

**SPRING CREEK ASSOCIATION
COMMITTEE OF ARCHITECTURE REGULAR MEETING
TUESDAY, NOVEMBER 14, 2017, 5:30 P.M.
401 FAIRWAY BLVD., SPRING CREEK, NV 89815**

CALL TO ORDER: Chair Parker called the meeting to order at 5:33 p.m.

PLEDGE OF ALLEGIANCE:

COA MEMBERS PRESENT: Chair Diane Parker, Vice Chair Jill Holland, Members: Brien Park, Cassandra Banuelos (Left meeting at 6:55 p.m.), John Featherston (Late Arrival at 5:35p.m.)

MEMBERS ABSENT: None

SCA STAFF MEMBERS PRESENT: SCA President Bahr, SCA Secretary Shields

COMMENTS BY THE GENERAL PUBLIC: None

UNFINISHED BUSINESS:

- 1. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE VEHICLES AND UNSIGHTLY STORAGE AT 353 TRESCARTES AVENUE (201-009-052) AND MATTERS RELATED THERETO.** Secretary Shields introduced the agenda item and reviewed the history of how he violations have been handled to this point including any evidence of what steps had been made by the property owner to resolve the violations. Chair Parker stated that she had personally reviewed the property status on November 13, 2017 and noted major improvement in rectifying the violations compared to when the property had first been listed in violation. She did comment that the vehicle at the back of the property had been covered, the property had been cleaned up and that trailers had been load with items that appear to be being hauled away. Jeremy Smith and Brett Thompson were present to explain the progress they had made on the status of the property. Vice Chair Holland requested clarification on how the violation would be handled if continued work on cleaning up the property is ongoing in a month's time: is the violation reopened in a month if another violation occurs. Chair Parker explained that if the current violation is closed and a new violation occurs, the property owner would be cited again with a new violation notification and the process starts over and would be noted as a nuisance violation. No public comment was offered. Chair Parker moved to uphold the fine, close the violation, review the property status from time to time for the property at 353 Trescartes Avenue. She also suggested to the property owner that additional improvement to the property condition would be appreciated by the COA. Member Park seconded the motion. The vote was called; the motion carried 4-1 (Member Featherston).

THE FOLLOWING AGENDA ITEMS HAVE BEEN TAKEN OUT OF ORDER FROM THE PUBLISHED AGENDA NUMERIC ORDER.

NEW BUSINESS:

14. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE/UNREGISTERED VEHICLES AT 323 OAKMONT DRIVE (402-002-006) AND MATTERS RELATED THERETO.** Secretary Shields introduced the agenda item and reviewed the detail of the violation notification. The property owner, Richard Lizer, detailed the steps he has taken to resolve the violations cited noting that the white Jeep and blue Dodge pickup truck have been moved off the property. The green pickup and the grey pickup trucks are licensed and insured. President Bahr clarified what is allowed and how violation notification letters are handled. Mr. Lizer stated he had been storing one of the pickups for his brother who is in the military in Afghanistan. Chair Parker requested that if Mr. Lizer would take a photo of the current registration on the truck and send it to the COA Secretary that would resolve the issue of unlicensed/unregistered vehicle status for that vehicle. Chair Parker clarified that if Mr. Lizer had called the COA Secretary as stated in the notification letter, the violation issues could have been handled differently. Further discussion and clarification ensued. Member Park moved to uphold the fine but minimize it to \$50 and close the violation at 323 Oakmont Dr. and requested that Mr. Lizer provide proof of registration on the vehicle in question. Chair Parker seconded the motion. The vote was called; the motion carried 5-0.

21. **REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A VARIANCE INTO THE 20 FOOT SETBACK AT 385 WESTBY DRIVE (202-011-032) AND MATTERS REALTED THERETO.** Secretary Shields summarized the variance request submitted by the property owner for this agenda item. The property owners, Ann Kump and Clark Williams, were present to explain the setback variance request. Chair Parker questioned why the variance was being requested if the 66'x15' existing trailer is being removed by the company installing the new modular home that will replace the trailer. Ms. Kump explained the new modular home will be set further back on the property at an angled position closer to the existing fence; the fence line runs straight in relation to where the modular home walls will be positioned. The back corner of the property is the only area that would interfere with the setback requirement and is the reason they are requesting the variance; to accommodate the angled position of the modular home placement and in relation to the existing garage. Further explanation was made on the need to have a basement under the modular structure. Chair Parker also noted that the current garage on the property appears to have living quarters behind or above it. The property owner stated that it did and how it might be used as possible living quarters while the new modular is being set up. No public comment was offered. Member Featherston moved to approve the variance to the 20-foot setback at 385 Westby Dr. to accommodate the modular home replacement as detailed on the documents submitted. Member Banuelos seconded the motion. The vote was called; motion carried 5-0.

THE FOLLOWING AGENDA ITEMS RESUME IN THE PUBLISHED AGENDA NUMERIC ORDER.

UNFINISHED BUSINESS:

2. **REVIEW, DISCUSSION AND POSSIBLE ACTION REAGRDNIG A PROEPRTY VIOLATION OF TRAVEL TRAILERS/MOTORHOMES AT 668 SMOKEY DRIVE (202-011-046) AND MATTERS REALTED THERETO.** Chair Parker stated that when she drove by the property it appeared as if the trailers/motorhome is still being occupied. Secretary Shields reviewed the history of the violation. The property owner was not present. No contact has

been made with the COA office since the three (3) month extension for the occupation of the trailer/motorhome had been granted at the April 2017 COA meeting. Public comment was made by Steve Trainor (Tract 100) who asked for clarification on how the fine is structured and over what time frame. President Bahr clarified how the fine applies. Member Park moved to uphold the \$200 fine and refer the violation of travel trailers/motorhome use at 668 Smokey Drive to the Board of Directors for legal action since the violation has not been resolved and the property owner has ignored the limit on the extension previously granted. Chair Parker seconded the motion. The vote was called; motion carried 5-0.

3. **REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE CHANGES TO RULE #18 IN THE COA RULES AND REGULATIONS: EXCESSIVE BRUSH/WEEDS OR DEAD TREES/SHRUBS, NOXIOUS WEEDS TO INCLUDE NOXIOUS WEEDS ON ANY PART OF THE PROPERTY REGARDLESS OF PERCENTAGE COVERED AND MATTERS RELATED THERETO.** Secretary Shields introduced the agenda item. No additional public comment was offered. Member Featherston stated that the purpose of the change in the regulation would be to reflect and uphold what the State of Nevada (NRS 555.150) is requiring of property owners where the management and elimination of noxious weeds is concerned. He also indicated that the suggested wording of the regulation change proposed by Chair Parker is well stated. Member Park suggested that all properties should be subject to the regulation whether a lot is developed or undeveloped. Public comment was offered by Steve Trainor (Tract 100) who requested clarification on how the rule could be applied. Member Park moved to approve changes to Rule #18 in the COA Rules and Regulations by removing the 50 percent coverage reference; add all noxious weeds on any part of the property regardless of percentage covered and to include wording suggested by Chair Parker that indicates all noxious weeds shall be removed whether they are in the right of way or the property easement. Member Featherston seconded the motion. The vote was called; motion carried 5-0.

4. **REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE OR ADOPT A NEW RULE REGARDING THE NUMBER OF SHEDS/OUTBUILDINGS TO BE ALLOWED ON A PROPERTY AND MATTERS RELATED THERETO.** Secretary Shields introduced the agenda item. Public comment was offered (*person not identified in the COA Secretary notes*) a gentleman who commented that based on his observation, the properties with the greatest number of outbuildings/sheds are also the properties with the greatest amount of garbage visible. He noted the second and third chances accorded by the COA for people to resolve the citation issues but questioned when SCA is going to get serious about enforcement of the regulations currently in place. Chair Parker assured the gentleman that action is now at the forefront and the COA is working on the issue. Member Park began discussion on the new rule regarding the number of outbuildings by asking whether SCA should allow sheds/outbuildings to be situated at the front of a property. Chair Parker emphasized the rule that currently states that no structure can be placed within the first fifty (50) feet of the front property line. She also stated that the COA/SCA cannot tell a property owner what they can do with their property if they have adhered to the setback requirements. She questioned whether those outbuildings already in place on any property frontage would be grandfathered as exceptions to any new regulation. She suggested a legal opinion might be required to determine if COA/SCA has the right to tell someone to move a structure that has been in place and may not comply with newly adopted building placement requirements. Vice Chair Holland suggested that through the current permit process for adding additional sheds or outbuildings to a property the COA already has a mechanism to limit the number of buildings and placement of the structures since all permit requests are reviewed and

approved by the COA. Further discussion ensued on how a new rule might be structured and discussion continued. The new rule on the number and location of auxiliary structures allowed on a property would be detailed in two parts.

Member Park moved to adopt Part A of a new rule that states: no auxiliary structures are allowed in front of the house and auxiliary building placement must adhere to all setback requirements unless a variance is requested and approved by the COA. Member Featherston seconded the motion. The vote was called; motion carried 5-0.

Further discussion and public comment ensued on considerations of how Part B of a new rule would be drafted. Chair Parker stated she sees no benefit in detailing the number of buildings allowed for various reasons including the propensity for people to push the limit whether it is practical or not. Debate on the topic continued. Vice Chair Holland commented that she wants the COA to be careful that rules aren't made for the 1-5% of property owners that are causing the issues the COA is currently trying to address. She suggested that rule making is becoming more and more prevalent across the country and noted that most people do follow rules but lately rules are made for to address the very small minority of people who can't follow rules. She cautioned that the 5% of complainers are the loudest and the COA should be careful when making new rules. President Bahr suggested wording for Part B of the new rule.

Member Park moved to adopt Part B of a new rule that states: the number of accessory/auxiliary buildings can be limited by COA based on factors such as: plot/topographic map detail, acreage available, number of existing structures on a property, livestock, pictures or other limiting factors. Chair Parker seconded the motion. The vote was called; motion carried 4-0 (Member Banuelos).

5. **REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE OR DISAPPROVE ALLOWING CONEX CONTAINERS TO BE ON PROPERTIES AND MATTERS RELATED THERETO.** Secretary Shields introduced the agenda item. Member Featherston commented that Conex containers are like a building material that should be made to be aesthetically/architecturally pleasing as an auxiliary structure. Chair Parker stated that the consideration of allowing them is already permitted under other rules and should be considered under the previous rule governing auxiliary structures. No action was taken since it is covered under Agenda Item #4.
6. **REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE AND REVIEW THE SETBACKS FROM HOMES FOR OUTBUILDINGS AND SHEDS AND MATTERS REALTED THERETO.** Secretary Shields introduced the agenda item and reviewed the current requirements. Discussion ensued among the COA members on what the existing setback requirements of Elko County are for buildings and other items such as propane tanks. Chair Parker suggested that a minimum of fifteen (15) feet between structures would be a good standard. Public comment was offered by Steve Trainor (Tract 100). The question was raised on what might be required by insurance companies for the distance between structures and that was discussed. Chair Parker moved to approve a setback of fifteen (15) feet for all structures on a property. Vice Chair Holland seconded the motion. The vote was called; motion carried 4-0.

NEW BUSINESS:

- 7. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE/UNREGISTERED VEHICLES AT 455 LAWNDALE DRIVE (103-006-101) AND MATTERS RELATED THERETO.** Secretary Shields reviewed the history of the agenda item. Chair Parker noted that the Ford Bronco is still in the back of the property. The property owner was not present. Member Park wondered how this violation might be handled a bit differently proposing that since he has worked with the property owner, suggesting the fine be upheld but allowing more time for the property owner to resolve the violation and save the BOD from having to turn the matter over for legal action. Chair Parker suggested Member Park ask Secretary Shields how many times COA has levied the fine on people and the fine hasn't been paid. She reminded him that for this property they got rid of one vehicle, didn't cover other vehicles, went through the three-letter violation notification process twice and the matter still is unresolved. Secretary Shields reviewed the notification letter history for this property; the first three letter notification process was sent starting in November 2016, the second three letter notification started in July 2017. Vice Chair Holland reminded Member Park that he was very hard on violation enforcement in the past and that he should be just as hard on enforcement of this violation. Secretary Shields reviewed how the violation had been handled previously. No public comment was offered. Member Featherston moved to uphold the fine described previously for the property violation of inoperative/unregistered vehicles at 455 Lawndale Drive due to no communication with COA Staff and refer the property to the BOD for legal action. Vice Chair Holland seconded the motion. The vote was called; motion carried 4-0.
- 8. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF STORAGE OF TOOLS AND TRASH AT 448 MERINO DRIVE (202-018-003) AND MATTERS REALTED THERETO.** Secretary Shields reviewed the history of the agenda item, whether any communication has been received by COA Staff from the property owner on the violation and action taken by the COA to this point. The property owner was not present. Chair Parker questioned who the property owner of record is according to Elko County since the violation letters are addressed to the Realtor, Jerome Homes, noting the property had been a rental previously? Secretary Shields offered clarification on the question. No public comment was offered. Member Park moved to uphold the fine for the property violation of storage of tools and trash at 448 Merino Drive and refer the property at to the BOD for legal action. Member Featherston seconded the motion. The vote was called; the motion carried 4-0.
- 9. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF BUILDING EXTERIOR AND INOPERATIVE/UNREGISTERED VEHICLES AT 127 SPRING CREEK PKWY. (102-014-021) AND MATTERS RELATED THERETO.** Secretary Shields reviewed the history of the agenda item, whether any communication has been received by COA Staff from the property owner on the violation and action taken by the COA to this point. The property owner was not present. No public comment was offered. Member Park moved to uphold the fine for the property violations of building exterior and inoperative/unregistered vehicles at 127 Spring Creek Pkwy. and refer the property at to the BOD for legal action since no contact has been made with COA staff and the property has been in violation for over one year. Vice Chair Holland seconded the motion. The vote was called; the motion carried 4-0.
- 10. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF EXCESSIVE BRUSH/WEEDS OR DEAD TRESS/SHRUBS, NOXIOUS**

WEEDS AT 255 COUNTRY CLUB PKWY. (106A-002-043) AND MATTERS RELATED THERETO. Secretary Shields reviewed the history of the agenda item, whether any communication has been received by COA Staff from the property owner on the violation and action taken by the COA to this point. Member Featherston commented on Elko Investments lack of management of the property. Secretary Shields stated that a representative of Elko Investments had called and indicated they would have the property taken care of but as of today nothing has changed. Further discussion ensued among the COA members. No public comment was offered. Vice Chair Holland moved to uphold the fine for the violation of excessive brush/weeds or dead trees/shrubs, noxious weeds at 255 Country Club Pkwy. and refer the property at to the BOD for legal action since no contact has been made with COA staff by the property owner for in the past year. Member Park seconded the motion. The vote was called; the motion carried 4-0.

- 11. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATIONS OF EXCESSIVE BRUSH/WEEDS OR DEAD TREES/SHRUBS, NOXIOUS WEEDS AT 293 COUNTRY CLUB PKWY. (106A-005-010) AND MATTERS RELATED THERETO.** Secretary Shields reviewed the history of the agenda item, whether any communication has been received by COA Staff from the property owner on the violation and action taken by the COA to this point. The property is in foreclosure. Discussion ensued. No public comment was offered. Member Featherstone moved to uphold the fine for the violation of excessive brush/weeds or dead trees/shrubs, noxious weeds and refer the property at 293 Country Club Pkwy. to the Board of Directors for legal action. Vice Chair Holland seconded the motion. The vote was called; the motion carried 4-0.

- 12. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF STORAGE OF STORAGE OF TOOLS AND TRASH AT 728 SPRING VALLEY PKWY. (202-009-075) AND MATTERS RELATED THERETO.** Secretary Shields reviewed the history of the agenda item, whether any communication has been received by COA Staff from the property owner on the violation and action taken by the COA to this point. The property owner was not present. Chair Parker commented on her review of the property on November 13th and any improvement she had noted; the tarp and the tires are gone from the top of the trailer. Comments by the COA members ensued on the violation deficiencies that remain unresolved on the property. No public comment was offered. Member Park moved to uphold the fine for the property violation of storage of tools and trash at 728 Spring Valley Pkwy. and refer the property to the BOD for legal action since no contact has been made with COA staff and the property has been in violation for over a year. Member Featherston seconded the motion. The vote was called; the motion carried 4-0.

General commentary was offered by Vice Chair Holland who stated that since the COA has been working so diligently on getting the violations taken care of, it's important not to let years go by and why she is being hard on enforcing the violation rules. She stated that a big difference is being made, that people are noticing the improvement and are happy about the progress that's being made to address the violations. It's important not to off enforcement of the rules.

- 13. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF STORAGE OF TOOLS AND TRASH AT 364 FAIRGROVE DRIVE (401-005-001) AND MATTERS RELATED THERETO.** Secretary Shields reviewed the

history of the agenda item, whether any communication has been received by COA Staff from the property owner on the violation and action taken by the COA to this point. The property owner was not present. Chair Parker commented on the property appearance and discussion ensued on how the property violations should be handled. Member Park suggested upholding the fine but allow until January 2018 to resolve remaining issues. Further discussion ensued. No public comment was offered. Member Featherston moved to uphold the fine for the violation of storage of tools and trash at 364 Fairgrove Drive and refer the property to the BOD for legal action. Chair Parker seconded the motion. The vote was called; the motion carried 4-0.

- 15. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE/UNREGISTERED VEHICLES AT 361 OAKMONT DRIVE (402-002-014) AND MATTERS RELATED THERETO.** Secretary Shields reviewed the history of the agenda item, whether any communication has been received by COA Staff from the property owner on the violation and action taken by the COA to this point. The property owner was not present. COA members discussed the Nevada State regulation on mandatory display of the front license plate and the condition of the vehicles noted to be in violation. No public comment was offered. Member Featherston moved to uphold the fine for the violation of inoperative/unregistered vehicles at 361 Oakmont Drive and refer the property to the BOD for legal action. Chair Parker seconded the motion. The vote was called; the motion carried 4-0.

- 16. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING A PROPERTY VIOLATION OF INOPERATIVE/UNREGISTERED VEHICLES AT 968 WOLF CREEK CIRCLE (402-011-004) AND MATTERS RELATED THERETO.** Secretary Shields reviewed the history of the agenda item, whether any communication has been received by COA Staff from the property owner on the violation and action taken by the COA to this point. Secretary Shields commented the property owner called today (November 14, 2017) and stated the license plate is on the vehicle but the vehicle is not currently registered. But that she would have the vehicle covered by this weekend. No public comment was offered. Member Featherston moved to uphold the fine for the inoperative/unregistered vehicle until the next COA meeting and the property owner provides proof that the vehicle in question has been registered or covered in accordance to the regulation. Member Park seconded the motion. The vote was called; the motion carried 4-0.

- 17. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A LIVESTOCK PERMIT RENEWAL FOR FOUR (4) MULES AND ONE (1) GOAT ON 2.09 ACRES AT 502 BALSAM DRIVE (107-003-004) AND MATTERS RELATED THERETO.** The COA passed on the agenda item. Secretary Shields clarified that she was not aware that *renewals* of livestock permits are not heard/approved by the COA in meeting format. Chair Parker explained that when a renewal fee is paid, and the number of animals remains the same and the property owner is compliant with the regulation no hearing by the COA is required. A renewal of an approved livestock permit would only be heard by the COA if the number or type of animal changes/increases from the original livestock permit application.

- 18. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A LIVESTOCK PERMIT RENEWAL FOR TWO (2) SHEEP AND ONE (1) GOAT ON 2.03 ACRES AT 358 BLUECREST DRIVE (102-008-002) AND MATTERS RELATED THERETO.** The COA passed on the agenda item. Secretary Shields clarified that she was not aware that *renewals*

of livestock permits are not heard/approved by the COA in meeting format. Chair Parker explained that when a renewal fee is paid, and the number of animals remains the same and the property owner is compliant with the regulation and no hearing by the COA is required. A renewal of an approved livestock permit would only be heard by the COA if the number or type of animal changes/increases from the original livestock permit application.

19. **REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A HOME OCCUPATION PERMIT FOR AN IN-HOME PRESCHOOL AT 478 GYPSUM DRIVE (202-025-010) AND MATTERS RELATED THERETO.** Secretary Shields explained that the COA had previously approved the property owner to operate the preschool at 478 Gypsum Drive but that this agenda item addresses the actual approval of the preschool to operate as a home occupation business. This agenda item would approve the home occupation permit application. No public comment was offered. Member Park moved to approve the home occupation permit for an in-home preschool at 478 Gypsum Drive. Chair Parker seconded the motion. The vote was called; the motion carried 4-0.
20. **REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE A HOME OCCUPATION SIGN FOR AN IN-HOME PRESCHOOL AT 478 GYPSUM DRIVE (202-025-010) AND MATTERS RELATED THERETO.** Secretary Shields explained that agenda item references the previous agenda item and requires COA approval for the home occupation preschool signage. No public comment was offered. Chair Parker questioned whether the property owner was aware of the permitted sign dimensions; Secretary Shields clarified that the owner is aware of the requirements. Member Park moved to approve the home occupation sign for an in-home preschool at 478 Gypsum Drive. Chair Parker seconded the motion. The vote was called; the motion carried 4-0.
22. **REVIEW AND DISCUSSION TO APPROVE CHANGES TO COA RULES AND REGULATIONS ON PAGE 3, ITEM #3: NOTICE OF NON-COMPLIANCE AND FINES, AND MATTERS REALTED THERETO.** Secretary Shields stated that the Board of Directors was not proposing that the COA make changes to the notice of non-compliance and fines but that the regulation may need clarification. Discussion ensued among the COA members on clarification of how the notice of non-compliance process works and how fines are administered. Member Featherston questioned whether the COA members had sufficiently clarified the Boards concerns in the discussion and President Bahr stated the discussion helped with clarification. No action was taken.
23. **REVIEW AND DISCUSSION TO APPROVE CHANGES TO COA RULES AND REGULATIONS ON PAGE 4, ITEM #2: MATERIALS AND PRACTICES NOT ALLOWED, AND MATTERS REALTED THERETO.** Member Park commented on how the changes would be managed as it relates to OHV (Off-Highway Vehicles) use in Spring Creek. President Bahr clarified that since the Board already approved the use of OHV in Spring Creek at the October 25, 2017 meeting, these changes had been drafted and approved by the Board of Directors. This agenda item is a formality asking the COA to acknowledge and approve the changes made to the rules on OHV use in Spring Creek proposed by the Board. These rule changes emulate what Elko County has in place. Member Park stated that he doesn't want to approve the Board's proposed changes to the OHV use rules for Spring Creek because it's going to create problems for the COA and Spring Creek. These proposed changes to our rules by reflecting the rules Elko County has in place have not been thought through sufficiently. Member

Park stated that Elko County regulations on OHV use have holes and problems and he suggested the County should think through correcting their existing rule problems. He suggested that the Board may not have thought through how the changes would impact the COA and Spring Creek. Vice Chair Holland voiced her concern and other COA members also expressed that the Board's approval to change the OHV use on roads in Spring Creek at the October meeting was a big surprise. Chair Parker stated that the entire issue of OHV use on Spring Creek roads is something that has been hotly debated for many years and has gone unapproved because of huge concerns and that suddenly, the Board voting to allow OHV use in the community came as a total surprise. President Bahr stated that since the Board had previously approved these rule changes without conferring with the COA, the Board could override the COA's not approving the Board's approved rule changes. The COA acknowledged that yes, the Board could in fact do that. President Bahr suggested that a better solution to the current dilemma on the SCA rule changes to OHV use in Spring Creek would be handled more effectively if the Board of Directors and the Committee of Architecture were to come together and think through drafting any rule changes bringing forth additional thoughts that have not been considered. She encouraged the COA to bring additional thoughts and suggestions to the discussion. Further discussion ensued on how revising the rules on OHV use in Spring Creek might evolve. No public comment was offered. Chair Parker moved to table Agenda Item 23, Review, Discussion to Approve Changes to COA Rules and Regulations on Page 4, Item #2: Materials and Practices Not Allowed and Matters Related Thereto. Vice Chair Holland seconded the motion. The vote was called; the motion carried 4-0.

- 24. REVIEW AND DISCUSSION TO APPROVE CHANGES TO COA RULES AND REGULATIONS ON PAGE 5, ITEM #11: INOPERATIVE, UNREGISTERED, UNLICENSED VEHICLES TO MATCH THE EXISTING DOR'S ON PAGE 6, ITEM #15, AND MATTERS REALTED THERETO.** Discussion ensued on various aspects of the proposed rule changes to the COA rules on Page 5, Item #11 by the COA members, Secretary Shields and President Bahr. The topic of what type vehicles are considered unregistered/unlicensed vehicles. How would vehicles such as Kubota tractors, race cars, Bobcats/Backhoes going to be considered because many of these vehicles are operable but don't have to be licensed. Chair Parker moved to table Agenda Item 24, Review, Discussion to Approve Changes to COA Rules and Regulations on Page 5, Item #11: Inoperative, Unregistered, Unlicensed Vehicles to Match the Existing DOR's on Page 5, Item #15 and Matters Related Thereto, and to address the item at the December 2017 COA meeting before making it an action item. Vice Chair Holland seconded the motion. The vote was called; the motion carried 4-0.
- 25. REVIEW AND DISCUSSION TO APPROVE CHANGES TO COA RULES AND REGULATIONS ON PAGE 6, ITEM #22: LIVESTOCK, 4-H, FFA PROJECTS AND THE PLACEMENT OF ANIMALS ON PROPERTY TO MATCH THE EXISTING DOR'S ON PAGE 12, ITEM #8, AND MATTERS REALTED THERETO.** Secretary Shields introduced the agenda item. Vice Chair Holland asked for clarification on what area is defined as a yard when a specification for the front yard is fifty (50) feet, the rear is thirty (30) feet, the side is twenty (20) feet: does that define what can be in that area? It was clarified that those dimensions don't define a yard, it defines the setback. Chair Parker commented that there is confusion where the regulation states "...no accessory building used as a stable for any horse shall be located less than thirty-five (35) feet from any dwelling or less than twenty (20) feet from any lot line or less than sixty (60) feet from the front lot line. No paddocks or other open

space set off for use by a horse shall occupy any part of the required front.” She noted that is a contradiction. President Bahr has stated she interprets that line to mean that you could have an animal on the side area of a property, but the animal can be no closer than sixty (60) feet from the front of the property. Chair Parker stated the rule doesn’t not say you can’t have an animal in the front of the property; it just can’t be within the first sixty (60) feet of the property line. Member Featherston interprets the line as you can’t have any structures within the first sixty (60) feet. Vice Chair Holland than stated that what is being questioned is whether animals would be allowed in the front, not just structures but animals. President Bahr states she thinks horses cannot be in the front at all, only structures. Discussion ensued on the topic. Chair Parker moved to table Agenda Item 25, Review, Discussion to Approve Changes to COA Rules and Regulations on Page 6, Item #22: Livestock, 4-H, FFA Projects and the Placement of Animals on Property to Match the Existing DOR’s on Page 12, Item #8 and Matters Related Thereto, and to address the item at the December 2017 COA meeting before making it an action item. Vice Chair Holland seconded the motion. The vote was called; the motion carried 4-0.

- 26. REVIEW AND DISCUSSION REGARDING MONTHLY UPDATE ON PROPERTIES AT COPENHAVER AND MCCONNELL, P.C. AND MATTERS RELATED THERETO.** Secretary Shields reviewed the status of properties currently at Copenhaver, McConnell, P.C. and clarified which properties are making progress toward resolution. This is a non-action item.
- 27. APPROVE MINUTES FROM THE OCTOBER 10, 2017 COMMITTEE OF ARCHITECTURE REGULAR MEETING.** Member Park moved to approve the October 10, 2017 COA Regular Meeting Minutes as presented. Vice Chair Holland seconded the motion. The vote was called; motion carried 2-2 (Chair Parker, Member Featherstone).
- 28. APPROVE COMMITTEE OF ARCHITECTURE REVENUE AND VIOLATION REPORTS FOR OCTOBER 2017.** Chair Parker commented that October was a good month. Member Featherston questioned whether permits and applications had increased or remained about the same. Chair Parker stated she thinks they have increased but on the whole permits have remained steady for the year. No public comment was offered. Member Park moved to approve the Committee of Architecture Revenue and Violation Reports for October 2017 as presented. Member Featherstone seconded the motion. The vote was called; the motion carried 2-2 (Chair Parker, Member Featherston).
- 29. COMMITTEE MEMBER AND STAFF COMMENTS.** Vice Chair Holland would like to revisit the COA Rules and Regulations as they relate or coincide with the DOR’s just to make sure she has a good understanding of the connection between the two. She also stated she would like to revisit the Chickens, geese and rabbit rules at some point; she would like to see the numbering rule reworded like what is stated for other animals: that the birds don’t cause a problem or interfere with enjoyment, rather than specifying numbers of birds. Additional discussion ensued sighting other examples of problems where the numbers of animals are cited. Member Park questioned why the BOD changes the rules. President Bahr commented on her interpretation of what the BOD can and cannot do to make rules beyond the rules set by the COA which reflected on the discussion of approving the OHV road use rules discussed in Agenda Item 23 of this meeting.

COA REGULAR MEETING, NOVEMBER 14, 2017

- 30. THE NEXT REGULAR MEETING OF THE COMMITTEE OF ARCHITECTURE IS SCHEDULED FOR TUESDAY, DECEMBER 12, 2017 AT 5:30 P.M.**
- 31. MEETING ADJOURNED: 8:31 p.m.**