



## SPRING CREEK ASSOCIATION BOARD OF DIRECTORS REGULAR MEETING MINUTES

Spring Creek Association (“SCA”) Board of Directors  
Wednesday, January 26, 2022, 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), Randy Mauldin (Tract 300), and John Featherston (Tract 400)

At-Large Members: Vice Chair Tom Hannum, Molly Popp (via Zoom) and Jake Reed

**ABSENT:**

**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 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.

Karen Wines, Tract 400, commented on the round pens at the Horse Palace at the front of the building stating the stability of the ground needed to be addressed. She also stated that there are no pole bending materials at the Horse Palace and Chair Park offered to purchase the poles.

**II. PRESENTATION BY CLAIR KETCHUM, NOAA, REGARDING A NEW PROJECT THAT MONITORS WILDFIRE SMOKE WITH THE GOAL OF THIS PROJECT TO INCREASE WILDFIRE SMOKE RISK MITIGATION IN RURAL COMMUNITIES THROUGH THE DEVELOPMENT, IMPLEMENTATION, AND EVALUATION OF STAKEHOLDER DRIVEN MONITORING AND MESSAGING IN NORTHERN NEVADA. *NON-ACTION ITEM***

Clair Ketchum, NOAA, and Megan Collins, Desert Research Institute were present and provided a PowerPoint presentation regarding monitoring wildfire smoke in rural communities. They have partnered with NDEP and other entities and asked the Board to provide space for a self-sustaining platform for a sensor in Spring Creek.

No public comment was received.

Non-action item.

**III. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER A REQUEST FROM PATTY FOX TO WAIVE HER ANNUAL HORSE PALACE PASS FEE. *FOR POSSIBLE ACTION***

Patty Fox, Tract 400, requested the Board waive her annual Horse Palace pass fee. She stated in her request that in light of another lot fee increase, she asked the Board to consider her request to dismiss her annual horse palace fees for the following reasons: She owns 2 lots that are adjacent to each other and uses one for her residence and the other for her horses. She stated it was valuable to her neighbors, allows more space for her animals, and cuts down on noise, dust, flies, etc. She stated she pays fees for two lots and does not receive any extra benefit, not even road services as the lots are adjacent. She asked the Board to relieve her from paying her annual Horse Palace fees as she has paid double for her two lots for many years and it would be a small act that would be helpful to her retirement salary.

Chair Park commented on her statement that approving this would create a precedent for further requests.

No public comment was received.

Vice Chair Hannum move/Member Young seconded to not waive the annual Horse Palace fee for Patty Fox. Motion carried (7-0).

**IV. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER A REQUEST FROM THE NEVADA BANDITS RIDING CLUB TO DECREASE THE HORSE PALACE FACILITY RENTAL FEES. *FOR POSSIBLE ACTION***

President Bahr introduced the item and introduced Stephanie Shigaio and Sadie Schick as the coordinators for NV Bandits.

They stated that they have hosted 10 barrel race events and with the increase of the rental fee it would be impossible for them to hold additional events.

They commented that their events are very low-impact to the facility as they do not use stalls or chutes. They do require the use of the tractor during the event.

Chair Park commented that he considered this a fair base fee for all users. He suggested that groups come back before the Board to ask for special consideration with their specific events.

Public Comment:

Eric Herth, Tract 400, expressed his support for Stephanie and Sadie and encourages collaboration with the Board.

Tamra Thompson, Tract 400, stated she was part of the NV Bandits and encouraged collaboration as well.

Chad Steele stated that he supported the NV Bandits and would consider working with them for events.

Stephanie Licht, Tract 300, commented on the possibility of the groups offering types of in-kind services for consideration of the decreased fee.

Member Mauldin asked what the fee was to use the Elko Fairgrounds. They stated that it is \$250 for the back arena. Member Mauldin offered personal sponsorship of one full event for the NV Bandits.

No action was taken.

**V. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER HORSE PALACE A LA CARTE CHARGES AND REVIEW OF THE HORSE PALACE FACILITY AND PASS RATES. FOR POSSIBLE ACTION**

President Bahr introduced the item and stated that staff was to bring back a la carte fees for Board consideration.

Various fees were brought before the Board including half day rates, hourly overage rates, weekend and multi-day rental discounts, arena options, equipment usage rates, parking and ticket booth assistance rates, and stall options.

Chair Park encouraged all groups to meet with staff to discuss any unique considerations for their events and those can be brought back to the Board for discussion.

Public Comment:

Stephanie Licht, Tract 300, suggested negotiating and making suggestions and to participate through in-kind services.

Vice Chair Hannum commented on the half day options that it would allow for open riding as well.

Member Featherston moved/Member Reed seconded to approve the Horse Palace a la carte charges as presented. Motion carried (7-0).

**VI. REVIEW AND UPDATE FROM SOUTHWEST GAS' SPRING CREEK EXPANSION PROJECT. NON-ACTION ITEM**

Debra Gallo, SW Gas, was present and provided a PowerPoint presentation regarding their expansion plan. Construction began in 2021 and they provided maps on the expansion route and timeline. Further information can be found at [springcreekgas.com](http://springcreekgas.com).

President Bahr commented on the right of ways that are still in need of repair.

Mackenna Valdez was also present and provided information on customer services issues. Information was provided on the plumbing contractor referral program for the change over process required to change from propane to natural gas.

No public comment was received.

Non-action item.

**VII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO TERMINATE THE ANIMAL CONTROL OFFICER CONTRACT WITH ELKO COUNTY. *FOR POSSIBLE ACTION***

President Bahr provided information on the on the Animal Control contract being included in the budget until June of 2022. If the Board chooses to terminate the contract, notice needs to be provided by February first.

Lt. Doug Fisher, Elko County Sheriff, was present at the meeting and provided statistics relating to the animal control officer and other calls for service for the Sheriff's Department.

Several Board member provided comments commending Officer Smith for her hard work and diligence with cases.

No public comment was received.

Vice Chair Hannum moved/Member Featherston seconded to terminate the Animal Control Office contract with Elko County. Motion carried (7-0).

**VIII. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING DEFAULT OF THE USAGE AGREEMENT AND SHED REPAYMENT AGREEMENT BY H2GO WATERSPORTS RENTALS, LLC. *FOR POSSIBLE ACTION***

President Bahr introduced the item and stated that H2GO was in default of the shed repayment agreement.

Attorney McConnell provided information that the usage agreement and shed repayment require separate notices of default.

Member Mauldin commented that SCA could sell the shed instead of continuing with the commercial upgrades.

Vice Chair Hannum commented that it could be used as a snack shack or ticket booth.

No public comment was received.

Vice Chair Hannum moved/Member Featherston seconded send a notice of default for the shed repayment agreement. Motion carried (7-0).

**IX. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER INCREASING TRAIL FEES AND CART STORAGE FOR THE GOLF COURSE. *FOR POSSIBLE ACTION***

President Bahr introduced the item that staff was proposed an increase to the trail fees and storage fees for the Golf Course.

Treasurer Austin-Preston provided background that the last time the storage fees were increased was in 2012 and the last time trail fees were increased was in 2013. There has been an increase to trail fees with more people purchasing personal carts. Staff will continue to look at additional options for cart storage at the course.

Staff is proposing that trail fees go from \$175 to \$200 per year. The storage fees are proposed to increase from \$175 to \$225 for gas carts and from \$225 to \$275 for electric carts per year.

No public comment was received.

Member Featherston moved/Member Young seconded to increasing the trail fees and cart storage at the golf course as presented. Motion carried (7-0).

## **X. COMMITTEE OF ARCHITECTURE**

### **A. COA APPEAL HEARING: THIS ITEM WILL BE HEARD AT 6:45PM APPEAL OF A COA DECISION DENYING A HOME OCCUPATION PERMIT AT 556 PALACE PARKWAY FOR A PET CREMATORY. FOR POSSIBLE ACTION**

Attorney McConnell provided the procedure for the appeal process.

Zach Gerber, attorney representing Amanda Nolen, asked the Board to consider the appeal to grant a home occupation to his client. He stated that she runs the business from her home office and would put the cremation equipment in her shop. They stated there would be no fumes. He stated he met with the attorney at Elko County and it fits in the description for agricultural/residential zoning. He provided the definition of home occupation that states no external evidence except a nameplate. There would be no traffic or signs or external evidence of the business. He stated it was a need for the community and it would be discreet and humane.

No public comment was received.

Chair Park commented that there is nothing with the business he saw in contrast to the home occupation definition and there would be no fumes and it is a community need.

Member Featherston asked whether there was documentation of conversations with Corey Rice. Mr Gerber stated he had an email thread with the county lawyer, Rand Greenburg.

Attorney McConnell commented that the actual rule within the DOR's cannot be changed and the document providing information on a home occupation is not a policy of the board. The DOR's do state that there can be no external evidence except a nameplate. Businesses have been approved previously and the COA is doing their due diligence to make sure there is no external evidence.

Chair Park asked whether businesses would be grandfathered in and how the COA would determine if they complied.

Attorney McConnell stated that the DOR's grant the COA authority to make reasonable rules and regulations and any business currently established would be difficult to revoke.

Attorney McConnell suggested if the appeal is granted that a stipulation could be made that the business is operated within all applicable laws and rules.

Member Mauldin questioned the definition of a residence.

Member Popp commended the business and commented on a home occupation should not be allowed to sell their products outside of the residence.

Chair Park moved/Member Popp seconded to appeal the COA decision and grant a Home Occupation permit at 556 Palace Parkway and require the business to comply with all local, state, and federal laws. Motion carried (7-0).

**B. COA REPORTS**

***NON-ACTION ITEM***

VP Kerr introduced the new COA Secretary, Rikki Bundrock. She provided comment on the occupancy and violation reports.

**C. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 459 LAWDALE DR (103-006-100) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

VP Kerr stated that the property has been in violation since 2016. The property owner called in January but only an RV was removed. Caleb Denton, property owner, was present and stated they are working on cleaning the property up now that probate on the property is finalized. No public comment was received.

Member Featherston moved/Vice Chair Hannum seconded to refer the property at 459 Lawndale Drive (103-006-100) to legal counsel for further action and uphold the fine. Motion carried (6-0-1), Member Mauldin abstained.

**D. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 520 GYPSUM DR (202-025-003) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

VP Kerr stated that the property has been in violation since June 2021. The property owner called in January and stated they replaced the roof and the cars had plates. There remains trash between the shed and the house.

No public comment was received.

Member Featherston moved/Member Young seconded to refer the property at 520 Gypsum Dr (202-025-003) to legal counsel and uphold the fine. Motion carried (7-0)

**E. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATION AT 411 BRENT LN (202-029-039) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.**

***FOR POSSIBLE ACTION***

VP Kerr stated the property has been in violation since 2020. There has been no contact from the property owner. No public comment was received.

Member Reed moved/Chair Park seconded to refer the property at 411 Brent Ln (202-029-039) to legal counsel and uphold the fine. Motion carried (7-0).

**XI. APPROVAL OF MINUTES:**

***FOR POSSIBLE ACTION***

**December 1, 2021 Regular Meeting Minutes**

Member Featherston moved/Vice Chair Hannum seconded to approve the minutes from the December 1, 2021 Regular Meeting as presented. Motion carried (7-0).

**XII. ACCEPT NOVEMBER & DECEMBER 2021 ASSESSMENT AND LEGAL RECEIVABLE REPORTS. FOR POSSIBLE ACTION**  
Member Featherston moved/Member Young seconded to accept the November and December 2021 Assessment and Legal Receivable reports as presented. Motion carried (7-0).

**XIII. ACCEPT NOVEMBER & DECEMBER 2021 FINANCIAL REPORTS. FOR POSSIBLE ACTION**  
Member Featherston moved/Member Reed seconded to accept the November and December 2021 financial reports as presented. Motion carried 7-0).

**XIV. MEETING SCHEDULE NON-ACTION ITEM**  
The next Regular Board of Directors meeting is scheduled for Wednesday, February 23, 2022 at 5:30pm. The meeting may be held telephonically.

**XV. PUBLIC COMMENT ACTION SHALL NOT BE TAKEN**  
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Member Popp provided an update on the concession stand updates at Firehouse Field and Ruby Mtn Little League would be holding the softball all-star tournament this year.

**XVI. ADJOURNMENT**  
The meeting adjourned at 8:31 p.m.