

**SPRING CREEK ASSOCIATION BOARD OF DIRECTORS
REGULAR MEETING MINUTES
WEDNESDAY, MAY 24, 2017, 5:30 P.M.
SPRING CREEK ASSOCIATION OFFICE
401 FAIRWAY BLVD., SPRING CREEK, NV 89815**

CALL TO ORDER: Chair Paddy Legarza called the Meeting to order at 5:30 p.m.

DIRECTORS PRESENT: Vice Chair Josh Park, Directors: Pat Plaster, Jim Jefferies, Mike McFarlane, Travis Mahlke

DIRECTORS ABSENT: Director Paul McAnany – Absent at Roll Call

CORPORATE OFFICERS PRESENT: Jessie Bahr – SCA President
Kristine Preston – SCA Treasurer

ATTORNEY ABSENT: Katie Howe McConnell – Absent

PLEDGE OF ALLEGIANCE:

- I. **COMMENTS BY THE GENERAL PUBLIC:** Rick Meade (Tract 400) commented on his concerns and those of other property owners about the ATV activity in the green belt areas particularly during the months when the weather allows for kids to go out and ride their ATV's. He suggested that perhaps in the next few months an additional security detail could be staffed in the afternoons to enforce that ATV's are not allowed in the greenbelt areas. No other public comment was offered.

- II. **REVIEW, DISCUSSION AND POSSIBLE APPROVAL TO EXPEND FUNDS FROM THE CAPITAL RESERVE TO INSTALL ELECTRICAL SERVICE TO THE OLD CLUBHOUSE AND REMOVAL OF TEMPORARY ELECTRIC PEDESTAL AND MATTERS RELATED THERETO.** President Bahr introduced the agenda item. She indicated that originally this was something that Bailey was supposed to have done and stressed the need to have areas powered at the same time. President Bahr stated there is only one bid from Sabala Electric: other companies were contacted and declined to bid due to their schedules. She indicated that trenching would be done by Ruby Dome Construction. A representative from Sabala Electric was present to answer questions. No public comment was offered. Discussion ensued on the costs of the electric work and the additional cost for the trenching and the location where trenching is to occur. Additional discussion ensued. Director McFarlane moved to expend funds from the Capital Reserve to install electrical service to the old clubhouse and remove the temporary electric pedestal by Sabala Electric and Ruby Dome Construction. Director Jefferies seconded the motion. The vote was called; the motion carried 6-0.

- III. **REVIEW, DISCUSSION AND POSSIBLE APPROVAL TO EXPEND FUNDS FROM THE CAPITAL RESERVE TO PAVE THE ADDITIONAL PARKING LOT AND PROPOSED CART STAGING AREA AT THE FAIRWAY COMMUNITY CENTER AND MATTERS RELATED THERETO.** Treasurer Preston introduced the agenda item. Chair Legarza questioned the location and size of the lot area being proposed now as well as looking ahead. The focus should be to do the work only once; not tearing up the newly paved area to enlarge it later. In house road crew labor would be used; paving material would have to be purchased. No public comment was offered. No further Board comment ensued. Director McFarlane moved to expend funds from the Capital Reserve to pave the additional parking lot and proposed cart staging area with in house staff. Director Plaster seconded the motion. The vote was called; the motion carried 6-0.

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IV. REVIEW, DISCUSSION OF A PROPOSED CONTRACT WITH ELKO COUNTY REGARDING ANIMAL CONTROL AND MATTERS RELATED THERETO. President Bahr introduced the agenda item stating that Attorney McConnell had made additional changes to the proposed contract. Hours and accountability were areas addressed in the contract changes. The Elko County District Attorney and Sheriff Pitts are reviewing the changes to the contract. The next step is for Sheriff Pitts to present the matter to the Elko County Commission. She indicated that Attorney McConnell approves of the contract agreement as it is now and that SCA Board of Directors could move forward with it if the Elko County Commission or District Attorney's Office make no substantive changes. No public comment was offered. Additional Board questions and comment were offered. Vice Chair Park moved to approve the contract with Elko County regarding animal control and matters related thereto. Director Jefferies seconded the motion. The vote was called; motion carried 6-0.

V. REVIEW, DISCUSSION AND POSSIBLE APPROVAL TO MOVE FORWARD WITH NEGOTIATIONS WITH THE ELKO COUNTY SCHOOL DISTRICT TO BUILD AN ELEMENTARY SCHOOL ON PARCEL 050-001-032 (250 PARKCHESTER DRIVE) AND MATTERS RELATED THERETO. President Bahr introduced the agenda item stating that her office had meeting with the Elko County School District. She stated that ECSD had evaluated different parcels for a new school. President Bahr stated that at this point the Board should decide if SCA would like to enter negotiations with the ECSD and have the property at 250 Parkchester Dr. appraised to determine current value. Discussion ensued among the Board members with Vice Chair Park stating he was in favor of the location and its suitability to other business in the area. Director McFarlane also favored the use for that location. Casey Kelly of the ECSD stated that the County would like to move quickly on the project approval and cited the fact that fourteen (14) portable classroom facilities are already in use in Spring Creek. The added traffic to the area was stated as a concern by Chair Legarza: that matter was discussed by the Board. No public comment was offered. Director McFarlane moved to approve moving forward with negotiations with the Elko County School District to Build an elementary school on Parcel 050-001-032 (250 Parkchester Drive). Director Jefferies seconded the motion. The vote was called; motion carried 6-0.

President Bahr followed up with comment on how the notification process to property owners in the area being considered for the new school will work. The process for those parties to be involved in the plan and their ability to participate, provide input and review the plans for the school are paramount to the development success of that area.

VI. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF A BID FOR 1/2" CHIP ROCK FOR THE 2017 CHIP SEAL ROAD PROJECT AND MATTERS RELATED THERETO. Treasurer Preston introduced that agenda item and reviewed the detail of the prior year chip seal project. Quotes were received. No public or Director comments were offered. President Bahr called attention to the list of roads to be chip sealed this year. The bids received are from Silver State and Vega Construction. Director McFarlane moved to approve the bid for chip rock from Vega Construction for the 2017 chip seal road project. Director Mahlke seconded the motion. The vote was called; motion carried 6-0.

VII. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING CONTINUED LEASING OF THE PASTURE AND/OR THE CAMPGROUND AND RIFLE RANGE AND MATTERS RELATED THERETO. President Bahr introduced the agenda item. She indicated that some complaints have been received from property owners about manure and cows in the range. There is also the issue of the potential need for fuel reduction. It is possible that the campground and range areas could be fenced off. Discussion ensued on ideas of what might offset revenue loss from the lease. No public comment was offered. Director McFarlane moved to discontinue the lease of the pasture for grazing on the campground and rifle range for a period of one (1) year. Director Plaster seconded the motion. The vote was called; the motion carried 6-0.

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VIII. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING THE GREAT BASIN WATER COMPANY PUBLIC UTILITIES COMMISSION DOCKET #16-12006 AND SCA'S RESPONSE AND MATTERS RELATED THERETO. President Bahr introduced the agenda item. She stated that testimony has been put in the PUC docket. Testimony from both the BCP and PUCN agency staff have also been added to the docket. Conference hearings are scheduled. President Bahr stated the testimony provided by Wendy at Great Basin Water was not factually true and that both she and Attorney McConnell provided rebuttal comments on that testimony to the PUCN. No public or Board comment was offered. Director Plaster moved to continue to support action and input of SCA to the PUCN docket #16-12006. Director Jefferies seconded the motion. The vote was called; the motion carried 6-0.

IX. COMMITTEE OF ARCHITECTURE:

A. REPORTS: Reports were reviewed by the Board. Chair Legarza noted the fair amount of income in COA revenue. No Board comments related to the reports were offered.

B. REVIEW AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 483 LYNX DRIVE (202-018-054) TO LEGAL COUNSEL FOR FURTHER ACTION AND MATTERS RELATED THERETO. President Bahr reviewed the process for violation notification and the time involved in going through all the notifications by the COA. She indicated that if no contact has been made by the property owner to the COA Secretary in response to the notification letters then those violations will be coming to the Board for further legal action approval. She noted that over the next few months there will be a number of these type referrals coming to the Board.

The property owner was not present nor has the property owner contacted the COA Secretary. Director Mahlke stated he has seen the vehicles have moved. Vice Chair Park stated that based on the records of violation notification no mention of trash appeared in 2016. The violation notification for trash is not cited until April 2017. Director Plaster stated that she is not in favor of supporting referral for legal action on this property. Director McFarlane moved to send this property back to the COA for further consideration. Vice Chair Park seconded the motion. The vote was called; the motion carried 6-0.

C. REVIEW AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 539 BRENT DRIVE (202-019-002) TO LEGAL COUNSEL FOR FURTHER ACTION AND MATTERS RELATED THERETO. The property owner was not present. It was noted the property owner appears to be in California. No public comment was offered. Discussion among the Board members ensued. Director McFarlane moved to refer the property at 539 Brent Drive to legal for further action. Director Plaster seconded the motion. The vote was called; the motion carried 5-1 (Director Jefferies opposed).

D. REVIEW AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 369 WESTCLIFF DRIVE (201-008-043) TO LEGAL COUNSEL FOR FURTHER ACTION AND MATTERS RELATED THERETO. The property owner was not present. No public comment was offered. Board comment ensued. Director Plaster moved to refer the property at 369 Westcliff Drive to legal for further action. Director McFarlane seconded the motion. The vote was called and the motion carried 5-1 (Director Jefferies opposed).

E. REVIEW AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 533 CEDARLAWN DRIVE (202-031-030) TO LEGAL COUNSEL FOR FURTHER ACTION AND MATTERS RELATED THERETO. The property owner was not present. No public comment was offered. President Bahr reviewed prior detail on this property. Board comment

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ensued. Vice Chair Park moved to refer the property at 533 Cedarlawn Drive to legal for further action. Director Plaster seconded the motion. The vote was called and the motion carried 5-1 (Director Jefferies opposed).

- X. STAFF REPORT:** President Bahr updated progress on:
- A. Fairway Community Center** – SCA, Restaurant and Golf Course are up and running in the new location. The Point of Sale (POS) has been implemented. Landscaping will be completed when electrical work for the old clubhouse is complete over the course of the next few weeks.
 - B. Horse Palace** – Work on fixing the footing in the facility will start soon. Staff is working on getting different material for footing. Additionally, Epsom Salts have been recommended to keep dust down and some sample boxes of the product have been provided to determine effectiveness.
 - C. Shooting Range** – The SCA grant application has moved forward to the second stage of the review process.
 - D. Schuckmann’s Sports Complex** – President Bahr states that she met with the foundation. Need to work on putting together a Capital expense plan for all the improvements we might implement so moving forward will be a process.
 - E. Elko County School District** – We will continue to have the ECSD on future agendas as we move forward in our negotiations with the school district on a new elementary school plan.
 - F. Commercial Properties** – We are waiting direction from legal.
 - G. COA New Member** – COA has a new member. Have worked on the ATV issue and have started a new ticketing process that has reviewed with the Sheriff and will help us keep track of who is on ATV’s. Violators with respect to ATV use and dog related complaints will be cited.
 - H. Culverts/Ditches** – This was part of the roads evaluation. We are working on necessary improvements and a plan.
 - I. Right of Way Permits/Building Permits** – President Bahr will meet on May 25th with all contractors from building companies, NV Energy, new home construction contractors. The topic will be damage to our roads, the required repairs, reseeding for new home construction and what will be required moving forward.
 - J. Roads** – Equipment has been delivered. We will be working on mowing and spraying weeds, fixing potholes, road shouldering. The hot plant is not open yet.
 - K. Animal Control** – We discussed that on the current agenda and where we are at this point.
 - L. Weed Management** – We did an amenity review of all our areas with staff just yesterday and hired Sam Sanders to work with us on weed management and to take care of those areas.
 - M. Municipalities Study** – President Bahr sent out a draft version and requested the Board to let her know if additional comments are needed. We will probably be discussing at the July Board of Directors meeting.
 - N. Geese Management** – We have a plan in place and we should begin work on managing the geese population in the next couple of weeks. We will be closing the Marina for several days.
 - O. Water Committee** – The docket has been discussed on this agenda. Assembly Bill 109 – is stuck in the Ways & Means.
 - P. Upcoming Events:**
 - Annual Meeting** – June 17th at the Fairway Community Center.
 - Freedom Festival** – July 4th
 - Trunk or Treat** – October 31st
 - Q. Graffiti** – There is an active investigation and we have a responsibility for the cleanup.

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R. Committee of Architecture – The COA will be working hard to address the violations over the next several months to address the issues that have been ignored for a long time.

No public comment was offered on the Staff Report.

- XI. APPROVAL OF MINUTES:** Corrective comments to the meeting minutes as submitted were offered by the Board. Director McFarlane moved to approve the April 26, 2017 Regular Meeting minutes as corrected. Director Mahlke seconded the motion. The vote was called; the motion carried 5-0-1 (Vice Chair Park).
- XII. ACCEPT APRIL 2017 SPRING CREEK ASSOCIATION ASSESSMENT AND LEGAL RECEIVABLE REPORTS:** No comment was offered by the Board or the public. Director Mahlke moved to accept the April 2017 SCA Assessment and Legal Receivable Reports as submitted. Director Plaster seconded the motion. The vote was called; the motion carried 6-0.
- XIII. ACCEPT APRIL 2017 FINANCIAL REPORTS:** No Public comment or Board was offered. Director Plaster moved to accept the April 2017 Financial Reports as presented. The motion was seconded by Director Mahlke. The vote was called and the motion carried 6-0.
- XIV. MEETING SCHEDULE:**
The next Regular Board of Directors meeting is scheduled for Saturday, June 17, 2017 at 1:00 p.m.
The Annual Property Owner Meeting is scheduled for Saturday, June 17, 2017 at 1:15 p.m.
- XV. BOARD OF DIRECTOR COMMENTS:** Chair Legarza thanked Directors McFarlane, Mahlke and McAnany for their service on the Board. She also stated that she had hoped to see the future Board members who will be replacing Directors McFarlane, Mahlke and McAnany at a couple of meetings prior to assuming their new responsibilities. Director McFarlane stated that he has had a good experience and that the Board has worked well together to get things accomplished. Director Mahlke congratulated staff for a successful golf tournament for the State High School event and stated how much he appreciated the efforts of Treasurer Preston, President Bahr, Steve Abe, Kedric Abplanalp, and all the staff involved in working the event. Director Plaster offered comments on the Vista Grande Park volunteer efforts to repaint the tables, fix the grills and horseshoe pit and all the other repairs that were undertaken. She commented on additional repairs needed on the road frontage of Licht Parkway & Diamondback and that the contractor that caused the damage should be held accountable. Director Jefferies commented on President Bahr having done a good job. Vice Chair Park thanked Directors Mahlke and McFarlane for their service.
- XVI. MEETING ADJOURNED:** 6:46 p.m.