



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

Spring Creek Association (“SCA”) Board of Directors  
Wednesday, February 22, 2023, 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

**PRESENT:** Josh Park (Tract 100), Karl Young (Tract 200) – Via phone, Randy Mauldin (Tract 300),  
Chair John Featherston (Tract 400)

**At-Large Members:** Vice Chair Tom Hannum, Jake Reed, and Molly Popp

**ABSENT:** None

**CORPORATE OFFICERS PRESENT:** SCA President Bahr, SCA Treasurer Austin-Preston

**CORPORATE ATTORNEY:** Katie Howe McConnell

**CALL TO ORDER:** Chair Featherston called the meeting to order 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.

Matt McCarty thanked the Board for the use of the Board room for the bingo nights. He also provided information on a grant for a second truck for the Meals on Wheels for Spring Creek residents.

**II. PRESENTATION BY BSA TROOPS 850B AND 850G OF A DONATION OF POPCORN TO SCA MAINTENANCE SNOWPLOW DRIVERS AS A THANK YOU IN RECOGNITION OF THEIR SERVICE. *NON-ACTION ITEM***

Leaders from the Boys and Girl Scout Troops, 850B and 850G provided comment that they earn approximately \$30,000 per year through their sales and donations. They pick community members to recognize each year and this year they selected the Spring Creek Association Road Maintenance staff for their service of keeping the roads clear and helping students get to school.

SCA staff accepted the donation and thanked them for their recognition.

No public comment was received.

No action was taken.

**III. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER A REQUEST FROM SPRING CREEK HIGH SCHOOL CLASS OF 2003 REUNION TO WAIVE RESERVATION FEES FOR THE FCC BOARD ROOM ON JUNE 24, 2023. *FOR POSSIBLE ACTION***

President Bahr introduced the item stating that the Spring Creek High School class reunion requested the Board waive the fee for reserving the Board room for an event. SCA does waive fees for non-profit organizations.

No public comment was received.

Member Park moved/Member Popp seconded to approve the request from Spring Creek High School Class of 2003 to waive reservation fees for the FCC Board Room on June 24, 2003. Motion carried (7-0).

**IV. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER A REQUEST FROM H2GO WATERSPORTS TO BE THE CONCESSIONAIRE AT THE MARINA FOR THE SUMMER 2023 SEASON WITH THE SAME TERMS AS THEIR PREVIOUS AGREEMENT. *FOR POSSIBLE ACTION***

Attorney McConnell introduced the item and stated that there were misunderstandings after the previous contract regarding the shed and other items. SCA owns the shed at the property.

Floyd Chacon was present and requested the Board revisit an agreement for the Marina. It was discussed that in lieu of rent for the shed, which was updated to commercial specifications, H2GO could provide security type services while operating. They also offered the same 10% of the gross profits. It was proposed to be a 1 season agreement.

Member Mauldin commented that he would like to see a map of the areas to be utilized by H2GO.

Hours of operation were discussed that it would be 10am-4pm from May to September.

Public Comment:

Elex Vavrick asked whether there would be an impact to the white pelicans or wildlife in general.

Vice Chair Hannum moved/Member Popp seconded to move forward with H2GO Watersports for concessions and water sports based on the discussion for approval next month. Motion carried (7-0).

**V. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING GREAT BASIN WATER COMPANY MATTERS, INCLUDING: A PRESENTATION BY SEAN TWOMEY, GREAT BASIN WATER PRESIDENT, REGARDING WATER RATES; POSSIBLE ACTION OR REQUEST FOR AUDIT THROUGH PUCN; AND POSSIBLE ACTION REGARDING SCA WATER BILLS. FOR POSSIBLE ACTION**

Sean Twomey, Great Basin Water President, was present at the meeting. He provided information regarding his 8 step plan to improve service. He stated he had attended Board meetings on 3 occasions and phone in twice. He stated that they have a dedicated customer service representative with Pahrump personnel for direct complaints for the PUCN. He stated they had increased pay for their staff. The random audit of meters was completed in 2022, with the results being sent directly to SCA and there were no issues with the meters. All meters within SCA are AMR (automatically read) and those tested have all been within the standard deviation. There was an audit of their billing process. The rates changed on July 18<sup>th</sup> and of the 30 complaints received, they have not found any issues with the residential bills. He explained that the drop in tier 3 from one million gallons to 30,000 gallons has cause high users bills to increase significantly. He commented on their community support of SCA's 4<sup>th</sup> of July and specifically mentioning their Area Manager, Eric Chittim, being instrumental in a donation to the Boys and Girls Club.

He stated that they had originally filed for the consolidated rates but it was not granted. He states that the Integrated Resource Plan is due March of 2024 and plans to work with SCA staff and get their input. They plan to do a rate analysis for the IRP and will pull back if it is too much impact on the rate payers. He stated that the revenue requirement was increased and went up to 15%.

He stated they held a public meeting, advertised in the SCA newsletter and with a direct mailing to all customers, at the SCA offices and approximately 20 account holders were present. There were concerns with understanding the bills and bills received months after the read date. He stated that the base rate dropped, but high-end users will pay more because of the change in the tier rates.

He provided comment on line breaks caused by fiber and gas companies that were required to be repaired. He plans to take those concerns to the PUCN as they feel their line locates are not being followed and there seems to be no consequence for the contractors. He commented on the billing department issues. He stated that the billing department's billing dates drifted back several days a month causing the bills to go out 30-45 days after the read date. This caused an administrative backlog for the billing system. He stated that it was clerical and administrative errors, but that the meters were read correctly.

He provided comment on SCA not receiving a bill since July. He stated that the usage year over year is the same, just the bill was 6 months late for over \$250,000. He stated that SCA was billed for the service provided and charged what was delivered to the accounts.

President Bahr commented on the rate consolidation filing and he responded that they will file again for consolidation in 2024 for rates reflective in 2025.

Chair Featherston commented on other alternatives for time and date of a public meeting to allow for more participation. Mr. Twomey responded that most of the people came to the meeting prior to 5:30pm.

Specific information was provided on the bills received from GBW of over \$250,000. Treasurer Austin-Preston commented that the bills received listed previous balances and bill corrections that were not clearly identifiable on the bills. Mr. Twomey stated that the meters were read every month and SCA was billed for the usage.

Attorney McConnell commented that SCA had been receiving a separate bill each month for \$18. She provided options available to the Board to ascertain whether the utility company is in line with their tariff including attempting informal mediation, file an informal complaint through the consumer division, or file a formal complaint with the PUCN to directly investigate the process. She stated that it is the Board's pleasure how to move forward.

Member Park commented that it is beyond the Board's scope to determine what their tariff states.

Mr. Twomey commented that delays happen in business.

Chair Featherston commented that SCA's fiscal year is closed and that it would be impossible to see if our conservation efforts were working as we could not monitor the usage.

Attorney McConnell commented on the possibility of requesting an audit. She stated that if the Board wanted an audit of the community, that would need to be separate of the bill complaint to the PUCN.

There was general discussion on estimating bills. Mr. Twomey stated that all meters are automatically read and that if there is an estimation, it should be triggered to manually read after 3 times. President Bahr requesting specific information on how estimations were made in 2022.

There was continued discussion regarding missing or late bills to residents. Mr. Twomey contended that they are not outside their tariff by sending late bills. There were also comments regarding auto pay issues.

President Bahr requested a possible internal audit of 30 random accounts.

Member Mauldin asked for clarification on the water leak process. Mr. Twomey commented that there is a leak adjustment form and GBW will credit 50% of the overage for a leak.

Mr. Twomey also provided general information on the merger and that nothing would change operationally locally.

No public comment was received.

Member Park moved/Chair Featherston seconded to file a formal complaint pursuant to NAC 703.621 regarding the water bills received by Spring Creek Association. Motion carried (7-0).

**VI. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER INCREASING THE RENT AT THE HORSE PALACE HOUSE. FOR POSSIBLE ACTION**

President Bahr provided background that the last time the rent was increased at the Horse Palace House was in 2013. Staff is currently doing repairs and maintenance of the property including new carpet, flooring, and paint.

No public comment was received.

Member Popp moved/Member Reed seconded to increase the rent at the Horse Palace House to \$1400 per month. Motion carried (7-0).

**VII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO SET THE DATE FOR THE ANNUAL PROPERTY OWNER MEETING PURSUANT TO SCA BYLAW 4.1. FOR POSSIBLE ACTION**

President Bahr introduced the item and stated that the Annual Meeting date has to be set per the Bylaw. It was suggested to have the meeting be Saturday June 17, 2023.

No public comment was received.

Member Popp moved/Vice Chair Hannum seconded to set the date for the Annual Property Owner Meeting for June 17, 2023. Motion carried (7-0).

**VIII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO MOVE FORWARD WITH ELKO COUNTY IN COLLABORATION FOR A SAFE ROUTE TO SCHOOL GRANT. FOR POSSIBLE ACTION**

President Bahr introduced the item and stated that we are working with Elko County regarding a grant for safe route to schools for Liberty Peak to Spring Creek Elementary. Vice Chair Hannum commented on the design for safe areas to walk. This could save SCA funding for roadside maintenance in the path areas.

Member Reed commented on the possibility of looking into railroad grants and Member Mauldin commented on OHV grants and would forward the information to President Bahr.

No public comment was received.

Vice Chair Hannum moved/Member Reed seconded to move forward with Elko County in collaboration for a safe route to school grant. Motion carried (7-0).

**IX. COMMITTEE OF ARCHITECTURE  
A. COA REPORTS NON-ACTION ITEM**

Treasurer Austin-Preston provided a general update on the COA Reports. There was general discussion on the process if a neighbor's dog is barking all night. It was suggested to report the issue to the Sheriff and they could contact the COA for a nuisance complaint.

- X. APPROVAL OF MINUTES: FOR POSSIBLE ACTION**  
**January 25, 2023, Regular Meeting Minutes**
- Vice Chair Hannum moved/Chair Featherston seconded to approve the January 25, 2023, Regular Meeting Minutes as presented. Motion carried (6-0-1), Member Young abstained.
- XI. ACCEPT JANUARY 2023 ASSESSMENT AND LEGAL RECEIVABLE REPORTS. FOR POSSIBLE ACTION**
- Treasurer Austin-Preston provided comment on the increase in assessable lots in 2023 with the addition of the old office building.
- Vice Chair Hannum moved/Member Popp seconded to accept the January 2023 Assessment and Legal Receivable reports as presented. Motion carried (7-0).
- XII. ACCEPT JANUARY 2023 FINANCIAL REPORTS. FOR POSSIBLE ACTION**
- Treasurer Austin-Preston and President Bahr provided general updates on the financials, specifically the increased costs of salt, sand and fuel.
- Vice Chair Hannum moved/Member Popp seconded to accept the January 2023 financial reports as presented. Motion carried (7-0).
- XIII. MEETING SCHEDULE NON-ACTION ITEM**
- The next Regular Board of Directors meeting is scheduled for Wednesday, March 22, 2023, at 5:30pm. The meeting may be held telephonically.
- XIV. PUBLIC COMMENT ACTION SHALL NOT BE TAKEN**
- Jess Jones provided comment on the Ryan Ranch pasture and it was clarified that the item was not put on the agenda because he had stated that the information would not be ready. Chair Featherston inquired about staffing for grant research and writing. President Bahr stated that we are continuing to search for options.
- XV. ADJOURNMENT**
- The meeting adjourned at 8:02 p.m.