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**SPRING CREEK ASSOCIATION**

**COMMITTEE OF ARCHITECTURE REGULAR MEETING MINUTES**

Spring Creek Association Committee of Architecture

Tuesday, January 12, 2020, 5:30 PM, PST

Fairway Community Center Meeting Room

401 Fairway Blvd, Spring Creek, Nevada

**CALL TO ORDER:** Chair Holland called the meeting to order at 5:30 PM noting there were individuals who called in on the phone (zoom) line.

**ROLL CALL**

**PRESENT:** Chair Jill Holland**,** Vice-Chair, Members Kevin Martindale, Elex Vavrick, and Stefanie Sisk.

**ABSENT:** Vice Chair, Cassandra Banuelos

**STAFF MEMBERS PRESENT:** SCA Vice President Kerr, COA Secretary Cromwell

**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 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 Committee of Architecture 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.

**COMMENTS BY THE GENERAL PUBLIC  *NO ACTION MAY 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 offered

1. **ORGANIZATION OF THE COMMITTEE**
   1. Discussion and consideration of the organization of the Committee of Architecture. Nominations and consideration of appointment for 2021 COA Chair and COA Vice-Chair. **FOR POSSIBLE ACTION**

Member Sisk moved/Member Martindale seconded to appoint Jill Holland as Chair.

Motion carried (4-0)

Member Vavrick moved/Member Sisk seconded to appoint Cassandra Banuelos as Vice Chair. Motion carried (4-0)

* 1. Discussion and consideration to change the regular scheduled meeting day for the Committee of Architecture. Consideration to schedule the second Monday or second Thursday of the month as the 2021 regular scheduled meeting day of the month for the COA. **FOR POSSIBLE ACTION**

VP Kerr let members know they were asking to change the meeting date so that legal counsel could be present to give advice at the meetings. Right now, the second Tuesdays do not work for legal counsel due to a previous commitment.

Chair Holland stated both either day would work for her.

Member Martindale stated Mondays would work best for him. Member Sisk agreed Mondays would work best for her as well.

Member Vavrick stated Mondays would work for him as well and that the meeting change needed to be well advertised.

Member Martindale/Member Sisk seconded to move the month Committee of Architecture meeting to the second Monday of the month. Motion carried (4-0)

**2. COA RULES AND REGULATIONS**

**2.1**

Review, discussion, and possible action to eliminate the first bullet point of the COA Rules and Regulation #2: **MATERIALS AND PRACTICES NOT ALLOWED**. “The developing, building or construction of dirt mounds, hills, jumps or ramps for the explicit use of riding Motorcycles, ATVs, or OHV/s will be considered a “racetrack” or “practice track” by the COA and is therefore expressly prohibited.” This is the first reading. **FOR POSSIBLE ACTION**

VP Kerr stated this is the first reading. Was brought to the committee in 2020 and failed.

Member Martindale recommended to eliminate the first bullet point.

Member Vavrick stated that he would like to see it stay.

Member Sisk stated she would like to see it eliminated as well.

Public Comment:

PO Paula Taylor, Tract 400 wants to see it taken out. She stated she has kids that ride on her property making a trail. People then says it is a tract and then they get turned in for having a tract when it is a trail from her kids riding. This is no different than a horse being rode every single day and make a trail.

PO Rhonda Morfin, Tract 300 wants to see it stay as is. Has had issues with a lot of loud noises and dust over the years.

PO Jess Dailey-Reynolds, Tract 100 wants to see the bullet point taken out. Horses make dust too. Wants everyone to be able to do what they want and respect their neighbors.

PO Kayla Dailey-Reynolds, Tract 100 want to see the bullet point taken out. Kids should be able to ride around on their own property and go over a little hill.

PO Rhonda Morfin, Tract 300 stated that the noise level for a motorcycle is almost 100 decibels. Where do we draw the line? She stated she does not want to listen to that for hours at a time. This is a noise issue.

PO Kayla Dailey-Reynolds, Tract 100 people should be respectful of their neighbors. This could still be a dust or noise issue and that could be a nuisance. Motorcycles have different decibels. The little ones you can barely hear.

Alex Ferguson, Tract 200 stated people should communicate with their neighbors.

PO Brian Taylor, Tract 400 thanked the committee for taking it into consideration. He commented that there is no difference in a neighbor out mowing their lawn and all the dust. Comes down to being a nice neighbor.

No one on the phone for public comment.

Public Comment closed

Member Sisk/Member Martindale seconded to remove the first bullet point and bring back for a second reading. Motion carried (4-0)

**2.2** Review, Discussion, and possible action to approve the first reading of modification to the COA Rules and Regulation for **“Explicit use of OHVs, ATV and/or Motorcycles for Recreational Purposes within the Spring Creek Association Specific to Homeowner Lots”.**  This COA rule and regulation addresses the developing of riding areas, creating tracks, jumps, dirt mounds, hills, and ramps.

***COA RULE AND REGULATION: EXPLICIT USE OF OHVs, ATVs AND/OR* MOTORCYCLES FOR RECREATIONAL PURPOSES WITHIN THE SPRING CREEK ASOCIATION SPECIFIC TO HOMEOWNERS LOTS:**

*OHVs, ATVs and or Motorcycles may be used for recreational purposes on a homeowner’s property. The developing, building or construction of dirt mounds, hills, jumps or ramps or creating a track for the explicit use of riding OHVs, ATVs, and/or Motorcycles, are restricted to the rear of the house. Developed riding areas are* ***NOT*** *allowed in front or on the sides of houses. Placement must adhere to all property line setback requirements designated for their tract, lot, and block. Riding areas must have a setback of 15 feet from other structures on the property. Property owners will be held liable for any fire or other damages and/or costs, as a result, of developed riding areas. Property owners are required to mitigate dust and noise which create an annoyance or nuisance. Property owners are subject to nuisance complaints.* **FOR POSSIBLE ACTION**

VP Kerr read into record the new rule.

Member Vavrick stated he likes some of the ideas, it put it back on the PO having to respect each other.

Member Sisk stated she likes that is puts responsibility back on the PO. No different than owner livestock. You must take care of the track and likes that it stays to the back of the property.

Member Martindale had nothing to add.

Chair Holland stated she had concerns that were you can place it might cause some problems for some property owners.

No one on the phone for public comment.

PO Paula Taylor stated she likes the way the new rules is stated. She thanked the committee for looking into the changes.

Public comment closed

Member Vavrick/Member Sisk seconded to accept the rule change as presented for the first reading and to bring back for the second reading. Motion carried (4-0)

**2.3** Review, discussion, and possible action to approve the first reading of modification to the COA Rules and Regulation #14:  **Trash Containers/Trash Enclosures.**

***COA RULES AND REGULATION: TRASH CONTAINERS/TRASH ENCLOSURES:***

*Trashcans or trash containers cannot remain at the street longer than 12* hours *before and after pick-up. Trash must ALWAYS be contained within the trashcan or container. The storage of trash and their containers, boxes, bags, open trailers; homemade or manufactured, empty or filled; or other items that shall in appearance detract from the aesthetic values of the property, shall be so placed and stored concealing it from view from all public right of ways.* **FOR POSSIBLE ACTION**

VP Kerr read the first readding of the modified rule into record.

Member Sisk likes how it is worded

Member Vavrick stated that he does not like the time frame.

Chair Holland stated that the time is directly from the DORs.

No Public Comment

No one on the phone for public comment.

Chair Holland/Member Vavrick seconded to approve the first reading as presented and bring back for a second reading. Motion carried (4-0)

**2.4** Review, discussion, and possible action to approve the first reading of modification of the COA Rules and Regulations for **“Chickens/Ducks/Geese/Rabbits**”. This modification may include the requirements for permitting, setbacks and defining Chicken Coops as an auxiliary or accessory structure and other matters related thereto

**COA RULES AND REGULATION: CHICKENS/DUCKS/GEESE/RABBITS AND THEIR STRUCTURES** *Chickens, ducks, geese, and rabbits are considered “barnyard animals”. They are allowed in all tracts for personal use only. Roosters, drakes, gander, or bucks (rabbit) are allowed. They are not to be kept, bred, or maintained for commercial purposes. Free ranging is allowed provided that all animals are contained to the limits of the homeowner property.*

*Chicken Coops are defined as any structure where, typically, female chickens or other fowl are kept. Usually has an indoor area where the chickens or other fowl can sleep and nest. Any structure providing housing for these barnyard animals is considered an auxiliary or accessory structure and require a permit and must adhere to the corresponding tract setback (yard) requirements. Chicken coops are to be of typical construction. Inoperative vehicles, camper trailers, or similar items are not allowed to be used as “Chicken Coops”. Chicken tractors and rabbit hutches do not require a building permit but must adhere to required yard/setbacks for auxiliary or accessory structures as outlined in the DORs.* **FOR POSSIBLE ACTION**

VP Kerr read in to record the first reading.

Member Vavrick suggested we take out the number.

Public Comment: Alex Ferguson does not see why property owners can-not use old cars for chicken coops. He has seen some neat ones.

Chair Holland stated she would like to look at it more.

Members Sisk and Val would like to wait and think over.

Member Martindale/Member Val motioned to not modify and bring back with different language and add to the COA February meeting. Motion carried (4-0)

**2.5** Review, discussion, and consideration to add a definition section to the COA Rules and Regulations for the purpose of identifying meanings ascribed to the words or terms utilized within the COA document or reference to County Codes or Uniform Building Codes and to allow the COA Secretary to add, amend or delete words and terms as needed. **FOR POSSIBLE ACTION**

Member Val likes the idea of a definition page.

No Public Comment

Member Martindale/Member Sisk motioned to approve the definition section to the Committee of Architecture Rules and Regulations. Motion carried (4-0)

**3.0 OLD BUISNESS**

**3.1** Review, discussion, and possible action regarding a property violation of the COA Rule and Regulation #13: Exterior Condition of Structures; Roof and Shed Repaired or replaced at **844 Spring Valley Parkway, (Tract 202, Block 014, Lot 010). *FOR POSSIBLE ACTION***

COA Secretary Cromwell stated that the property owner was brought to the COA in November 2020 and was asked to be brought back to the January 2021. Property owner contacted the COA Secretary on December 23, 2020 and stated that her husband was ill and in Salt Lake. The COA Secretary gave her 30 days to get back in contact with her and let her know where she was on the violation.

Chair Holland stated that the property owner was in violation for the shed to be fixed and that has been taken care of and feels like the violation has been taken care of.

Member Vavrick and Member Martindale both agreed that the shed itself have been fixed.

Member Sisk agreed that it looks 100 percent better that before.

VP Kerr stated that Lisa Farmer had spoken to the PO and they did not have the money to paint the roof right now.

Member Sisk suggested to send a Courtesy letter in the Spring to paint the roof.

Chair Holland/Member Sisk seconded to close the violation because it has been taken care of. Motion carried. (4-0)

**4. PROPERTY VIOLATIONS**

**4.1** Review, discussion, and possible action regarding a property violation of COA Rule and Regulation #12: Inoperative / Unregistered / Unlicensed Vehicles and DOR C-15: Storage of Tools and Trash at **295 SPRINGFIELD PARKWAY, (Tract 305, Block 003, Lot 006).** ***FOR POSSIBLE ACTION***

COA Secretary Cromwell stated that the property has been in violation since March 2020. There was contact from the property owner June 22, 2020 stating they needed more time. PO was given until July 24, 2020 and was to call when done. There has been no further contact with property owner.

Member Sisk/Member Martindale seconded to uphold the $200 fine and send to the Board of Directors for further action. Motion carried (4-0)

**4.2** Review, discussion, and possible action regarding a property violation of COA Rule and Regulation #5: Exterior Condition of Structures; Roof on a shed at **574 SHADYBROOK DRIVE, (Tract 304, Block 005, Lot 048).** ***FOR POSSIBLE ACTION***

COA Secretary Cromwell stated the property has been in violation since March 2020. There was contact from property owner on July 22, 2020 stating that they are remodeling their home and cannot fix it. There has been no further contact from the property owner.

Member Sisk/Member Val seconded to uphold the $200 fine and send to the Board of Directors for further action. Motion carried (4-0)

1. **LEGAL REPORT**

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

1. **APPROVAL OF MINUTES**

Approval of minutes from the December 8, 2020 COA regular meeting. ***FOR POSSIBLE ACTION***

Member Martindale/Chair Holland seconded to approve the December 8, 2020 COA Regular Meeting Minutes. Member Vavrick abstained. He was not a committee member at the December Meeting. Motion carried (3-0)

1. **REPORTS**

**7.1** Approve Committee of Architecture Revenue Report for December 2020. ***fOR POSSIBLE ACTION***

Chair Holland/Member Sisk seconded to approve the Committee of Architecture Revenue Report for December 8, 2020. Motion carried (4-0)

**7.2** Approve Committee of Architecture Analysis of Occupied Lots Report Year Ending 2020. ***FOR POSSIBLE ACTION***

Member Martindale/Member Sisk seconded to approve the Committee of Architecture Analysis of Occupied Lots Report Year Ending. Motion Carried (4-0)

**7.3** Approve Committee of Architecture Violation Report for December 2020. ***FOR POSSIBLE ACTION***

Chair Holland/Member Sisk seconded to approve the Committee of Architecture Violation Report for December 2020. Motion Carried (4-0)

**8. PUBLIC COMMENT**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***

**9. THE NEXT REGULAR MEETING OF THE COMMITTEE OF ARCHITECTURE IS SCHEDULED FOR MONDAY, FEBRUARY 08, 2021 AT 5:30 PM. NON-ACTION ITEM**

**10. ADJOURN MEETING**

The meeting was adjourned at 7:23 pm.