



## **SPRING CREEK ASSOCIATION COMMITTEE OF ARCHITECTURE REGULAR MEETING MINUTES**

Spring Creek Association (“SCA”) Committee of Architecture  
Monday, March 13, 2023, 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:** Kevin Martindale – Chair, Nick Czegledi, Kenny Kelly, Bonnie Bawcom

**ABSENT:** Kelly DiLulo - absent

**STAFF PRESENT:** Secretary/Treasurer Kristine Austin-Preston, COA Secretary Rikki Bundrock  
President Jessie Bahr – on the phone

**CORPORATE ATTORNEY:** Katie McConnell

**CALL TO ORDER:** Chair Martindale called the meeting to order in person and telephonically at 5:31 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.

#### **D. COMMENTS BY THE GENERAL PUBLIC**

Pursuant to NRS 241 this time is devoted to comments by the public, if any, and discussion of those comments. 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.

***NON-ACTION ITEM***

No public comment was received.

#### **E. OLD BUSINESS**

- E.1 Review, discussion, and consideration to approve a Home Occupation Sign Permit for **TWISTED TIMBER, LLC** type of business: **WOODWORKING/LASER ENGRAVING** located at **588 Croydon Drive, (Tract 101, Block 005, Lot 033) – 1.340 acres.**  
***FOR POSSIBLE ACTION***

Property Owner Christy Wilson was on the phone. She provided the plot map showing setbacks for the current fence that is on their property where the sign will be placed. The sign is out of the right of way and under 3 square feet per the requirements.

Member Czegledi moved/Member Kelly seconded to approve the Home Occupation Sign Permit for TWISTED TIMBER, LLC at 588 Croydon Drive (Tract 101, Block 005, Lot 033) 1.340 acres Motion carried 4-0

- E.2 Review, discussion, and possible action to approve a variance from COA Rule #5 regarding the 15' foot setback requirements between buildings on a property at **208 Flora Drive, (Tract 102, Block 013, Lot 003) – 2.070 acres.**  
***FOR POSSIBLE ACTION***

Secretary Bundrock explained that the property owners provided a new plot map showing the 20' side setback compliance. Property Owner Kathleen Heath explained they were able to move it around a little bit to get it 11.5' from the house so that they only need a 3.5' variance from the 15' rule.

Member Czegledi moved/Member Bawcom seconded to approve the variance from COA Rule #5 regarding the 15' foot setback requirement between buildings a 208 Flora Drive (Tract 102, Block 013, Lot 003) 2.070 acres Motion carried 4-0

#### **F. NEW BUSINESS**

- F.1 Discussion and consideration to approve the second reading of the Committee of Architecture Rules and Regulations #15 entitled: **AUXILIARY OUTDOOR LIGHTING.** This amends the rules outlining the requirements regarding Auxiliary Outdoor Lighting.  
***FOR POSSIBLE ACTION***

Attorney McConnell spoke and explained that a property owner asked the COA to amend the current auxiliary rule to be more specific. She explained that this provides clarity that auxiliary lights cannot extend off the property, but that brightness would have to be considered under a nuisance complaint.

Member Czegledi read the proposed rule. He said the rule may not be perfect but it's a step in the right direction. Member Bawcom and Member Kelly agreed.

Member Bawcom moved/Member Czegledi seconded the motion to approve the 2<sup>nd</sup> reading of the revised Committee of Architecture Rules and Regulations #15 entitled: AUXILIARY OUTDOOR LIGHTING Motion carried 4-0.

- F.2 Review, discussion, and possible action to approve a Livestock Permit for one (1) mini pig and one (1) mini goat at **784 Alpine Drive, (Tract 403, Block 003, Lot 042) – 5.020 acres**

***FOR POSSIBLE ACTION***

Property Owner Jeremy Lusk (Tract 400) was on the phone. The plot map and pictures were provided for the Committee.

Member Kelly moved/Member Bawcom seconded to approve the livestock permit for one (1) mini pig and one (1) mini goat at 784 Alpine Drive (Tract 403, Block 003, Lot 042) 5.020 acres Motion carried 4-0

- F.3 Review, discussion, and possible action to approve a Livestock Permit for four (4) pigs at **406 Brent Drive, (Tract 202, Block 029, Lot 032) – 1.270 acres.**

***FOR POSSIBLE ACTION***

Secretary Bundrock explained that the property owner has had a livestock permit for two (2) pigs in the past years, but they are requested it this year for four (4) pigs. Staff left messages and sent emails requesting an updated plot map and pictures of the shelter for the pigs, but the paperwork was not received prior to the meeting. She recommended tabling the permit until the April 10, 2023 meeting.

Member Czegledi moved/Member Kelly voted to table the livestock permit at 406 Brent Drive (Tract 202, Block 029, Lot 032) 1.270 acres until the April 10, 2023 COA Meeting pending a plot plan, pictures, request to attend and considerations for smell mitigation. Motion carried 4-0

- F.4 Review, discussion, and possible action to approve a Livestock Permit for one (1) calf at **519 Ashcroft Drive, (Tract 103, Block 006, Lot 019) – 2.090 acres.**

***FOR POSSIBLE ACTION***

Property Owner Janelle McVey was present and explained the cow would only be there temporarily and would be using the shelter at the back of the property. Plot map and pictures were provided to the Committee of Architecture.

Member Bawcom moved/Member Czegledi seconded to approve the livestock permit for one (1) calf at 519 Ashcroft Drive (Tract 103, Block 006, Lot 019) 2.090 acres Motion carried 4-0

- F.5 Review, discussion, and possible action to approve a Livestock Permit for one (1) calf and one (1) steer at **910 Palace Parkway, (Tract 403, Block 015, Lot 016) – 2.060 acres.**

***FOR POSSIBLE ACTION***

Property owner Ladonna Kaiser was present. Plot map and pictures were provided to the Committee of Architecture.

Chair Martindale moved/Member Czegledi seconded to approve the livestock permit for one (1) calf and one (1) steer at 910 Palace Parkway (Tract 403, Block 015, Lot 016) 2.060 acres Motion carried 4-0

- F.6 Review, discussion, and consideration to approve a Home Occupation Permit for **PRECISION INDUSTRIAL ENGRAVING** type of business: **ENGRAVING** located at **910 Palace Parkway, (Tract 403, Block 015, Lot 016) – 2.060 acres.**  
**FOR POSSIBLE ACTION**

Property owner Ladonna Kaiser was present. She explained that she has no traffic at her property and only deliveries or ships products out. She would like to put a box in front of her fence for deliveries from UPS and FedEx. Attorney McConnell explained that the committee is only taking action on the home occupation permit and that staff could talk with the property owner concerning the placement of the box at a later date.

Member Czegledi moved/Member Kelly seconded to approve the Home Occupation permit for PRECISION INDUSTRIAL ENGRAVING at 910 Palace Parkway (Tract 403, Block 015, Lot 016) 2.060 acres Motion carried 4-0

- F.7 Discussion and consideration to approve the first reading of the Committee of Architecture Rules and Regulations #10 entitled: RIGHT-OF-WAY STORAGE AND PARKING. This amends the rules outlining the requirements regarding Right-of-way parking and storage.  
**FOR POSSIBLE ACTION**

Attorney McConnell explained the Elko County already has an ordinance stating that parking on the right-of-way is strictly prohibited in Spring Creek. Our current rule states that we would contact Elko County for an abandoned vehicle, but the towing companies will not remove because of payment issues. This rule is in line with the County Ordinance and allows SCA to act for habitual abusers.

Member Kelly spoke. He was not in favor of the rule. He said he has limited parking in his property and if he has a party then he usually has a few people parked in the right-of-way. He said he does not want us to get to a point where we are too strict with the rules. He said there is many people that park on the side because they don't have 4WD and can't get into their driveways. He recommends revising the wording and adding in verbiage allowing vehicles to park within the right of way so that property owners can park on the sides if they need to. He proposed people be allowed to park within 15 feet from the road.

McConnell Law explained we need to keep the rule consistent to all property owners. The new rules allows for enforcement and can be treated as a nuisance. There are options for some broader language if that is what the committee requests.

Member Czegledi asked staff to include some wording about giving allowance for visitors to park in the driveway.

Chair Martindale moved/Member Czegledi seconded to table the motion of the 1<sup>st</sup> reading of the Committee of Architecture Rules and Regulations #10 entitled: RIGHT-OF-WAY STORAGE AND PARKING Motion carried 4-0.

F.8 Discussion and consideration to approve the first reading of Committee of Architecture Rules and Regulations #35 entitled: SNOW REMOVAL POLICY. This is a new rule defining specific rules relating to pushing, plowing, or blowing snow into or across the roadways that are associated with the Spring Creek Association.

**FOR POSSIBLE ACTION**

Attorney McConnell explained that we do not have a rule, only a snowplow policy so there is no enforcement mechanism. As it is now, we can only ask them not to do it. If a rule is made, the violation could be brought before the COA for a nuisance.

Chair Martindale read the proposed rule.

Secretary Bundrock explained that we have had damage to easements and culverts. She also explained that it creates a hazard for the snowplows, drivers, and emergency personnel.

Member Czegledi spoke against the rule change. He said Rules for thee, but not for me. He said SCA puts the snow in the easement but then we do not allow the property owners to do it. He said we need to be careful that if we make a rule for the property owners then we need to abide by it too. Member Bawcom disagreed and said this is different.

Attorney McConnell explained that the city and the county have rules that no snow can go into the street. She explained the reasons why it's a traffic hazard and why it should not be done. She also stated that nobody should be plowing SCA roads besides SCA personnel.

Member Czegledi said he has no objection with not pushing the snow into the road, but he thinks it should be allowed to be put in the easement.

President Bahr spoke. She explained that the issue is people will push as much snow as they want into the easement on the other side and that it causes drainage issues. She also explained that pushing snow across the road causes damage to the sides of the roads.

Member Kelly said pushing snow across the road is pushing your issues onto the neighbor. And that pushing the snow up over the road is doing road damage which is costing SCA more money.

Member Bawcom moved/Member Kelly seconded the motion to approve the 1<sup>st</sup> reading of the Committee of Architecture Rules and Regulations #35 entitled: SNOW REMOVAL POLICY Motion carried 3-1, Member Czegledi opposed.

**G. LEGAL REPORT**

Review and discussion regarding the monthly update on property violations turned over to McConnell Law per SCA Board approval.

**NON-ACTION ITEM**

Attorney McConnell provided a verbal update to the Committee.

**H. REVIEW AND APPROVAL OF MINUTES**

Approval of minutes from the February 13, 2023, regular meeting.

**FOR POSSIBLE ACTION**

No public comment was received.

Member Czegledi moved/Member Bawcom seconded to approve the minutes from the February 13, 2023 regular meeting. Motion carried 3-0-1 Chair Martindale abstained.

**I. REPORTS**

**J.1** Approval of the Committee of Architecture Revenue Report for February 2023.

***FOR POSSIBLE ACTION***

**J.2** Approval of the Committee of Architecture Occupancy Report for February 2023.

***FOR POSSIBLE ACTION***

**J.3** Approval of the Committee of Architecture Violation Report for February 2023.

***FOR POSSIBLE ACTION***

No public comment was received.

Member Bawcom moved/Member Czegledi seconded to approve the reports in the binder for February 2023. Motion carried 4-0.

**J. PUBLIC COMMENT**

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***NON-ACTION ITEM***

No public comment was received.

**K. NEXT REGULAR MEETING**

The next regular meeting of the Committee of Architecture is scheduled for Monday, April 10, 2023.

***FOR POSSIBLE ACTION***

**L. ADJOURN MEETING**

Chair Martindale adjourned the meeting at 6:35 p.m.

***FOR POSSIBLE ACTION***