



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

Spring Creek Association ("SCA") Board of Directors
Wednesday, March 25, 2020, 5:30 PM, PST
Fairway Community Center Meeting Room
401 Fairway Blvd, Spring Creek, Nevada

The meeting was held telephonically through Zoom.com due to the COVID-19 Pandemic

PRESENT: Chair Josh Park (Tract 100), Karl Young (Tract 200), and John Featherston (Tract 400)
At-Large Members: Vice Chair Tom Hannum, Molly Popp, Jake Reed

ABSENT: Vacant 300 Tract position

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 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.

No public comment was received.

II. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REVISE OPERATIONS FOR IN PERSON SERVICES AT SPRING CREEK ASSOCIATION DEPARTMENTS AND FACILITIES AND APPROVE SCA EMERGENCY ACTION PLAN.

FOR POSSIBLE ACTION

President Bahr provided details on the SCA Emergency Action Plan regarding mitigation activities in place, social distancing for employees and visitors, closure triggers, leave policies includes in the Family First Coronavirus Act. Attorney McConnell provided further information on the emergency medical leave act and is waiting for additional clarification from the Secretary of Labor.

Member Featherston commented on possible quarantine pay. It was discussed that we would follow the Act.

Member Featherston moved/Member Popp seconded to approve the SCA Emergency Action Plan as submitted. Motion carried (6-0).

III. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONTINUE, POSTPONE, OR CANCEL VARIOUS SCA EVENTS OR CLOSING OF FACILITIES FOR A PERIOD OF TIME DUE TO RECOMMENDATIONS FROM THE CDC INCLUDING THE GOLF COURSE, FAMILY RODEO, TAKE A KID FISHING, TRAP AND SKEET EVENTS, CLEAN UP GREEN UP, 4TH OF JULY EVENT AND PARADE, HORSE PALACE, RESTAURANT OR OTHER AREAS.

FOR POSSIBLE ACTION

The Governor of Nevada Directive 007 provided guidance on closing recreational facilities and advised no more than 10 people to gather until at least April 16, 2020.

President Bahr outlined upcoming SCA events such as the Family Rodeo on April 18, Take Pride Day on April 25, Take a Kid Fishing on May 9, and several Trap & Skeet events scheduled prior to April 16.

Member Young suggested postponing the Family Rodeo, Take Pride, keep Take a Kid Fishing as it is an outdoor event, and reevaluate after April 16 for the Trap and Skeet events.

Vice President Kerr discussed the Governor's directive that there should be no indoor or outdoor activities until April 16th and that the order could be extended.

Chair Park suggested following the mandate until April 16 and postpone the events at Trap & Skeet until then and proposed a possible emergency meeting to discuss events later. He stated it would be most prudent to postpone any events and not cancel them.

Members Featherston, Hannum, and Popp agreed that we should postpone events and not cancel them.

Public Comment:

Steven Trainor, Tract 100, commented that the measures put in place are ridiculous and overblown.

Kevin Martindale, Tract 100, commented on Take Pride day that the number of people could be limited and it was outdoor and we don't know if it has to be postponed yet.

Randy Mauldin, Tract 300, had concerns regarding the amount of marketing media and organization for the events. If we postpone the events, look at a longer time frame such as nothing for 3 months.

Member Young moved/Vice Chair Hannum seconded to postpone Take Pride and everything else handle on a case by case basis. Motion carried (5-1) Member Featherston against.

President Bahr discussed that SCA has temporarily closed the Marina and closed the gates, all Parks, Golf Course, and Horse Palace.

Attorney McConnell provided her opinion to close the facilities based on the Governor's Order. The Shooting Range is not an essential business and is a sporting venue and could be ordered to close. She provided information that NV State Parks have closed all campgrounds. She discussed that we may not have adequate coverage should a claim be made against SCA. The HP interior is a sporting venue and is non-essential. The Trap & Skeet range is a non-essential business and should close.

Member Young stated that the amenities should remain open and should be use at your own risk and be responsible for themselves.

Member Featherston commented that the order specifically stated that recreational facilities should be shut down.

Vice-President Kerr provided information on emergency services availability and that the calls are screened by dispatch regarding possible Covid19 issues. She spoke about limited testing in Elko because of limited tests and that Elko may have more positive cases.

Member Hannum stated that the Trap & Skeet should close to be compliant, but that Golf Course should stay open for free play.

Member Popp suggested closing all recreational and non-essential business. Close the Shooting Range & Campground, HP indoor arena, keep the Marina walking path open but close the playground, close Trap & Skeet, close Golf Course Pro Shop and keep open for play for walking or personal carts and remove the rakes and flagsticks. We should take the highest precautions to keep people safe.

Member Reed stated that we should keep the Horse Palace open and close the bar area closed at Trap & Skeet and keep the campground open.

Chair Park requested a specific definition on closing and opinion from the Attorney General as we are not qualified to close the amenities

Public Comment:

Randy Mauldin, Tract 300, commented regarding malpractice and insurance liability for contracting Covid19 that you could face criminal charges. If the Governor has deemed it mandatory to close and we remained open, we could be liable for ignoring the Governor.

Steven Trainor, Tract 100, stated that it is not a lawful mandate and we do not have the expertise to decide what should close.

Member Featherston stated that we could shut down the amenities and do nothing to eliminate pedestrian access because we couldn't police it. We can close and shut gates, but people can choose to go on their own risk and it would be open golf.

Rhonda Morfin, Tract 300, asked if SCA had put out any notices and that we cannot protect everyone from themselves.

President Bahr mentioned the many avenues the information has been shared regarding closing the Horse Palace interior, Golf Course Pro Shop, and outside areas.

Attorney McConnell reiterated that the Governor's order is the law and we could be criminally liable and should be closed until the order expires. We should close the Horse Palace and Golf Course Clubhouse. The Golf Course could take over the phone payments or have open play like the Elko course.

Member Young moved/Member Featherston seconded that until the Order expires, the HP interior is closed, the HP exterior is open, close the Trap & Skeet as non-essential business, Campground and Shooting Range remain open, close the Golf Course Clubhouse and Restaurant, and leave the Golf Course open to use. Motion carried (5-1) Chair Park against.

IV. REVIEW, DISCUSSION AND POSSIBLE ACTION TO INSTILL A LEAVE AND QUARANTINE POLICY FOR SCA STAFF. *FOR POSSIBLE ACTION*

This item was tabled as there is additional guidance from the Family First Coronavirus Act.

V. REVIEW, DISCUSSION AND POSSIBLE ACTION TO WAIVE LATE FEES FOR ASSESSMENTS FOR MEMBERS FOR A DEFINED PERIOD OF TIME DUE TO THE POSSIBLE FINANCIAL IMPLICATIONS OF THE VIRUS SPREAD. *FOR POSSIBLE ACTION*

President Bahr introduced the agenda item to waive late fees for a defined period of time for assessments.

Attorney McConnell further clarified that the Board could suspend the late fee policy and it would be uniform on all lots. We do not have the discretion to have hardship exemptions for assessments. The Board could lower assessments for all lots, and a reprieve for property owners could be waiving late fees.

Member Young suggested possibly waiving late fees month by month at each Board Meeting.

Member Featherston suggested waiving late fees for April and May.

Attorney McConnell could use her discretion on collections but must follow statutory guidelines for filing suits. They will continue to work with Property Owners in legal status.

Members Hannum, Popp, Reed, and Chair Park agreed to waive April and May late fees.

No Public Comment was received.

Vice Chair Hannum moved/Member Reed seconded to waive late fees for April and May 2020. Motion carried (6-0)

VI. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONTINUE BOARD AND COA MEETING DATES AS PLANNED TELEPHONICALLY FOR BOARD AND COA MEMBERS. FOR POSSIBLE ACTION

President Bahr stated that staff will continue to be present for schedule Board meetings and they will be open to the public with social distancing and the meetings would continue telephonically.

Member Young agreed to continuing meetings telephonically.

Member Featherston question the duration, but agreed that April should be telephonically and then decided month to month.

Vice-Chair Hannum stated if we are still quarantined to continue telephonically and hopefully be back to normal in May.

Member Popp stated we should play it by ear and if it is lifted have live meetings.

Member Reed agreed that if it is lifted we should have live meeting.

Public Comment:

Trina with Great Basin Water Company stated that if we continue to have telephonic meetings to have a means for people calling in.

Chair Park moved/Member Featherston seconded to continue to allow telephonic meetings for the foreseeable future until it is determined to not be necessary. Motion carried (6-0).

VII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPOINT A MEMBER TO FILL THE 300 TRACT BOARD VACANCY FOR THE REMAINDER OF THE TERM ENDING IN JUNE 2023 PURSUANT TO SPRING CREEK ASSOCIATION BYLAW 5.9. FOR POSSIBLE ACTION

President Bahr stated that we had 2 applicants for the vacant 300 Tract Director position, Randy Mauldin, and Rhonda Morfin. Both applicants are current on their assessments and not in violation with the COA.

Rhonda Morfin spoke about having a duty as a member to be involved and be a voice on the Board.

Randy Mauldin stated his goal was to continue attending the meetings and participating.

Member Popp asked the candidates what their goal, vision or what they would suggest we do better for Spring Creek.

Rhonda responded that we needed to focus on the amenities for more family oriented items and not just focus on the roads.

Randy would like to see Spring Creek continue to grow as a place to live and raise a family and help keep business in the area.

Chair Park asked the candidates how they better represented than the other candidate and how they handle criticism.

Rhonda stated there is always room for improvement and handles items with a positive manner and is fine with criticism.

Randy stated he looks forward to dialogue at meetings and accepts criticism.

Chair Park stated both are well qualified candidates.

No Public Comment was received.

Chair Park moved/Member Young seconded to appoint Randy Mauldin to fill the 300 Tract Board Vacancy for the remainder of the term ending in June 2023 pursuant to Spring Creek Association Bylaw 5.9. Motion carried (6-0)

VIII. PRESENTATION OF AN APPRECIATION PLAQUE TO PAT PLASTER FOR SERVICE TO SCA. *FOR POSSIBLE ACTION*

Former member Plaster was not present for the presentation of the plaque. It was discussed to present at the Annual Meeting.

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

President Bahr informed the Board that there is a 1 year lease with Jess Jones for the Ryan Ranch pasture. Jess had informed staff that the lease was satisfactory.

Liability insurance was discussed and he was given our agent's information to be sure he would have correct coverage.

No Public Comment was received.

Vice Chair Hannum moved/Member Reed seconded to approve a lease agreement with Jess Jones for the Ryan Ranch Pasture. Motion carried (6-0)

X. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER A REQUEST FROM NV OUTDOOR SCHOOL TO WAIVE GREEN FEES AND CART RENTALS FOR A GOLF TOURNAMENT. *FOR POSSIBLE ACTION*

NV Outdoor School was requesting the Board to waive green fees and cart rentals for a proposed golf tournament in May.

Treasurer Austin-Preston provided background to the Board on other fundraiser tournaments and the potential cost to SCA for waiving green fees and cart rentals for tournaments.

No Public Comment was received.

Member Young stated he would donate green fees from his personal company. Chair Park suggested that they split the donation. Melanie, with NV Outdoor School, will be provided with their personal information for the donation.

No action was taken.

XI. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE CHANGES TO POLICY 08-004, DISPOSAL OF ASSETS. *FOR POSSIBLE ACTION*

Policy 08-004, Disposal of Assets, was reviewed and changes suggested during the February 2020 meeting.

Proposed wording was "Items shall be advertised for sale for at least one week. Advertising may be accomplished in one or more of the following ways: newspaper, social media, SCA website, SCA bulletin Boards, auction websites, or any other avenue suitable for selling assets."

Member Featherston move/Member Reed seconded to approve changes to Policy 08-004, Disposal of Asset as submitted. Motion carried (6-0)

XII. COMMITTEE OF ARCHITECTURE

A. REPORTS

NON-ACTION ITEM

The COA reports were provided in the Board packet for review.

B. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 584 DUNES DR (202-033-004) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.

FOR POSSIBLE ACTION

Treasurer Austin-Preston stated the property owner has been in violation since July 2019. There has been no contact from the property owner. This item was on the March 10, 2020 COA agenda and the Committee voted to uphold the \$200 fine and refer the property to the Board of Directors for further action.

Vice Chair Hannum moved/Member Young seconded to refer the property at 584 Dunes Dr to legal counsel and uphold the \$200 fine. Motion carried (6-0).

C. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 306 RUSTIC DR (202-007-008) 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 November 2019. There has been no contact from the property owner. This item was on the March 10, 2020 COA agenda and the Committee voted to uphold the \$200 fine and refer the property to the Board of Directors for further action.

Member Featherston moved/Member Reed seconded to refer the property at 306 Rustic Dr to legal counsel and uphold the \$200 fine. Motion carried (6-0).

XIII. APPROVAL OF MINUTES:

FOR POSSIBLE ACTION

A. February 26, 2020 Regular Meeting Minutes

Vice-Chair Hannum moved/Member Reed seconded to approve the February 26, 2020 Regular Meeting Minutes. Motion carried (6-0).

XIV. ACCEPT FEBRUARY 2020 ASSESSMENT AND LEGAL RECEIVABLE REPORTS.

FOR POSSIBLE ACTION

Member Reed moved/Vice-Chair Hannum seconded to accept the February 2020 Assessment and Legal Receivable Reports. Motion carried (6-0).

XV. ACCEPT FEBRUARY 2020 FINANCIAL REPORTS.

FOR POSSIBLE ACTION

Vice-Chair Hannum moved/Member Young seconded to accept the February 2020 Financial Reports. Motion carried (6-0) Member Plaster absent.

XVI. MEETING SCHEDULE

NON-ACTION ITEM

The next Regular Board of Directors meeting is scheduled for Wednesday, April 22, 2020 at 5:30pm. The meeting may be held telephonically.

XVII. PUBLIC COMMENT

ACTION SHALL NOT BE TAKEN

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Steve Trainor, Tract 100, spoke about the CDC and how to disinfect for the virus.

XVIII. ADJOURNMENT

The meeting adjourned at 9:02 p.m.