



SPRING CREEK ASSOCIATION BOARD OF DIRECTORS REGULAR MEETING MINUTES

Spring Creek Association ("SCA") Board of Directors
Wednesday, April 28, 2021, 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), Randy Mauldin (Tract 300), and John Featherston (Tract 400)

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

ABSENT: Molly Popp (At-Large)

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.

Mark Wetmore provided an update to the Board regarding the progress of the cemetery committee. The next formal step would be to go before the Committee of Architecture.

II. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PURCHASE OF SHOT CURTAINS AT TRAP & SKEET FOR INCREASED SAFETY.

FOR POSSIBLE ACTION

This item was tabled.

No public comment was received.

III. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE ADDITIONAL BOUNDARY FENCING AT TRAP & SKEET FOR INCREASED SAFETY. FOR POSSIBLE ACTION

President Bahr explained that the fall-out area for Trap & Skeet of 900 feet falls into the sports field and parking areas and additional fencing is requested for additional safety along with possibly moving 3 of the trap stations in the future. We had received one quote for \$8.00 per foot for approximately 1800 feet of fence for \$14,000.

The Board commented on the price being high and there not being enough specific information to approve. It was requested to get additional quotes with a comparison and scope of work to possibly include corners, number of posts, spacing, top wire or rail included, whether there will be gates and a physical description of the fencing.

No public comment was received.

The item was tabled, and no action was taken.

IV. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING H2GO ATTACHING TO THE SEPTIC SYSTEM AT THE MARINA. FOR POSSIBLE ACTION

Floyd Chacon, H2GO, is requesting the Board pay an additional \$4,500 to run lines to attach to the Marina septic system. He stated that the Health Department would not allow it without it being attached to the septic system. He stated that it would be 345 feet of 2" poly line to the septic for the 2 sinks.

Vice Chair Hannum stated that the current tank could support this additional capacity.

Attorney McConnell clarified that the agenda item does not allow the Board to approve funding, only to be able to attach to the septic system. Also, the language in the agreement stated that H2GO pays for all utilities.

Chair Park inquired on the cost of an additional septic tank and leach field and the possibility of a dump station in Spring Creek.

Member Mauldin requested a timeframe for the project. The project is currently waiting for the grading and electrical, so it would likely be the middle of June.

No public comment was received.

Member Featherston moved/Vice Chair Hannum seconded to approve H2GO attaching to the septic system at the Marina. Motion carried (6-0), Member Popp absent.

V. REVIEW, DISCUSSION AND POSSIBLE ACTION TO EXTEND THE OPENING DATE REQUIREMENT FOR CARRY ON WITH STYLE'S USAGE AGREEMENT FOR THE OLD CLUBHOUSE. FOR POSSIBLE ACTION

President Bahr provided information that Carry on With Style would like to extend their opening date to the end of May. The project has been held up, but they are almost complete. Attorney McConnell clarified that the Board could terminate the agreement if they were not open by April 1, 2021.

No public comment was received.

Member Reed moved/Member Featherston seconded to extend the opening date requirement for Carry on with Style's usage agreement for the Old Clubhouse to the end of May 2021. Motion Carried (6-0), Member Popp absent.

VI. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST FROM THE ELKO COUNTY SHERIFF'S OFFICE MOUNTED PATROL FOR A BI-MONTHLY TRAINING AT THE HORSE PALACE AT NO COST. FOR POSSIBLE ACTION

Sergeant Parry provided a request to the Board for use of the Horse Palace for their Bi-Monthly training at the Horse Palace.

Attorney McConnell clarified that the Board could limit the time for the request. Chair Park supports law enforcement training, and we could set an end date and evaluate after that time.

Vice Chair Hannum moved/Member Reed seconded to approve the request from the Elko County Sheriff's Office Mounted Patrol for a bi-monthly training at the Horse Palace at no cost for 12 months. Motion carried (6-0), Member Popp absent.

VII. REVIEW AND DISCUSSION OF THE ANIMAL CONTROL CONTRACT FOR THE QUARTERLY REVIEW. NON-ACTION ITEM

President Bahr stated that statistics were in the packet for the Board's review.

No public comment was received.

No action was taken.

VIII. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING MODIFICATION IDEAS FOR THE RYAN RANCH LEASE PRESENTED BY JILL WILKINSON. FOR POSSIBLE ACTION

Jill Wilkinson, Tract 400, provided a PowerPoint presentation regarding her concerns for the Ryan Ranch Pasture. She stated that the main reason that the pasture was leased was to control noxious weeds. It was clarified that that is one reason to lease the pasture, but not the main reason.

Ms. Wilkinson stated that she was not opposed to using the ranch, just wanted guidance provided for its use. She suggested that the horses be removed for a while and that the grass

stubble should be 6" high, that this is a good time to treat noxious weeds and to reseed bare soil. She suggested limiting grazing after the surface dries up and to keep animals off the area when it is wet. She suggested that the trenching work should be stopped as the fields water themselves and any future digging should be discussed. She also requested that the exploratory hole should be filled back in.

Jess Jones was present and stated that he planned to get rid of the grass and overgrowth last year and that he would spray the weeds this year. He has already purchased the weed chemicals and fencing materials. He explained that the ditches hold water for the dryer areas. He explained that the exploratory hole is approximately 15" that was dug with a shovel and the water goes back underground. He plans to fill it back in to properly irrigate.

Chair Park commented on the pictures in the presentation that it would have been beneficial to have pictures from April 2020 to April 2021 rather than April 2020 to February 2021.

Attorney McConnell clarified that the lessee has the right to quiet enjoyment of the area without interference.

Public Comment:

Chad Steele commented that the trenches are used to get water on the outside to the high area and diverting is ideal to get irrigation to the other areas.

John Wright (Tract 100), agreed with diverting the water for irrigation purposes and agreed that animals should not graze when the area was wet.

Member Young asked whether the land had been harmed. It was clarified that the land is self-sufficient and needed grazed off to begin managing the area.

Chair Park stated that there should be consideration for the protection of the resource by being stewards of the land.

No action was taken.

IX. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE MODIFICATIONS TO THE RYAN RANCH PASTURE LEASE WITH JESS JONES. FOR POSSIBLE ACTION

President Bahr stated that a new lease had been drafted and Jess Jones was agreeable to the changes. The term is 3 years and additional language had been added regarding fencing, weed abatement, haying, and that a plan must be submitted each year by June 1st.

Public Comment:

Jill Wilkinson (Tract 400) asked whether the livestock allowed only included horses and cattle. She would like to see a quarterly review of the property. It was clarified that that was not in the contract and would have to be worked out with Jess Jones.

Chad Steele stated that the Board could consider limited the number of livestock to 15 head because they can do damage around water sources and cows eat the roots down more.

Chair Park asked how many animals were on the property last year. Jess stated that there were 29 and he supplementally fed them and would prefer that the number of livestock be kept at 30.

Jerry Smith (Tract 400) stated that he lives near the Ryan Ranch and there are a lot of wildlife and riparian habitats. He stated that it is an amenity to Spring Creek. He commented that the Board should look out for everyone's benefit and that property owners should be able to use the area. He would like the lease modified to allow access for property owners.

Chair Park reminded Mr. Smith about the quiet enjoyment clause within the agreement.

Member Reed would like to add that the livestock are removed around the beginning of March.

Member Young reminded the public that they are welcome to come and speak at public comment at every meeting if they have concerns regarding the work being done at the Ryan Ranch.

Member Mauldin commented that it is in the best interest to take care of the area rather than micromanaging.

Vice Chair Hannum moved/Member Young seconded to approve modifications to the Ryan Ranch Pasture Lease with Jess Jones. Motion carried (6-0), Member Popp absent.

X. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PHASED RENOVATION PLAN FOR THE HORSE PALACE INCLUDING REMOVAL AND INSTALLATION OF NEW ARENA FIXTURES, A PLAN FOR FUTURE RV SITES, PARKING, AND HORSE STALLS, PURCHASING PANELS FOR EXTERIOR STALLS, AND PURCHASING A NEW SOUND SYSTEM. FOR POSSIBLE ACTION

President Bahr provided an introduction for the item. Member Featherston is the Board representative on the HP committee and a PowerPoint presentation was provided background on the project to remove existing arena fixtures and regrade and improve the dirt floor, purchase and install new arena fixtures, plan a site layout for future RV spaces, parking and horse stalls, and purchase panels for exterior stalls.

Removing & installing existing arena fixtures and grade/improve the dirt floor is estimated to cost approximately \$59,391 through Remington Construction as they are a licensed contractor with the necessary insurance requirements and can complete the project within the specified timeframe.

There were 3 quotes for the new arena fixtures from Tarter, Ackerman, and Priefert. The Tarter and Ackerman systems included the Arrow System, but that would need to be added to the Priefert system at an additional \$15,050 cost. For the stall portion, each company provided costs for 100 or 200 stalls with different gauge metal options and assembly options.

Public Comment:

John Wright suggested that whichever brand the Board chose to stay with the same company for both the arena and panels and gauge of the panels.

Coed Steele commented on the Arrow system and that the system is typically used for events with more animals.

It was discussed that the lights and PA system would be considered later. It was also discussed that the improvements to the heating system and insulation improvements would come in later phases after there is more interest in holding events at the building.

Chair Park asked what would be required to host the High School Rodeo. John Wright responded that the stalls would create revenue for SCA.

Karen Wines (Tract 400) commented on the panels and that not all the systems interact well together and suggested picking one type. She also commented on the old arena fixtures could offset the cost by selling or moving to the 200 Tract. Also, she suggested that the panels for stalls could be rented in the interim.

Jess Jones suggested that it would be prudent to get someone to get events for the HP.

Chad Steele recommended the Priefert system.

Casey Stouard commented that the PA system needs to be addressed.

Member Mauldin commented that the Arrow system was a selling point, that Priefert is good quality, and the panels would pay for themselves after 10 events.

Member Featherston commented on the panels that it should be the heavier gauge and the post and pin is stronger.

Member Reed was in favor of Priefert.

Member Mauldin moved/Vice Chair Hannum seconded to approve the removal and install for Remington Construction for \$59,391, and the Priefert system for the arena and 200 stalls using the 16 gauge for a total of \$292,722.

The motion was amended:

Member Mauldin/ Vice Chair Hannum seconded to approve the removal and installation by Remington Construction and using the Priefert brand for the arena and 200 panels to include the arrow system with a cost of up to \$300,000 from the Capital Reserve. Motion carried (6-0), Member Popp absent.

XI. REVIEW, DISCUSSION AND POSSIBLE ACTION TO SET THE TIME AND PLACE OF THE ANNUAL PROPERTY OWNER'S MEETING ON JUNE 19, 2021. FOR POSSIBLE ACTION

Per the bylaws, the Board must determine the time and place of the Annual Meeting each year. It is requested that the Board set the barbecue at 11am and the meeting at 12pm at the Fairway Community Center.

No public comment was received.

Member Young moved/Member Reed seconded to set the Annual meeting on June 19, 2021 for the barbecue at 11am and the meeting at 12pm at the Fairway Community Center. Motion Carried (6-0), Member Popp absent.

XII. REVIEW, DISCUSSION AND FIRST READING OF AN AMENDMENT TO SCA BYLAW 5.4, REGULAR MEETINGS, TO CHANGE WHEN THE BOARD DETERMINES THE MEETING SCHEDULE FOR EACH YEAR. NON-ACTION ITEM

Attorney McConnell stated that the current Bylaw 5.4 states that the Board will determine the meeting schedule for the year at its meeting in June. She suggests changing the Bylaw from

June to December to set the meetings for the year. This would allow the meetings for the year to be set and there would be no need to modify the meetings in November and December.

No action is requested on the item as it is the first reading only.

No public comment was received.

No action was taken.

XIII. REVIEW, DISCUSSION AND FIRST READING OF AN AMENDMENT TO SCA BYLAW 4.1, ANNUAL MEETING OF MEMBERS, REGARDING BOARD DETERMINATION OF THE DATE, TIME AND LOCATION OF THE ANNUAL MEETING EACH YEAR.

NON-ACTION ITEM

Attorney McConnell stated the current Bylaw states that the Annual Meeting will be held on the 3rd Saturday in June. The purpose of changing this bylaw is that it provides flexibility to the Board on when the Annual meeting is held and that the Board would determine the date it would be held by June 1st each year.

No action is requested on the item as it is the first reading only.

No public comment was received.

No action was taken.

XIV. COMMITTEE OF ARCHITECTURE

A. REPORTS

VP Kerr provided information on the COA reports.

NON-ACTION ITEM

XV. APPROVAL OF MINUTES:

FOR POSSIBLE ACTION

February 24, 2021 Regular Meeting Minutes

Member Reed moved/Member Featherston seconded to approve the minutes from the February 24, 2021 Regular Meeting as presented. Motion carried (6-0), Member Popp absent.

March 24, 2021 Regular Meeting Minutes

Vice Chair Hannum moved/Member Featherston seconded to approve the minutes from the March 24, 2021 Regular Meeting as presented. Motion carried (4-0-2), Chair Park and Member Young abstained, Member Popp absent.

XVI. ACCEPT MARCH 2021 ASSESSMENT AND LEGAL RECEIVABLE REPORTS.

FOR POSSIBLE ACTION

Member Featherston moved/Member Reed seconded to accept the March 2021 Assessment and Legal Receivable Reports. Motion carried (6-0), Member Popp absent.

ACCEPT MARCH 2021 FINANCIAL REPORTS.

FOR POSSIBLE ACTION

Member Mauldin moved/Member Featherston seconded to accept the March 2021 Financial Reports. Motion carried (6-0), Member Popp absent.

XVII. MEETING SCHEDULE

NON-ACTION ITEM

The next Regular Board of Directors meeting is scheduled for Wednesday, May 26, 2021 at 5:30pm. The meeting may be held telephonically.

XVIII. PUBLIC COMMENT

ACTION SHALL NOT BE TAKEN

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Elex Vavrck (Tract 100), asked whether there would be a 4th of July Parade. It was clarified that there would be a parade and it would be on July 3rd.

President Bahr informed the Board that she would be absent from the Annual Meeting.

XIX. ADJOURNMENT

The meeting adjourned at 8:53 p.m.