

**SPRING CREEK ASSOCIATION BOARD OF DIRECTORS
REGULAR MEETING MINUTES
WEDNESDAY, MARCH 28, 2018 AT 5:30 P.M., P.S.T.
SPRING CREEK ASSOCIATION OFFICE
401 FAIRWAY BLVD, SPRING CREEK, NV 89815**

Board of Directors

Tract

Josh Park-(100) – Chairperson, Jim Jefferies- (200)

Pat Plaster-(300) – Vice-Chair, Paddy Legarza-(400)

At-Large

Tom Hannum, Molly Popp, Jake Reed

DIRECTORS PRESENT:

PARK, JEFFERIES, PLASTER, LEGARZA, HANNUM, POPP AND REED

CORPORATE OFFICERS PRESENT:

SCA PRESIDENT JESSIE BAHR

CORPORATE OFFICERS ABSENT:

SCA TREASURER KRISTINE AUSTIN-PRESTON

CORPORATE ATTORNEY:

KATIE HOWE MCCONNELL

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.

Rusty Bahr, CEO of the boys and girls club gave an update on the project and provided answers to specific questions below:

Why did the Spring Creek Association decide to support a project of this nature?

The SCA conducted a comprehensive community assessment in 2017 to determine the needs of the community. This assessment outlined the top priorities the Spring Creek residents would like to see offered. The proposed project by the Boys and Girls Club achieves 6 of the top 10 priorities identified by the SCA members making this high priority collaboration.

Why did the Boys and Girls Club decide to pursue this project?

The boys and girls club identified the needs to expand to Spring Creek during their strategic planning in 2014. The Boys and Girls Club Board of Directors voted in 2017 to explore this opportunity due to the growing population with growing needs. The Boys and Girls club is called almost daily by Spring Creek Residents needing services.

What role will the SCA President and the Boys and Girls Club CEO play?

Jessie Bahr, President of the Spring Creek Association is married to Rusty Bahr, CEO of the Boys and Girls Club. Both individuals work for the pleasure for their Board of Directors and have no vote regarding this project. However, as leaders for their organizations, they will both be responsible for giving leadership to the project as commissioned by their perspective Board of Directors.

Are there kickbacks or additional compensation given to staff or board members?

Staff and board members do not receive any compensation related to his project. The only benefit for staff, volunteers and board members is the satisfaction of improving the quality of life for Spring Creek residents.

Will the Spring Creek Association members receive a discount on services?

Yes they will.

Will Spring Creek Association fees be increased due to this project?

No, they will not.

Do any Spring Creek Association Board Members have a conflict of interest regarding this project?

Tom Hannum, as a community member volunteering his time sits on both the Spring Creek Association and Boys and Girls Club Board of Directors and therefore must abstain from voting. It should be noted that Mr. Hannum has already ethically declared himself publically as a conflict of interest and has abstained from all votes. Although the following posts no conflict, it is our intent to be 100 percent transparent. Jake Reed is a volunteer board member for the Spring Creek Association and is married to Lisa Reed who is a volunteer board member for the Boys and Girls Club.

Are there any relationships that the community should be aware of?

The Boys and Girls Club served over 12,000 individuals in 2017 through their programs and community events and the Spring Creek Association serves almost 15,000 residents, making cross over relationships a reality. Please contact Rusty Bahr, CEO of the Boys and Girls Club at 775-738-2759 if you feel there is anyone that should not be involved.

Who is the attorney for the Spring Creek Association?

Katie McConnell is the legal counsel for the Spring Creek Association and the Boys and Girls Club, but poses no conflict of interest as she is commissioned to only to provide legal counsel to both organizations.

Will the Boys and Girls Club make money from this project?

The Boys and Girls Club is a non-profit 501C3 organization. The Boys and Girls Club has a zero based operating budget. All net proceeds are invested back into the organization with no dividends ever being paid to any statement.

II. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM WANRACK PRIVATE FIBER NETWORKS TO APPROVE A USAGE AGREEMENT FOR A PORTION OF PARCEL A IN TRACT 201, (054-012-001), FOR HIGH-SPEED FIBER NETWORK TO ELKO COUNTY SCHOOL DISTRICT.
FOR POSSIBLE ACTION

ATTORNEY MCCONNELL STATED THAT WANRACK IS ASKING FOR A USAGE AGREEMENT IN ORDER TO RUN FIBER OPTIC. IT WILL NOT INTERFERE WITH THE SEPTIC SYSTEM AND IT IS NOT LOCATED IN THE EASEMENT.

HANNUM MOVED/POPP SECONDED TO APPROVE THE USAGE AGREEMENT WITH WANRACK, LLC FOR HIGH-SPEED FIBER NETWORK IN A PORTION OF PARCEL A IN TRACT 201 TO ELKO COUNTY SCHOOL DISTRICT. MOTION CARRIED (7-0).

III. REVIEW, DISCUSSION AND POSSIBLE ACTION TO AMEND THE HORSE BOARDING/STALLING PRICING AND ARRANGEMENTS AT THE HORSE PALACE.
FOR POSSIBLE ACTION

PARK MOVED TO APPROVE THE MODIFICATION OF THE STALL RENTAL FEE FROM \$235.00 TO \$150.00 FOR PROPERTY OWNERS AND \$180.00 FOR NON PROPERTY OWNERS AND TO INCLUDE A ONE MONTH PASS WITH THE FEE. MOTION FAILED FOR LACK OF SECOND AND THE ITEM WAS TABLED.

IV. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PURCHASE OF RUBBER MULCH TO BE USED IN THE PLAYGROUND FOOTINGS AT ALL PARKS.
FOR POSSIBLE ACTION

HANNUM MOVED/POPP SECONDED TO APPROVE THE SECOND QUOTE FROM BEST RUBBER MULCH IN THE AMOUNT OF \$15,990.75 TO BE USED IN THE PLAYGROUND FOOTINGS AT ALL PARKS. MOTION CARRIED (7-0).

V. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PURCHASE OF PLAYGROUND EQUIPMENT TO BE PLACED AT THE MARINA, VISTA GRANDE PARK, AND SCHUCKMANN'S SPORTS COMPLEX.
FOR POSSIBLE ACTION

PRESIDENT BAHR STATED THE ITEM BEFORE THE BOARD WOULD OFFER FITNESS EQUIPMENT TO ALLOW PARENTS TO EXERCISE WHILE WATCHING THEIR KIDS.

POPP MOVED/REED SECONDED TO APPROVE THE QUOTE FROM GREENFIELDS OUTDOOR FITNESS FOR EXERCISE EQUIPMENT AND PLAYGROUND EQUIPMENT TO BE PLACED AT THE MARINA, VISTA GRANDE PARK AND SCHUCKMANN'S SPORTS COMPLEX. MOTION CARRIED (6-1) LEGARZA OPPOSED.

VI. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PURCHASE OF PLAYGROUND EQUIPMENT TO BE PLACED AT THE HORSE PALACE.
FOR POSSIBLE ACTION

PLASTER MOVED/PARK SECONDED TO ACCEPT THE PROPOSAL FROM CREATIVE RECREATIONAL SYSTEMS, INC. FOR PLAYGROUND EQUIPMENT AT THE HORSE PALACE. MOTION CARRIED (7-0).

VII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO MOVE FORWARD WITH INTERVENING IN THE PUBLIC UTILITY DOCKET REGARDING GREAT BASIN WATER COMPANY INTEGRATED RESOURCE PLAN. *FOR POSSIBLE ACTION*

PRESIDENT BAHR STATED WE NEED APPROVAL TO INTERVENE AND MOVE FORWARD WITH THE INTEGRATED RESOURCE PLAN.

HANNUM MOVED/PLASTER SECONDED TO APPROVE WITH INTERVENING WITH THE PUBLIC UTILITY DOCKET REGARDING GREAT BASIN WATER COMPANY INTEGRATED RESOURCE PLAN. MOTION CARRIED (7-0).

VIII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO SET THE TIME AND PLACE FOR THE ANNUAL MEETING SCHEDULED ON JUNE 16, 2018. *FOR POSSIBLE ACTION*

PARK MOVED/POPP SECONDED TO SET THE TIME AND PLACE FOR THE ANNUAL MEETING FOR JUNE 16, 2018, AT 12 NOON AT THE COMMUNITY CENTER, LOCATED AT 401 FAIRWAY BLVD. MOTION CARRIED (7-0).

IX. COMMITTEE OF ARCHITECTURE

A. REPORTS

NON-ACTION ITEM

COA SECRETARY, AMIE SHIELDS, GAVE AN OVERVIEW ON THE REPORT PROVIDED TO THE BOARD.

B. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 579 SPRING CREEK PARKWAY (101-002-042) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

PROPERTY OWNERS FROM 579 SPRING CREEK PARKWAY STATED THAT THEY HAVE HAD ISSUES WITH THEIR DOGS BEING OUT. HAVE MADE IMPROVEMENTS TO THE YARD AND INSTALLED AN ELECTRIC PERIMETER FENCE.

POPP MOVED/JEFFERIES SECONDED TO REFER 579 SPRING CREEK PARKWAY BACK TO THE COMMITTEE OF ARCHITECTURE FOR REVIEW. MOTION CARRIED (7-0).

C. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 670 DILLON DR (202-011-018) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

POPP MOVED/REED SECONDED TO SEND THE PROPERTY AT 670 DILLON DR TO LEGAL COUNSEL AND UPHOLD THE \$200.00 FINE. MOTION CARRIED (6-1) JEFFERIES OPPOSED.

D. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 377 BERRY CREEK PL (201-009-027) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

THE PROPERTY OWNER FROM 377 BERRY CREEK PLACE STATED THE PLATES HAVE BEEN PUT ON THE VEHICLES AND HE WILL FORWARD A COPY OF THE REGISTRATION. NOTED THAT HE WAS NOT TOLD THAT THE SHED HAD TO BE THE SAME COLOR AS THE HOUSE.

REED MOVED/JEFFERIES SECONDED TO REFER 377 BERRY CREEK PLACE BACK TO COMMITTEE OF ARCHITECTURE FOR REVIEW. MOTION CARRIED (6-0) PARK ABSTAINED.

E. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 600 WESTBY DR (202-012-022) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

REED MOVED/POPP SECONDED TO SEND THE PROPERTY AT 600 WESTBY DR TO LEGAL COUNSEL AND UPHOLD THE \$200 FINE. MOTION CARRIED (6-1) JEFFERIES OPPOSED.

F. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 507 MERINO DR (202-010-034) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

PROPERTY OWNER FROM 507 MERINO DRIVE WAS PRESENT AND ADDRESSED SEVERAL ITEMS. STATED HE WOULD PAY THE FINE.

POPP MOVED TO SEND TO THE PROPERTY AT 507 MERINO DR TO LEGAL COUNSEL AND UPHOLD THE \$200.00 FINE.

POPP MOVED TO AMEND THE MOTION ON THE TABLE TO UPHOLD THE \$200.00 FINE AND REFER THE PROPERTY AT 507 MERINO DR BACK TO THE COMMITTEE OF ARCHITECTURE IF ANY FURTHER ACTION IS REQUIRED. LEGARZA SECONDED THE AMENDED MOTION AND IT CARRIED (7-0).

G. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 448 WESTBY DR (202-012-031) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

HANNUM MOVED/POPP SECONDED TO SEND THE PROPERTY AT 448 WESTBY DR TO LEGAL COUNSEL AND UPHOLD THE \$200.00 FINE. MOTION CARRIED (6-1) JEFFRIES OPPOSED.

H. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 776 LILY DR (202-005-029) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

POPP MOVED/PARK SECONDED TO SEND THE PROPERTY AT 776 LILY DR TO LEGAL COUNSEL AND UPHOLD THE \$200.00 FINE. MOTION CARRIED (6-1) JEFFRIES OPPOSED.

I. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 646 SPRING VALLEY PKWY (202-009-059) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

POPP MOVED/REED SECONDED TO SEND THE PROPERTY AT 646 SPRING VALLEY PKWY TO LEGAL COUNSEL AND UPHOLD THE \$200.00 FINE. MOTION CARRIED (6-1) JEFFERIES OPPOSED.

J. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 528 BOND DR (202-016-006) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

POPP MOVED/REED SECONDED TO SEND THE PROPERTY AT 528 BOND DR TO LEGAL COUNSEL AND UPHOLD THE \$200.00 FINE. MOTION CARRIED (7-0).

K. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 440 WESTBY DR (202-012-032) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

POPP MOVED/HANNUM SECONDED TO SEND THE PROPERTY AT 440 WESTBY DR TO LEGAL COUNSEL AND UPHOLD THE \$200.00 FINE. MOTION CARRIED (4-3) PARK, LEGARZA AND JEFFERIES OPPOSED.

L. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 441 MERINO DR (202-012-009) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

THE ITEM WAS TABLED DUE TO AN INCORRECT ADDRESS LISTED.

M. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 438 JASPER DR (202-018-046) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

POPP MOVED/PARK SECONDED TO SEND THE PROPERTY AT 438 JASPER DR TO LEGAL COUNSEL AND UPHOLD THE \$200.00 FINE. MOTION CARRIED (6-1) JEFFERIES OPPOSED.

N. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 695 DILLON LN (202-011-026) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

POPP MOVED/PARK SECONDED TO SEND THE PROPERTY AT 695 DILLON LN TO LEGAL COUNSEL AND UPHOLD THE \$200.00 FINE. MOTION CARRIED (6-1) JEFFERIES OPPOSED.

O. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 456 GYPSUM DR (202-025-003) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

POPP MOVED/HANNUM SECONDED TO SEND THE PROPERTY AT 456 GYPSUM DR TO LEGAL COUNSEL AND UPHOLD THE \$200.00 FINE. MOTION CARRIED (5-2) PARK AND JEFFERIES OPPOSED.

P. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 465 GYPSUM DR (202-021-011) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

REED MOVED/POPP SECONDED TO REFER THE PROPERTY AT 465 GYPSUM DR BACK TO COMMITTEE OF ARCHITECTURE TO SEE IF THE PROPERTY HAS BEEN PICKED UP. MOTION CARRIED (6-1) JEFFERIES OPPOSED.

Q. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 467 GYPSUM DR (202-021-010) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

POPP MOVED/REED SECONDED TO REFER THE PROPERTY AT 467 GYPSUM DR TO LEGAL COUNSEL AND UPHOLD THE \$200.00 FINE. MOTION CARRIED (6-1) JEFFRIES OPPOSED.

R. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 449 JASPER DR (202-030-008) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

POPP MOVED/PLASTER SECONDED TO SEND THE PROPERTY AT 449 JASPER DR TO LEGAL COUNSEL AND UPHOLD THE \$200.00 FINE. MOTION CARRIED (6-1) JEFFERIES OPPOSED.

S. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 631 PALACE PKWY (402-009-007) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. *FOR POSSIBLE ACTION*

PROPERTY OWNERS FROM 631 PALACE PKWY STATED THE VEHICLE IS COVERED. MADE SEVERAL CALLS TO THE OFFICE TO STATE THE ITEMS WERE TAKEN CARE OF BUT DIDN'T RECEIVE A CALL BACK.

HANNUM MOVED/REED SECONDED TO WAIVE THE FINE AND REFER THE PROPERTY AT 631 PALACE PKWY BACK TO THE COMMITTEE OF ARCHITECTURE. MOTION CARRIED (6-0) PARK ABSTAINED.

X. STAFF REPORT *NON-ACTION ITEM*

XI. APPROVAL OF MINUTES: *FOR POSSIBLE ACTION*

A. Feb 28, 2018, Regular Meeting Minutes

CHAIR PARK STATED THAT THE MINUTES DID NOT CAPTURE THE MEETING FAIRLY AND ASKED THAT THE MINUTES BE REDRAFTED.

DIRECTOR LEGARZA AGREES AND HAS NEVER SEEN MINUTES SO LARGE, SO DETAILED AND POSSIBLY SOME THINGS THAT AREN'T QUITE RIGHT.

PARK MOVED/LEGARZA SECONDED TO DENY THE MINUTES FOR THE FEBRUARY 28, 2018 MEETING. MOTION CARRIED (7-0).

XII. ACCEPT FEBRUARY 2018 ASSESSMENT AND LEGAL RECEIVABLE REPORTS. *FOR POSSIBLE ACTION*

POPP MOVED/REED SECONDED TO ACCEPT THE FEBRUARY 2018 ASSESSMENT AND LEGAL RECEIVABLE REPORTS AS SUBMITTED. MOTION CARRIED (7-0).

XIII. ACCEPT FEBRUARY 2018 FINANCIAL REPORTS. *FOR POSSIBLE ACTION*

POPP MOVED/HANNUM SECONDED TO ACCEPT THE 2018 FINANCIAL REPORTS AS SUBMITTED. MOTION CARRIED (7-0).

XIV. MEETING SCHEDULE *NON-ACTION ITEM*

The next Regular Board of Directors meeting is scheduled for Wednesday, April 25, 2018 at 5:30pm.

XV. PUBLIC COMMENT *ACTION SHALL NOT BE TAKEN*

BOD REGULAR MEETING MINUTES – MARCH 28, 2018

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JOSH PARK SPEAKS IN REGARDS TO THE CONFLICT OF INTEREST BETWEEN THE PRESIDENT OF THE SPRING CREEK ASSOCIATION AND CEO OF THE BOYS AND GIRLS CLUB. HE ENCOURAGES EVERYONE TO COME TO THE SPECIAL MEETING ON APRIL 23, 2018 AT 6:00 P.M.

PADDY LEGARZA COMMENTED THAT SHE HASN'T HEARD ANYONE SAY THAT THE BOYS AND GIRLS CLUB IS A BAD IDEA.

XVI. ADJOURNMENT

NOTICE TO PERSONS WITH DISABILITIES

Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Board of Directors in writing at: 401 Fairway Blvd; Spring Creek, NV 89815, e-mail scatreas@frontiernet.net, or by calling (775) 753-6295.