



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

Spring Creek Association ("SCA") Board of Directors  
Wednesday, January 23, 2019, 5:30 PM, PST  
Fairway Community Center Meeting Room  
401 Fairway Blvd, Spring Creek, Nevada

**PRESENT:** Terry Lister (Tract 200), Pat Plaster (Tract 300), Vice Chair Paddy Legarza (Tract 400)  
At-Large Members: Tom Hannum, Molly Popp, Jake Reed

**ABSENT:** Chair Josh Park (Tract 100)

**CORPORATE OFFICERS PRESENT:** SCA President Bahr, SCA Treasurer Austin-Preston

**CORPORATE ATTORNEY:** Katie Howe McConnell

**CALL TO ORDER:** Vice Chair Legarza 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.

No public comment was received.

**II. PRESENTATION AND DISCUSSION WITH ELKO COUNTY SHERIFF AITOR NARVAIZA ON KEY INITIATIVES AND PLANS FOR SPRING CREEK. *NON-ACTION ITEM***

Elko County Sheriff Narvaiza presented a power point regarding key initiatives and plans for Spring Creek. He discussed communication, the opening and scheduling of a full time officer at the Spring Creek Substation, and the safety plan for schools.

Sheriff Narvaiza discussed the animal control statistics and the right to discharge a firearm if a dog is attacking you.

Emergency Services Manager, Annette Kerr, discussed the Rhodium Program which allows first responders to access an incident from the air. The program uses google earth and pictometry to provide a bird's eye view of the school or location allowing first responders to see the location at the same time on their iPads.

**III. REVIEW AND DISCUSSION REGARDING ANIMAL CONTROL STATISTICS, ANIMALS RUNNING AT LARGE, AND DISCHARGE OF FIREARMS. *NON-ACTION ITEM***

This item was considered under Agenda Item No. 2.

**IV. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A SURVEY FOR THE ELKO COUNTY AMBULANCE SERVICE. *FOR POSSIBLE ACTION***

Lee Cabaniss, Director of Elko County Ambulance Service, presented a power point regarding core services, staffing, resources, response information, key information regarding funding, major achievements including the Major Emergency Response Vehicle (MERV-1), and 2018 annual statistics.

He noted they would like to conduct a survey through the Spring Creek Association to ask Spring Creek residents about ambulance services.

Mike Hoover, Tract 400, worked with Elko County Ambulance Service to create the survey. He noted he intends to use the research when he applies for medical school and the results of the survey will be shared with Elko County Ambulance Service and the Spring Creek Association.

SCA President Bahr noted the information from the survey will be shared at a future Board of Director's meeting.

Member Lister moved/Member Plaster seconded to approve the survey for Elko County Ambulance Service. Motion carried (6-0) Chair Park absent

**V. REVIEW, DISCUSSION, AND POSSIBLE ACTION REGARDING A PROPOSAL BY COLDWELL BANKER REGARDING BOAT RACE FUNDRAISER(S) AT THE MARINA. FOR POSSIBLE ACTION**

Lee Gurr, Manager of Coldwell Banker Realty, stated her co-worker came to her with an idea for the Boat Race Fundraiser.

Bobbi Montrose with Coldwell Banker noted she came up with the idea after she noticed all of the kid's bikes piled up at the bus stops. She is proposing to have a boat race for kids and adults at the Marina every June, using the profits to buy bike racks for the kids. They are asking for the Board's approval to move forward with planning the Boat Race Fundraiser at the Marina.

Member Reed moved/Member Hannum seconded to move forward with the Boat Race Fundraiser at the Marina with Coldwell Banker. Motion carried (6-0) Chair Park absent.

**VI. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A PROPOSAL FROM HUMBOLDT WATERSHED COOPERATIVE WEED MANAGEMENT AREA REGARDING A LONG-TERM WEED MANAGEMENT PLAN. FOR POSSIBLE ACTION**

Andi Porreca with Humboldt Watershed presented a power point on the history of the Humboldt Watershed Cooperative Weed Management Area (HWCWMA), noting it covers 5 counties and 17,000 square miles. She presented an overview of noxious weeds, weed management obstacles, and impacts of noxious weeds. Their primary function is to provide assistance in the areas of funding, education, equipment sharing, technical expertise, technology transfer, mapping, and agency coordination and cooperation.

They are proposing to coordinate with the Spring Creek Association to create a long term weed management plan.

Public Comment:

Lee Gurr, Tract 100, asked if goats were reasonable to get rid of weeds.

Meghan Brown with the Nevada Department of Agriculture noted that the Nevada Department of Agriculture provided a Noxious Weeds Quick Reference Guide that lists weeds that would benefit from grazing.

Connie Lee noted that future grants and funding will look for positive action taken when awarding future funding.

Member Hannum moved/Member Popp seconded to approve \$7,500.00 for the Long-Term Weed Management Plan.

Member Hannum moved/Member Popp seconded to amend the main motion to approve the proposal from Humboldt Watershed Cooperative Weed Management Area regarding a Long-Term Weed Management Plan.

The amended motion carried (5-0-1) Chair Park absent and Member Lister opposed.

**VII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER A REQUEST FROM STEELE PRODUCTIONS TO NEGOTIATE THE RENTAL PRICE FOR THE HORSE PALACE FOR ROPING EVENTS FOR WINTER OF 2019. FOR POSSIBLE ACTION**

Katie and Chad Steele with Steele Productions requested to negotiate the rental price of the Horse Palace for roping events. They proposed 3 options to the Board which included: 1) 10% of the profit depending on the number of teams, 2) \$50.00 per hour with a minimum of 3 hours, and 3) a flat rate of \$300.00.

Public Comment:

Robbin Rowley, Tract 400, commented on the cost of roping events in previous years and noted there were 8 roping events per year in previous years.

Wayne Rowley, Tract 400, stated the reason a lot of people don't attend is because nobody is sure if the event is going to happen or not. If people know there is an event, they will come.

It was noted that the fee would apply to roping events and not rodeo events.

Member Popp moved/Member Lister seconded to reduce the rental price of the Horse Palace for roping events in winter 2019 for Steel Productions to a base rate of \$300.00 per day or 10% of the stock charge, whichever is greater. Motion carried (6-0) Chair Park absent.

**VIII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A REQUEST BY GREAT BASIN WATER COMPANY FOR A ROAD CUT AT 340 PARKCHESTER CIRCLE. FOR POSSIBLE ACTION**

Eric Chittim with Great Basin Water explained they will need to cut 40 feet into the road for a water main and 8 to 10 feet for the sewer line for a new home at 340 Parkchester Circle.

Member Lister moved/Member Popp seconded to approve a road cut at 340 Parkchester Circle. Motion carried (6-0) Chair Park absent.

**IX. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A PROPOSAL FROM LOMBARD CONRAD ARCHITECTS REGARDING IMPROVEMENT PLANNING AND DESIGN FOR THE HORSE PALACE. FOR POSSIBLE ACTION**

Byron Smith with Lombard Conrad Architects was present to answer questions.

The Board discussed the proposal provided by Lombard Conrad and also discussed the 5 year maintenance plan which was not included in the proposal.

Byron Smith, Lombard Conrad Architects, stated that they did study the facility. The numbers were from 2016 and those numbers needed to be looked at again. There is a budget involved

now and the proposal is stating what can be done within the budget. The priority is getting the building weather tight; there are structural items that will fail if they are not fixed. The high priority is the roof and the walls, and getting the water away from the building. Those items are organized into what the budget is. Those are recommendations.

The Board discussed identifying a budget every year and completing the items within that budget.

Public Comment:

Devin Rattazzi, Tract 400, voiced his concerns to the Board about spending millions of dollars and being able to explain why they spent that money to the association members.

Mike Mitchel, Tract 400, stated he had not seen the studies, but If you know everything you need to know then a decision needs to be made (a copy of the study was given to him during the meeting).

Member Lister moved/Member Reed seconded to take no action on the proposal and direct Lombard Conrad to get bids with a not to exceed budget of \$1,000,000.00 for roofing and ventilation.

Member Lister withdrew his motion.

No action was taken.

**X. REVIEW, DISCUSSION AND POSSIBLE ACTION TO ALLOCATE THE 2018 CARRY-FORWARD FUNDS. *FOR POSSIBLE ACTION***

The item was not considered.

**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 578 PALACE PKWY (402-005-003) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields stated the property owner has been in violation since August 2017. The property owner came into the office on November 20, 2017, and stated that he hasn't had a job for a while and just got a full time job and needed to save for a roof. He was hoping to have it done by spring 2018. There is no phone number on file. There has been no further contact from the property owner. To date, after 17 months, the property owner has not brought the property into compliance.

Member Reed moved/Member Popp seconded to uphold the \$200.00 fine and refer the property at 578 Palace Parkway to legal counsel for further action. Motion carried (6-0) Chair Park absent.

**C. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 522 BRENT DRIVE (202-020-008) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields stated the property owner has been in violation since June 2018. There has been contact with the property owner on several occasions; on 7/12/18 he was getting estimates for the roof, on 9/18/18 he was working on it and it would be done within a month, and on 11/2/18 the roof would be done that weekend. There has been no further contact from the property owner. A message was left informing the property owner of meeting on January 23, 2019. To date, after 7 months, the property owner has not brought the property into compliance.

Member Hannum moved/Member Reed seconded to uphold the \$200.00 fine and refer the property at 522 Brent Drive to legal counsel for further action. Motion carried (6-0) Chair Park absent.

**D. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 681 CLOVER DRIVE (401-013-009) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields stated the property owner has been in violation since July 2018. On December 11, 2018, the COA voted to put the violation and fine on hold until the December 2018 meeting and to contact the property owner and get a more decisive plan of action for the weeds come spring. An email was sent to the Lamoille Conservation District to get in contact with the property owner. Andi with the Lamoille Conservation District noted that there has been no contact with the property owner. There has been no further contact from the property owner and the property remains out of compliance. To date, after 6 months, the property owner has not brought the property into compliance.

Member Plaster moved/Member Hannum seconded to uphold the \$200.00 fine and refer the property at 681 Clover back to the Committee of Architecture. Motion carried (6-0) Chair Park absent.

**E. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 332 LAWDALE DRIVE (103-008-008) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields stated the property owner has been in violation since April 2018. Notices were sent that the sign needed to be permitted. The sign permit has been on the agenda twice and the permit was denied. The COA asked for a final plan of the sign with the correct measurements allowed by SCA. Currently, the sign remains at 332 Lawndale Drive.

The property owner was present and noted that there are a bunch of signs within the Association that are not within the sign limit.

Attorney McConnell noted that the Board is unable to discuss other people's properties and their signs. She stated that there are some differences in the Declaration of Reservations and the Board has the option to refer the property back to the COA for clarification and/or to apply for a variance.

Member Lister moved/Member Reed seconded to refer the property at 332 Lawndale Drive back to the Committee of Architecture in regards to applying for a variance. Motion carried (6-0) Chair Park absent.

**F. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 785 SPRING VALLEY PKWY (202-005-003) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields stated the property owner has been in violation since June 2018. On August 15, 2018, an email was received from the property owner noting that the property is a lease property and the tenant has been notified. He noted that the tenant is out of town with work for a while and asked for more time to address the issues with him in order to take care of it. The property owner was emailed in regards to the December 11, 2018 meeting and a certified letter was sent to him. To date, the inoperative vehicles have been removed and the roof has been completed.

Member Plaster moved to uphold the \$200.00 fine and close the violation at 785 Spring Valley Parkway. Motion failed for lack of second.

Member Plaster moved/Member Reed seconded to uphold the \$200.00 fine and refer the property at 785 Spring Valley Parkway back to the Committee of Architecture to verify the roof has been completed. Motion carried (6-0) Chair Park absent.

**G. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 306 RUSTIC DRIVE (202-007-008) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields stated the property owner has been in violation since February 2018. On May 29, 2018, the property owner's daughter sent an email stating her father passed away and they would be moving into the property in September. She requested an extension as they are living out of State until they relocate in September and plan on fixing

up the property at that time. There has been no progress on the property, however, the daughter called and noted they are moving in on January 15, 2019. To date after driving by the property, the weeds have been taken care of.

The property owner was present at the meeting and explained that they have not been able to move in yet; they are relocating from Louisiana but hope to be moved in by March, which is why it took the time to clean up the property.

Member Lister noted he drove by the property and it is cleaned and he believes the fine should be waived.

Member Plaster moved/Member Popp seconded to waive the \$200.00 fine and close the violation at 306 Rustic Drive. Motion carried (6-0) Chair Park absent.

**H. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 638 HAYLAND DR (202-010-046) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields stated the property owner has been in violation since June 2018. On September 5, 2018, three vehicles had been removed and they were waiting on the 4<sup>th</sup> to be removed; stating they would call when it is complete. The property owner called the office on January 14, 2019, and asked what needed to be done to property. It was explained that the inoperative vehicle needed to be either covered or removed. He was informed that the item would be on the January 23, 2019 agenda.

The property owner was present and stated the car was removed over the weekend.

Member Hannum moved/Member Plaster seconded to uphold the \$200.00 fine and close the violation at 638 Hayland Drive. Motion carried (6-0) Chair Park absent.

**I. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 539 BRENT DRIVE (202-019-002) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields stated the property owner has been in violation since July 2018. On August 8, 2018, the property owner called and stated the mailing address was wrong and she just got the letter. Sandy's Castles is the property manager and she is contact with them to get it taken care of. There has been no further contact from the property owner or Sandy's Castles and no progress on property. SCA Operation Assistant Cromwell emailed all of the letters and photos to the property owner January 3, 2019. There has been no further contact from the property owner; however, she is aware that her property is on the Board of Director's agenda.



Member Plaster moved/Member Popp seconded to uphold the \$200.00 fine and refer the property at 539 Brent Drive to legal counsel for further action. Motion carried (6-0) Chair Park absent.

**J. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 395 BERRY CREEK PL (201-009-030) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

SCA Treasurer Austin-Preston stated the property owner has been in violation since May 2018. The property owner attended the January 8, 2019 COA meeting for different violation and spoke under public comment that she is not going to paint the shed as it looks fine. She presented blown up pictures of the old golf course building and noted we should take care of our own buildings before pointing fingers. It was explained that the golf course building is being addressed. She was informed that she does need to paint her shed as it is in violation of the rules and regulations. She was informed of the date of the Board of Director's meeting and stated she would attend.

The property owner was present and stated that if she paints her shed the paint will peel off and look worse than it does now. After discussion with the Board members, she stated she would stain the shed.

Member Plaster moved/Member Reed seconded to refer the property at 395 Berry Creek Place back to the Committee of Architecture. Motion carried (6-0) Chair Park absent.

**K. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 773 PARKRIDGE PKWY (403-017-014) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

COA Secretary Shields stated the property owner has been in violation since September 2018. There has been no contact from the property owner. To date, after 4 months, the property owner has not brought the property into compliance.

Member Reed moved/Member Popp seconded to uphold the \$200.00 fine and refer the property at 773 Parkridge Parkway to legal counsel for further action. Motion carried (6-0) Chair Park absent.

**XII. STAFF REPORT**

***NON-ACTION ITEM***

The staff report was provided in the Board's packet. SCA President Bahr noted the dock at the Marina is set for completion in May.

**XIII. APPROVAL OF MINUTES:**

***FOR POSSIBLE ACTION***

A. December 12, 2018, Regular Meeting Minutes

Member Hannum moved/Member Plaster seconded to approve the December 12, 2018 Regular Meeting Minutes. Motion carried (6-0) Chair Park absent.

**XIV. ACCEPT DECEMBER 2018 ASSESSMENT AND LEGAL RECEIVABLE REPORTS.**

***FOR POSSIBLE ACTION***

Member Popp moved/Member Plaster seconded to accept the December 2018 Assessment and Legal Receivable Reports. Motion carried (6-0) Chair Park absent.

**XV. ACCEPT DECEMBER 2018 FINANCIAL REPORTS.**

***FOR POSSIBLE ACTION***

Member Plaster moved/Member Reed seconded to accept the December 2018 Financial Reports. Motion carried (6-0) Chair Park absent.

**XVI. MEETING SCHEDULE**

***NON-ACTION ITEM***

The next Regular Board of Directors meeting is scheduled for Wednesday, February 27, 2019 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.

Member Lister stated he received a phone call from an Association member in his tract that suggested we do monthly or quarterly coupons.

Treasurer Austin-Preston noted that on February 1, 2019, the Association will begin accepting applications for Board Member positions.

**XVIII. ADJOURNMENT**

The meeting adjourned at 9:10 p.m.