



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

Spring Creek Association ("SCA") Board of Directors  
Wednesday, September 26, 2018, 5:30 PM, PST  
Fairway Community Center Meeting Room  
401 Fairway Blvd, Spring Creek, Nevada

**PRESENT:** Chair Josh Park (Tract 100), Terry Lister (Tract 200), Pat Plaster (Tract 300), Vice Chair Paddy Legarza (Tract 400)

**At-Large Members:** Tom Hannum, Molly Popp, Jake Reed

**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 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.

Mike Pappas, Tract 200, provided information and a map showing the potential location of the riding arena he is requesting in the 200 Tract. He noted the County will provide sand if we haul it and stated the County does not require a permit for the arena.

**II. REVIEW, DISCUSSION AND POSSIBLE APPOINTMENT TO FILL THE VACANCY ON THE COMMITTEE OF ARCHITECTURE. *FOR POSSIBLE ACTION***

President Bahr gave an overview of the applications submitted which were provided in the Board's packets.

Randy Hesterlee, Tract 200 applicant, was present and stated his reasons for applying for the Committee of Architecture vacancy.

No other applicants were present.

Member Lister moved/Member Hannum seconded to appoint Randy Hesterlee to fill the Committee of Architecture vacancy. Motion carried (7-0).

**III. REVIEW, DISCUSSION AND POSSIBLE ACTION OF A REQUEST FROM PAUL HERMAN TO REMOVE A \$10 LATE FEE. *FOR POSSIBLE ACTION***

No action was taken.

**IV. REVIEW AND DISCUSSION AND POSSIBLE ACTION REGARDING A PRESENTATION BY GREG BRORBY REGARDING THE GREAT BASIN WATER COMPANY'S INTEGRATED RESOURCE PLAN. *FOR POSSIBLE ACTION***

Greg Brorby provided an update to the Board concerning the Great Basin Water Company's Integrated Resource Plan. He noted that we should expect to see a draft order in November.

No action was taken.

**V. PRESENTATION BY SOUTHWEST GAS CONCERNING ITS PLAN TO MAKE APPLICATION WITH THE PUBLIC UTILITIES COMMISSION OF NEVADA TO EXTEND NATURAL GAS INFRASTRUCTURE TO THE AREA OF SPRING CREEK. *FOR POSSIBLE ACTION***

Debra Gallo, Southwest Gas, provided an overview of the service Southwest Gas currently provides and gave information on natural gas infrastructure in the Spring Creek area. She discussed Senate Bill 151 which allows them to extend natural gas to promote economic development. Currently, they are reaching out to residents of the Spring Creek area and asking them to fill out a non-binding intent form to see if there is an interest in natural gas in this area. They are requesting to receive the intent forms by mid-October, which can be found at [www.swgas.com](http://www.swgas.com). Their goal is to file the application with the Public Utilities Commission of Nevada by the end of the year. She noted individual cost savings and cost conversion will depend on the size of the house.

Frans Yorgensen, Southwest Gas, provided information concerning the trenching and boring and answered questions concerning installation. He noted that natural gas into the house from

the meter will be a case by case basis and lines may have to be upsized depending on the size of the home.

No action was taken.

**VI. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER CONTINUING THE ANNUAL 4<sup>TH</sup> OF JULY FIREWORKS SHOW. *FOR POSSIBLE ACTION***

President Bahr gave an update on the feedback the Association received from residents regarding the 4<sup>th</sup> of July Fireworks Show.

Public Comment:

Karl Young, Tract 100, spoke in favor of keeping the fireworks and suggested more fire protection.

Randy Hesterlee, Tract 200, spoke in favor of keeping the fireworks and said he would like to keep the 4<sup>th</sup> of July Festival going.

Charles Williams, Tract 100, stated he lives in the neighborhood where the fires occurred. He mentioned his concerns on the impacts to the animals but stated he does enjoy the fireworks. He looked into options for doing other types of shows, but noted they were not affordable. He recommended that the Association look into options and bring them before the Board for consideration, noting that fire protection is key.

Brent Devitt, Tract 100, spoke in favor of having fireworks.

Bryan Iverson, Tract 100, spoke in favor of the fireworks which allow people and families to come together. He noted that high range fireworks are less of a risk and wants Spring Creek to remain a family atmosphere.

Connie Lee, Lamoille Volunteer Fire Department, suggested having spotters, CERT members and/or Boy Scouts to help during the event.

President Bahr noted that the Association raises about 12 to 15 thousand dollars to put on the fireworks show for the 4<sup>th</sup> of July. They have talked to the fire department about having a water tank available, retardant in the tank, brush beating, and helping neighbors near the Marina with fire prevention if they want it. Information was gathered on firework shows with drones, but costs proved to be very expensive.

Connie Lee, Lamoille Volunteer Fire Department, stated is important to re-seed the ground where the fires were as soon as possible to prevent weed growth.

Charles Williams, Tract 100, thanked staff for taking the time to contact property owners. He noted the staff has done an excellent job at doing that.

Member Hannum noted that the fire department was quick to respond and feels that having a plan with the fire department and spotters would help.

Member Reed moved/Chair Park seconded to continue the annual 4<sup>th</sup> of July fireworks show. Motion carried (7-0).

**VII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE NEXT STEPS FOR UPGRADES OR REPAIRS TO THE HORSE PALACE. *FOR POSSIBLE ACTION***

President Bahr provided an update on the options for upgrades and repairs to the horse palace as outlined in the Board's packet.

Discussion ensued amongst the Board members regarding the options provided which included discussion of critical repairs, energy efficiency, making it affordable to members, events and how it aligns with the strategic plan.

Public Comment:

Mike Pappas, Tract 200, notes that money could be made if the Association puts the money into the horse place for people to come.

No action was taken.

**VIII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER APPLYING FOR AND APPROACHING THE ELKO COUNTY COMMISSION REGARDING THE RECREATIONAL TRAILS GRANT. *FOR POSSIBLE ACTION***

Connie Lee provided a power point presentation on the Recreational Trails Program grant and an overview on the grant process.

Public comment:

Randy Hesterlee, Tract 200, suggested looking into the Transportation Alternatives Program (TAP). Funding is available to help with bicycle, pedestrian, multi-use path and transportation-related projects.

Member Hannum moved/Member Plaster seconded to apply for and approach the Elko County Commission regarding the Recreational Trails Grant. Motion carried (6-0-1) Member Lister abstained.

**IX. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE AND SIGN THE YEARLY REVIEW OF POLICY 07-001, BOARD OF DIRECTORS' AND PRESIDENT'S CODE OF CONDUCT IN REGARD TO ETHICS, DIRECTORS' AND PRESIDENT'S ACTIVITIES AND ACCESS TO INFORMATION. *FOR POSSIBLE ACTION***

Attorney McConnell asked the board to approve and sign the yearly review of Policy 07-001 as stated.

Member Lister moved/Member Reed seconded to approve and sign the Policy 07-001 Board of Directors' and President's Code of Conduct in regard to Ethics, Directors' and President's Activities and Access to Information. Motion carried (7-0).

**X. 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 454 JASPER DR (202-018-038) 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. There has been no contact from the property owner until August 6, 2018 when they called and stated they moved the vehicle behind the shed. It was explained that the vehicle has to be out of sight or covered and out of sight. This property was on the August COA agenda and the COA voted to uphold the fine and give the property owner until the September 11, 2018 COA meeting to have the vehicle in compliance. No further contact has been received from the property owner.

Member Plaster moved/Member Hannum seconded to uphold the \$200.00 fine and refer the property at 454 Jasper Drive to legal counsel for further action. Motion carried (7-0).

**C. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 819 OAK CREEK LN (402-010-048) 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 May 2018. There has been no contact from the property owner. This property was in violation for the same vehicles in 2017. The violation was closed when the car was covered and the truck was removed from the driveway. The car is now uncovered and the truck is back in the driveway. Certified mail came back unclaimed.

Member Plaster moved/Member Popp seconded to refer the property at 819 Oak Creek Lane to legal counsel for further action and uphold the \$200.00 fine. Motion carried (6-0-1) Member Reed abstained.

**D. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 465 SPRING VALLEY PARKWAY (202-035-007) 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 May 2017. There was contact with the property owner on December 4, 2017 and the property owner stated he would be coming into town to look at the property and would then come by the office. On December 6, 2017, the property owner came into the office and stated the Ford Ranger is inoperative and will need to be covered, the gray Ford is licensed and they will be sending over a copy of the registration. He came into the office with pictures and was told the only things that need to be cleaned up are the items in-between the shed and the house. He stated he would call the office once this was completed. COA Secretary Shields spoke with the property owner in the middle of August in regards to the property. The property owner requested that the Association

move forward with sending the property to the COA. This is a rental property and he will handle everything once it goes to legal as there are more than just COA violations.

Brett with Jerome Homes was present and noted the vehicles have been taken care of. There were some concerns on what specifically the Association wants done. He noted there is an area they are putting together for Pacific Steel and that they would like to keep the pallets.

Member Lister moved/Vice Chair Legarza seconded to uphold the \$200.00 fine and refer the property at 465 Spring Valley Parkway back to the Committee of Architecture. Motion carried (7-0).

**E. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 282 NORTHGLEN DR (106B-004-011) 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 March 2018. There has been no contact from the property owner.

The property owner was present and stated the vehicle was moved off of Spring Creek property at 4:30 p.m. today.

Member Plaster moved/Member Lister seconded to uphold the \$200.00 fine. Motion carried (6-0-1) Reed abstained.

**F. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 394 DOVE CREEK (201-003-044) 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 March 2018. There has been no contact with the property owner.

Member Plaster moved/Vice Chair Legarza seconded to refer the property at 394 Dove Creek Place to legal counsel for further action and uphold the \$200.00 fine. Motion carried (7-0).

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

***FOR POSSIBLE ACTION***

COA Secretary Shields stated the property owner was in violation for the same thing in February. Animal Control has been in contact with the Spring Creek Association on multiple occasions regarding the situation. The property owner's dog keeps getting out. They fixed the fence but that only lasted for a couple of months. Most recently, the dog was held until Animal Control spoke with the owner. The last time this was on the agenda the Board of Directors voted to refer it back to COA and the COA voted to uphold the fine. The fine has not been paid to date.

Member Plaster moved/Member Reed seconded to refer the property at 579 Spring Creek Parkway to legal counsel for further action and uphold the \$200.00 fine. Motion carried (7-0).

**XI. STAFF REPORT**

***NON-ACTION ITEM***

The staff report was provided in the Board's packet.

**XII. APPROVAL OF MINUTES:**

***FOR POSSIBLE ACTION***

A. August 22, 2018, Regular Meeting Minutes

Member Hannum moved/Member Plaster seconded to approve the August 22, 2018 regular meeting minutes. Motion carried (6-0-1) Member Lister abstained.

**XIII. ACCEPT AUGUST 2018 ASSESSMENT AND LEGAL RECEIVABLE REPORTS.**

***FOR POSSIBLE ACTION***

Member Plaster moved/Vice Chair Legarza seconded to accept the August 2018 Assessment and Legal Receivable Reports. Motion carried (7-0).

**XIV. ACCEPT AUGUST 2018 FINANCIAL REPORTS.**

***FOR POSSIBLE ACTION***

Member Plaster moved/Member Reed seconded to accept the August 2018 Financial Reports. Motion carried (7-0).

**XV. MEETING SCHEDULE**

***NON-ACTION ITEM***

The next Regular Board of Directors meeting is scheduled for Wednesday, October 24, 2018 at 5:30pm.

**XVI. 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.

No public comment was received.

**XVII. ADJOURNMENT**

The meeting adjourned at 7:25 p.m.