



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

Spring Creek Association ("SCA") Board of Directors  
Wednesday, December 9, 2020, 5:30 PM, PST  
Fairway Community Center Meeting Room  
401 Fairway Blvd, Spring Creek, Nevada

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

**PRESENT:** Chair Josh Park (Tract 100), Karl Young (Tract 200) and Randy Mauldin (Tract 300), John Featherston (Tract 400)

At-Large Members: Vice Chair Tom Hannum, Molly Popp, and Jake Reed

**ABSENT:**

**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 both in person and telephonically 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.

Sheriff Aitor Narvaiza introduced the new Under-Sheriff, Justin Amos, and provided statistical information regarding the Sheriff's services.

**II. REVIEW, DISCUSSION, AND POSSIBLE ACTION TO ADOPT FEE SCHEDULE FOR THE 2021 GOLF SEASON.** **FOR POSSIBLE ACTION**

Travis Mahlke, GC Superintendent, was present to provide information regarding the fee increase proposal. Golf annual passes have not been increased since 2016 and the fees proposed are approximately half of Ruby View.

Rick Longhurst, Golf Pro, suggested not raising green fees and to remain competitive with other courses in the area.

General discussion regarding rental carts and clubs and it was determined a plan should be in place to continue to replace carts as needed.

No public comment was received.

Member Featherston moved/Member Popp seconded to approve the proposed fee schedule for the 2021 golf season. Motion carried (7-0).

**III. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING GREAT BASIN WATER COMPANY'S BILLING PRACTICES TO RESIDENTS, INCLUDING WORKING WITH LEGAL TO OPEN AN INVESTIGATION INTO POTENTIAL ISSUES WITH STATE AGENCIES.** **FOR POSSIBLE ACTION**

President Bahr introduced the agenda item stating that SCA has received numerous calls and emails from resident regarding higher-than-normal bills. Comments received from social media posts were provided for the Board's review.

Public Comment:

Kayla Derosia stated that she has had billing issues since July 2020 and has had people come out to verify a possible leak and a meter test. GBW is claiming she is using 102,000 gallons of water per month with four people in her residence.

Troy James, Tract 100, stated he was shocked there were not more people in attendance and that he has sent a letter to President Bahr and filed a complaint with the PUC.

Judy Nelson, Tract 100, stated her problems started in July and had not yet contacted SCA. She stated that she does not have any leaks and they are claiming she is using over 900 gallons per day.

Chairman Park stated that SCA has encourage any residents having issues to file a complaint with the PUC. He reminded the audience that SCA does not own the water rights and we take the issues seriously and continue to gather information.

Jerry Jordt, 200 Tract, commented on the new computerized meters and they claimed he was using 2500 gallons a day. He stated the staff from GBW had lied to him and said that it could take a year for the leak to show up and claimed it was from an overflowed toilet. He did receive a call from the CEO of GBW

Annette Marsh stated that GBW is a problem with large bills, bills coming 9 days apart showing poor practices. She stated the cost of water affects property values and will assist in any way to help change this.

Chair Park read emails from property owners claiming water usage at a vacant property was 72 gallons a day, showed a 33-day billing cycle, complaints for pricing and that they paid more per gallon because of the billing cycles.

Chair Park stated we need to compile all the data and get to the root of the problem.

Member Young stated that GBW has delayey projects, responses, applications for many properties that he manages with billing errors and shut offs.

President Bahr stated there should be a legal counsel review like the previous ghost reading issue, that we continue to collect evidence, and addressed the issue with the process involved to purchase the water company. Chair Park discussed owning and managing a water company is complex and SCA is investigating all options such as wells.

Vice-Chair Hannum provided information on pressure testing to provide backup for residents who are told they have a leak.

Sean Twomey, President for GBW, was present via zoom. He has been the President since August 31, 2020, provided his background, and stated he appreciated the comments. He stated that they would do an investigation on processes and procedures and wants to work with SCA and the community. He stated he wanted transparency and that GBW is a publicly regulated company. He suggested SCA have an engineer of our choosing work with their staff to discuss procedures, pumps & readings, looks at meters with the automatic read to help find solutions if there are problems.

A question-and-answer session between the Board/Residents and Mr. Twomey ensued.

- What would cause a home with 1-4 people to have a reading of over 1,000 gallons a day?
  - Either a leak or old infrastructure or they may have been underbilled from an older meter and it should be investigated.
- What transparency is offered?
  - People could sit with James from the front end, bring in operators, and look at water loss and engineer reports.
- How do we assure a rebate or refund to residents for an incorrect read?
  - People improperly billed should come forward and fill out a leak adjustment application. That would lead to a credit on the bill.

- What if there was no leak? They need to come onsite before they claim a leak. How do they proceed with no leak?
  - They could look at the gallons from the previous year to the current year and credit back to the original amount back to the previous level if there is reasonable evidence of no leak on their side of the meter.
- How many took advantage of the insurance for leaks?
  - That program has since been discontinued for no community desire.
- Why do our tiered rates vary so much from Pahrump?
  - The tiers are set to encourage water conservation. He will look at the variance between areas and get back to us.
- Stephanie Licht, 300 Tract, inquired why you cannot pay a bill locally and it has to be sent to Maine.
  - They have consolidated their customer service to keep costs low. They are working on better ways for payments.
- How do we make sure that meters are accurate?
  - Offered to review the meter and send out the meter for a proper audit of the meter. The meters were purchased from a company and tested by the government, so the expectation is they run accurately but can be sent away to check that they are calibrated accurately.
- Is staffing adequate to read all the meters in a timely manner to competently complete the meter reading task? How many were read vs. estimated?
  - They have statistics for estimated reads and are looking at staffing levels. The new AMR meters bring consistency that all are read and removes human error. James Eason, GBW, further clarified that if they are short staffed and out of the 6-day reading time for a bill cycle, that the billing department will do an estimate.
- Kayla Derosia commented again that the billing department pushed her aside and wanted her to get a plumber to look for leaks. GBW operator stated it would be 4-5 months.
  - Mr Twomey stated he will get back to her on her issues early next week.
- Will Mr. Twomey personally guarantee the residents have access to him and his higher-level team and to personally look into the issues.
  - There will be a review on how to engage with the community and make decisions to improve GBW processes for a timelier response. He will attend the next BOD meeting in person to improve processes and reach out to those with issues directly.

Chair Park stated that the Board will give Mr. Twomey until Friday to come up with a process to effectively have our residents reach out to his designee/team and we will communicate it to staff by the February meeting. Mr. Twomey stated he would have an interim decision by Friday and a permanent solution in February.

President Bahr will continue collecting information and reports and have further points to address at the February meeting.

No action was taken.

**IV. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING THE ANNUAL REVIEW OF THE ANIMAL CONTROL CONTRACT WITH ELKO COUNTY AND ANY PROPOSED CHANGES THERETO. FOR POSSIBLE ACTION**

Sheriff Narvaiza was present for questions. Statistics were provided for the amount of calls in

Spring Creek, around 1,200. VP Kerr stated that the contract requires a monthly report and has requested the report multiple times and has not received it.

Chair Park stated that the program has generally been a success and there are not as many complaints for animals at large.

The Sheriff's office informed that there are now increased online reporting options for dog complaints.

Public Comment:

Stephanie Licht, Tract 300, commented that previously she had many dogs at large in her yard and since the contract the numbers have greatly decreased. She commended President Bahr, the Board, the Sheriff's Office, and the Animal Control Officer.

Member Reed moved/Member Popp seconded continue that Animal Control Contract with Elko County. Motion carried (7-0).

**V. REVIEW AND POSSIBLE ACTION REGARDING THE PERFORMANCE EVALUATION FOR THE PRESIDENT/GENERAL MANAGER IN ACCORDANCE WITH THE 2020 PERFORMANCE APPRAISAL AND THE EMPLOYMENT CONTRACT AND POSSIBLE APPROVAL OF AMENDMENT THERETO. FOR POSSIBLE ACTION**

Chair Park stated that recently completed evaluation for President Bahr was completed and she received high marks. He stated he appreciated her and the job she continues to do and responsibilities she has.

No public comment was received.

Chair Park moved/Member Featherston seconded approve the amendment to President Bahr's contract. Motion carried (7-0).

**VI. COMMITTEE OF ARCHITECTURE**

**A. REPORTS**

VP Kerr provided information on permits and the occupancy report.

***NON-ACTION ITEM***

**B. POSSIBLE APPROVAL OF APPOINTMENT TO THE COMMITTEE OF ARCHITECTURE FOR ONE-YEAR TERMS COMMENCING JANUARY 1, 2021. FOR POSSIBLE ACTION**

President Bahr discussed the appointment of members to the COA and stated that Diane Parker was not requesting reappointment.

No public comment was received.

Member Mauldin moved/Vice Chair Hannum seconded to appoint Kevin Martindale, Stefanie Sisk, Jill Holland, Cassandra Banuelos, and Elex Vavrck to the Committee of Architecture for a one-year term. Motion carried (7-0).

**C. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 904 SPRING VALLEY PKWY (202-025-055) TO LEGAL COUNSEL FOR FURTHER**

**ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

**FOR POSSIBLE ACTION**

VP Kerr stated that there had been no contact with the Property Owner and the property remains in violation.

No public comment was received.

Member Featherston moved/Member Reed seconded to refer the violation at 904 Spring Valley Parkway (202-025-055) to legal counsel and uphold the fine. Motion carried (7-0).

**D. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 468 SPRING VALLEY PKWY (202-031-010) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

**FOR POSSIBLE ACTION**

VP Kerr stated that some items had been resolved but the property remains in violation and there had been no further contact with the Property Owner regarding the progress.

No public comment was received.

Vice Chair Hannum moved/Member Popp seconded to refer the violation at 904 Spring Valley Parkway (202-025-055) to legal counsel and uphold the fine. Motion carried (7-0).

**VII. APPROVAL OF MINUTES:**

**FOR POSSIBLE ACTION**

**November 18, 2020 Regular Meeting Minutes**

Member Young moved/Member Popp seconded to approve the November 18, 2020 Regular Meeting Minutes as presented. Motion carried (7-0).

**VIII. ACCEPT NOVEMBER 2020 ASSESSMENT AND LEGAL RECEIVABLE REPORTS.**

**FOR POSSIBLE ACTION**

Member Featherston moved/Member Mauldin seconded to accept the November 2020 Assessment and Legal Receivable Reports. Motion carried (7-0).

**IX. ACCEPT SEPTEMBER 2020 FINANCIAL REPORTS.**

**FOR POSSIBLE ACTION**

Member Featherston moved/Vice Chair Hannum seconded to accept the November 2020 Financial Reports. Motion carried (7-0).

**X. MEETING SCHEDULE**

**NON-ACTION ITEM**

The next Regular Board of Directors meeting is scheduled for Wednesday, January 27, 2021 at 5:30pm. The meeting may be held telephonically.

**XI. PUBLIC COMMENT**

**ACTION SHALL NOT BE TAKEN**

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**XII. ADJOURNMENT**

The meeting adjourned at 8:04 p.m.