Billat of Billat Construction offered public comment. He indicated Elko County is on record as stating they own the right away and do allocate funds to Spring Creek for road repair and that the fee the County charges is an administrative fee. Chair Parker stated that the County does not contact contractors to repair road damage their construction crews cause but that the responsibility has been left to the Association to make the call to the contractor to make repair to the roads. Discussion ensued between Mr. Billat and President Bahr on how Elko County provides funds to Spring Creek for road repair work. BOD member Jim Jeffries asked whether Mr. Billat and the COA was aware of a 1971 agreement between Spring Creek and Elko County with respect to the road maintenance including repairs. COA member Park offered comment about taking the NV Energy objection to the proposed \$100 ROW fee back to Elko County and voice their objection again since roads in Spring Creek are not being repaired as they assume they are. Melanie Billat of Billat Construction also offered public comment. Further discussion ensued. Member Park moved to adopt a \$100 Right of Way encroachment application fee. Member Featherston seconded the motion. The vote was called; the motion carried 5-0.

THE FOLLOWING AGENDA ITEMS HAVE BEEN TAKEN OUT OF ORDER FROM THE PUBLISHED AGENDA NUMERIC ORDER.

NEW BUSINESS:

- 12. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A NUISANCE VIOLATION OF NOISE: RECREATIONAL ACTIVITIES AT 456 WHITE OAK DRIVE (402-005-036) AND MATTERS RELATED THERETO.** Secretary Shields introduced the agenda item and reviewed the detail of the violation notification. The property owner, Kaylin Sanchez (Tract 400), was present to address the noise violation caused by dirt bikes and detailing what she has done to rectify the problem. Further discussion ensued. No public comment was offered. Member Park moved to dismiss the nuisance violation and the \$200 fine at 456 White Oak Dr. for the noise nuisance since the violation has been rectified. Member Banuelos seconded the motion. The vote was called; the motion carried 5-0.

- 18. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A NUISANCE VIOLATION OF DOMESTIC ANIMALS/DOGS/CATS AT 558 TIFFANY DRIVE (202-025-038) AND MATTERS REALTED THERETO.** Secretary Shields introduced the agenda item and reviewed the history of the violation. The property renter, Tanna Bliss, was present to explain the steps that have been taken to remedy the violation. She cited instances where locks on her gate to contain the dogs in her yard have been cut. Chair Parker offered comment on prior similar history with the same problem in this neighborhood over the years. No public comment was offered. Member Featherston moved to dismiss the violation of domestic animals/dogs/cats at 558 Tiffany Dr. Member Banuelos seconded the motion. The vote was called; motion carried 5-0.

- 19. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A NUISANCE VIOLATION OF DOMESTIC ANIMALS/DOGS/CATS AT 200 VIEWCREST DRIVE (101-007-007) AND MATTERS REALTED THERETO.** Secretary Shields introduced the agenda item and reviewed the history of the violation. The property renter, Pam Lucero, was present to explain the steps that have been taken to remedy the violation; she has put bark collars on her dog. No public comment was offered. Chair Parker moved to close the violation and not impose the fine on the nuisance violation of domestic animals/dogs/cats at 200 Viewcrest Dr. Vice Chair Holland seconded the motion. The vote was called; motion carried 5-0.

- 20. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A BOUNDARY LINE ADJUSTMENT AT 684 HOLIDAY DRIVE (202-003-019) AND MATTERS RELATED THERETO.** Secretary Shields introduced the agenda item and reviewed the application for the boundary line adjustment. Kristina Garcia Drake of Century 21 Real Estate was present to explain the reasoning for the boundary line adjustment. Vice Chair Holland asked whether in making the boundary line adjustment the neighboring property would be affected or made smaller. Ms. Drake clarified that it would not be affected. No public comment was offered. Chair Parker moved to approve the boundary line adjustment at 684 Holiday Dr. and 690 Holiday Dr., the adjoining property. Vice Chair Holland seconded the motion. The vote was called; motion carried 4-1 (Member Park).

THE FOLLOWING AGENDA ITEMS RESUME IN THE PUBLISHED AGENDA NUMERIC ORDER.

UNFINISHED BUSINESS:

2. **REVIEW AND DISCUSSION OF POSSIBLE CHANGES TO COA RULES AND REGULATIONS TO PAGE 4 – ITEM #2: MATERIALS AND PRACTICES NOT ALLOWED; TO REVISE THE WORDING TO TAKE OUT THE WORD(S) NOT ALLOWED ON SCA ROADS AND MATTERS RELATED THERETO.** Secretary Shields indicated this is a non-action item. Vice Chair Holland offered comment asking why we are changing anything since unauthorized vehicles are now allowed and nothing else in the wording appears not to need any changes. No public comment was offered. No action was taken. Chair Parker tabled the agenda item until the opinion of SCA Attorney McConnell can be obtained. The item will be reintroduced on the January 9, 2018 COA meeting agenda
3. **REVIEW AND DISCUSSION OF POSSIBLE CHANGES TO COA RULES AND REGULATIONS, PAGE 5 – ITEM #11: INOPERATIVE / UNREGISTERED / UNLICESNSED VEHICLES TO MATCH THE EXISTING DOR’S ON PAGE 6 – ITEM #15 AND MATTERS RELATED THERETO.** Secretary Shields introduced the agenda item and stated this is a non-action item. Chair Parker suggested consistency to the rule should be the norm. Vice Chair Holland stated the rule should be simplified. Discussion ensued among the COA members and President Bahr. No public comment was offered. No action was taken. Chair Parker stated that the agenda item will be reintroduced on the January 9, 2018 COA meeting agenda.
4. **REVIEW AND DISCUSSION OF POSSIBLE CHANGES TO COA RULES AND REGULATIONS, PAGE 6 – ITEM #22: LIVESTOCK / 4-H / FFA PROJECTS AND THE PLACEMENT OF ANIMALS ON PROEPRTY, TO MATCH THE EXISTING DOR’S, PAGE 12 – ITEM #8 AND MATTERS RELATED THERETO.** Secretary Shields introduced the agenda item and stated this is a non-action item. Discussion ensued among the COA members with Chair Parker stating that COA makes their own rules/regulations. Member Park suggested that a statement could indicate that COA rules/regulations match the DOR’s and mentioning that variances are granted on an individual basis; or whether it is best to say nothing in the COA rules/regulations with respect to the DOR’s/variances. Chair Parker explained that the COA Secretary’s job is to make sure an application for livestock and FFA projects comply before the COA ever sees the application for the approval process. If the project application is not acceptable as submitted it is the COA Secretary’s job to deny the application at submission explaining why it is not acceptable to the property owner before the COA member ever ses the application for approval. No public comment was offered. Bo action was taken. Chair Parker stated the agenda item will be reintroduced on the January 9, 2018 COA meeting agenda.

NEW BUSINESS:

5. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF STORAGE OF TOOLS AND TRASH AT 380 BERRY CREEK COURT (201-009-045) AND MATTERS RELATED THERETO.** Secretary Shields explained that due to a “glitch in the system” the dates of the letters were erroneous and reflected being addressed at the January COA meeting and therefore the agenda item(s) must be tabled. Chair Parker tabled agenda

COA REGULAR MEETING, DECEMBER 12, 2017

items 5 through 11, item 13 and 17. They will all be included in the agenda and reviewed at the January 9, 2018 COA meeting.

- 6. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE / UNREGISTERED VEHICLES AT 394 BRENT DRIVE (202-029-030) AND MATTERS RELATED THERETO.** Secretary Shields explained that the agenda item must be tabled for the reason stated in the previous agenda item #5. Chair Parker tabled agenda items 5 through 11, item 13 and 17. They will all be included in the agenda and reviewed at the January 9, 2018 COA meeting.
- 7. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE / UNREGISTERED VEHICLES AT 565 BLUFFSIDE DRIVE (201-005-004) AND MATTERS REALTED THERETO.** Chair Parker tabled agenda items 5 through 11, item 13 and 17. They will all be included in the agenda and reviewed at the January 9, 2018 COA meeting.
- 8. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE / UNREGISTERED VEHICLES AT 419 CASTLECREST DRIVE (202-030021) AND MATTERS RELATED THERETO** Chair Parker tabled agenda items 5 through 11, item 13 and 17. They will all be included in the agenda and reviewed at the January 9, 2018 COA meeting.
- 9. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF BUILDING EXTERIOR AND IMPROVEMENT STANDARDS AT 441 CEDARLAWN DRIVE (202-031-034) AND MATTERS REALTED THERETO.** Chair Parker tabled agenda items 5 through 11, item 13 and 17. They will all be included in the agenda and reviewed at the January 9, 2018 COA meeting.
- 10. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF BUILDING EXTERIOR AT 865 BLACK OAK DRIVE (402-004-008) AND MATTERS RELATED THERETO.** Chair Parker tabled agenda items 5 through 11, item 13 and 17. They will all be included in the agenda and reviewed at the January 9, 2018 COA meeting.
- 11. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF EXCESSIVE BRUSH/WEEDS OR DEAD TRESS/SHRUBS, NOXIOUS WEEDS AT 461 BLUE JAY DRIVE (402-010-027) AND MATTERS REALTED THERETO.**
Chair Parker tabled agenda items 5 through 11, item 13 and 17. They will all be included in the agenda and reviewed at the January 9, 2018 COA meeting.
- 13. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE / UNREGISTERED VEHICLES AT 872 BLACK OAK DRIVE (402-005-023) AND MATTERS RELATED THERETO.** Chair Parker tabled agenda items 5 through 11, item 13 and 17. They will all be included in the agenda and reviewed at the January 9, 2018 COA meeting.

17. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF STORAGE AND TRASH AT 599 SHADYBROOK DRIVE (304-008-006) AND MATTERS RELATED THERETO.** Chair Parker tabled agenda items 5 through 11, item 13 and 17. They will all be included in the agenda and reviewed at the January 9, 2018 COA meeting.
14. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF EXCESSIVE BRUSH / WEEDS OR DEAD TREES / SHRUBS AT 458 BLAKELAND DRIVE (106B-006-080) AND MATTERS RELATED THERETO.** Secretary Shields reviewed the history of the agenda item. She indicated the house is in foreclosure and vacant. Discussion ensued. No public comment was offered. Vice Chair Holland moved to uphold the violation and fine for excessive brush/weeds or dead tress/shrubs at 458 Blakeland Drive and refer the property to the BOD for legal action. Member Park seconded the motion. The vote was called; the motion carried 5-0.
15. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE/UNREGISTERED VEHICLES AT 449 BLAKELAND DRIVE (106B-007-004) AND MATTERS RELATED THERETO.** Secretary Shields reviewed the history of the agenda item. Chair Parker stated the property had been reviewed on the day of this meeting and the vehicle had been removed. No public comment was offered. Chair Parker moved to close the violation of inoperative/unregistered vehicles at 449 Blakeland Drive and take no further action since the problem had been resolved. Member Park seconded the motion. The vote was called; the motion carried 5-0.
16. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE/UNREGISTERED VEHICLES AT 560 BLACKSTONE DRIVE (101-002-053) AND MATTERS RELATED THERETO.** Secretary Shields reviewed the history of the agenda item and the lack of any communication from the property owner. No public comment was offered. Member Park moved to uphold the fine for inoperative/unregistered vehicles at 560 Blackstone Drive. Member Banuelos seconded the motion. The vote was called; the motion carried 5-0.
21. **REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A COMMERCIAL SIGN PERMIT AT 250 COUNTRY CLUB PKWY. (106D-002-004) AND MATTERS RELATED THERETO.** Secretary Shields reviewed the agenda item. No public comment was offered. Member Park moved to approve the commercial sign permit at 250 Country Club Pkwy. Member Featherston seconded the motion. The vote was called; the motion carried 5-0.
22. **REVIEW AND DISCUSSION TO AMEND COA RULE ON PAGE 4, ITEM #5 REGARDING THE ALLOWANCE OF METAL STORAGE CONTAINERS AS HOME OR CONVERTED ACCESSORY STRUCTURES AND MATTERS RELATED THERETO.** Secretary Shields indicated there are no specific regulations regarding this rule. Discussion ensued with Member Park indicating that he saw no problem if a metal storage container is used as a shed. Engineering codes were also discussed if such a structure were to be used for a home. Discussion among the COA members continued including whether a container could be used as a shop. Chair Parker commented on how difficult it would be to approve of these being used as a home or other

COA REGULAR MEETING, DECEMBER 12, 2017

structure as it relates to other DOR's and COA rules/regulations already in place and that using them as a shed is the only use that should be allowed. Additional comments and discussion followed. The item is a non-action item and no action was taken. No public comment was offered. Chair Parker tabled the agenda item and it will be included on the agenda and reviewed at the January 9, 2018 COA meeting.

23. REVIEW AND DISCUSSION TO AMEND COA RULE ON PAGE 5, ITEM #15 REGARDING THE TYPES OF FENCES OR WALLS THAT CAN BE APPROVED BY THE COMMITTEE OF ARCHITECTURE AND MATTERS RELATED THERETO.

Secretary Shields reviewed the agenda item. COA members discussed various fence designs and other ideas on design, structural integrity and materials and how specific criteria can be incorporated into the fence permit process. Vice Chair Holland drew attention to what the DOR's state on what the COA does have authority to approve and deny with respect to all building projects. The item is a non-action item and no action was taken. No public comment was offered. Chair Parker tabled the agenda item and it will be included on the agenda and reviewed at the January 9, 2018 COA meeting.

24. REVIEW AND DISCUSSION OF A POSSIBLE NEW COA RULE REGARDING VEHICLES THAT CANNOT BE LICENSED TO INCLUDE RACE CARS, HEAVY EQUIPMENT AND SEMI TRAILERS BEING STORED ON PROPERTIES AND MATTERS REALTED THERETO.

Chair Parker stated that rules are already in place to address some of these issues. Discussion ensued on backhoes, skid steers and farm tractors in relation to being used for a business or personal use; race cars might be considered as a separate category. Lawn equipment was discussed and how these tools could/could not be regulated. Work vehicles were discussed. COA members and the staff will investigate DMV verbiage and explore how other common interest communities address these matters. No public comment was offered. No action was taken. Chair Parker tabled the agenda item and it will be included on the agenda and reviewed at the January 9, 2018 COA meeting.

25. REVIEW AND DISCUSSION REGARDING THE MONTHLY UPDATE ON PROPERTIES AT COPENHAVER & MCCONNELL, P.C. AND MATTERS REALTED THERETO.

Secretary Shields provided a review of the properties currently at legal. Vice Chair Holland questioned what leverage the COA has with SCA legal to get the properties currently being handled resolved more quickly. President Bahr commented on the matter. Vice Chair Holland suggested that being able to expedite these cases more quickly would help the COA make greater progress on other matters. No public comment was offered.

26. APPROVE MINUTES FROM THE NOVEMBER 14, 2017 COMMITTEE OF ARCHITECTURE REGULAR MEETING.

Member Park moved to approve the November 14, 2017 COA Regular Meeting Minutes as presented. Chair Parker seconded the motion. The vote was called; motion carried 5-0.

27. APPROVE COMMITTEE OF ARCHITECTURE REVENUE AND VIOLATION REPORTS FOR NOVEMBER 2017.

Member Park asked for some clarification on the report content; President Bahr offered commentary. No public comment was offered. Chair Parker moved to approve the Committee of Architecture Revenue and Violation Reports for November 2017 as presented. Vice Chair Holland seconded the motion. The vote was called; the motion carried 5-0.

COA REGULAR MEETING, DECEMBER 12, 2017

- 28. COMMITTEE MEMBER AND STAFF COMMENTS.** General commentary ensued with Member Park asking what is happening with Little Khoury's. Discussion ensued; President Bahr commented. Vice Chair Holland commented on the ATV issue as it related to the Ranger commercial. She also asked what is happening with the Frontier Communications issue and she offered comments on the Frontier letter that states they don't have to comply with any Nevada law and can do anything they choose. President Bahr stated the Attorney General's office is involved in handling the matter and resolution of this matter and other utility issues will be ongoing including the water issues. Chair Parker also commented on the matter of the insurance advertising that is circulating on repairing water lines that is not as purported to be. Other matters were also addressed in general conversation.
- 29. THE NEXT REGULAR MEETING OF THE COMMITTEE OF ARCHITECTURE IS SCHEDULED FOR TUESDAY, JANUARY 9, 2017 AT 5:30 P.M.**
- 30. MEETING ADJOURNED:** 7:52 p.m.