



SPRING CREEK ASSOCIATION BOARD OF DIRECTORS REGULAR MEETING MINUTES

Spring Creek Association ("SCA") Board of Directors
Wednesday, July 24, 2024, 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: Kelly DiLulo (Tract 100) via phone, Randy Mauldin (Tract 300) via phone, Chair John Featherston (Tract 400)

At-Large Members: Vice Chair Tom Hannum and Molly Popp

ABSENT: Jody Atkin (Tract 200) and Jake Reed

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

CORPORATE ATTORNEY: None

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.

No public comment was received

II. REVIEW, DISCUSSION AND POSSIBLE ACTION TO IMPLEMENT OPTIONS TO PROVIDE A SEPARATE SWIM AREA TO HELP WITH WATER QUALITY AND DUCK MITE ISSUES AT THE MARINA. FOR POSSIBLE ACTION

President Bahr introduced the item to consider options to provide a separate swim area to help with water quality and duck mite issues at the Marina.

Brian Christiansen, Operations Director, and Willie Church, Boardwalk LLC were present to provide the options to the Board.

Several options and pricing were provided and included an aqua barrier/coffer dam and turbidity curtains. It was proposed to install turbidity curtains to keep the other water out of a specific swim area. They would completely seal across the bottom of the curtains in the water. There was discussion to pump the silts out of the swim area so that they could not enter back in. There was discussion about working through any permitting issues and fountain pumps could be an option for emergency areas. Chemical applications would continue as they have for the last several years.

No public comment was received.

Vice Chair Hannum moved/Member DiLulo seconded to approve to implement option 2, turbidity curtains to provide a separate swim area to help with water quality and duck mites issues at the Marina for up to \$50,000 from the capital reserve. Motion carried (4-1), Member Mauldin against, Members Atkin and Reed absent.

III. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER A REQUEST FROM ELKO COUNTY JR / HS RODEO CLUB FOR A DISCOUNTED PRICE FOR THE FACILITY FOR THEIR RODEO TO BE HELD IN OCTOBER 2024. FOR POSSIBLE ACTION

President Bahr introduced the item stating the Elko County JR/HS Rodeo Club was requesting a discounted price for the facility for their rodeo to be held in October.

Shawn Silva stated that they are requesting a discounted rate and would like to pay less than the \$2100 for the facility that was paid last year and would like to have all the stall revenue donated but would like to have at least half of the revenue donated back.

No public comment was received.

Vice Chair Hannum moved/Chair Featherston seconded to approve the request from Elko County JR/ HS Rodeo Club for \$2100.

Vice Chair Hannum amended the motion/Chair Featherston seconded the amendment to approve the request from Elko County JR/HS Rodeo Club for \$2100 for both arenas and to donate ½ of the stall revenue. Motion carried (5-0), Members Atkin and Reed absent.

IV. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER A REQUEST FROM HAILEY CAVANESS & HANNAH ZURAFF TO WAIVE THE FEES FOR THE FCC BOARDROOM FOR A HIGH SCHOOL REUNION. FOR POSSIBLE ACTION

President Bahr introduced the item that they were requesting to have fees waived for their High School Reunion.

No one was present to present their item.

No public comment was received.

No action was taken.

V. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER A PROPOSAL FROM FERRON KONAKIS, KONAKIS ENGINEERING LLC, TO PROVIDE SERVICES RELATING TO THE SPLASHPAD. FOR POSSIBLE ACTION

President Bahr introduced the item that we received a proposal from Ferron Konakis to provide services relating to the splash pad.

Vice Chair Hannum commented that Ferron Konakis had done the City of Elko's permits for effluent management. Task number 1 is to work with NDEP Bureau of Water Pollution Control to make application for a permit for the reuse of the splash pad water as turf irrigation.

No public comment was received.

Member Popp moved/Member DiLulo seconded to approve the proposal from Ferron Konakis, Konakis Engineering LLC for task number one in the amount of \$5500. Motion carried (5-0), Members Atkin and Reed absent.

VI. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER SETTING A FEE FOR THE OUTDOOR CART STORAGE FOR THE GOLF COURSE. FOR POSSIBLE ACTION

President Bahr introduced the item that there is an additional fenced area near the private cart storage for additional outdoor storage and the Board needed to set a fee for the spaces.

Treasurer Austin-Preston stated that the Golf Course Improvement Committee had met and proposed a price of \$125 for seasonal outdoor cart storage. The storage would only be available for gas carts and that is half of the current cost for interior storage.

No public comment was received.

Vice Chair Hannum moved/Member Popp seconded to a fee of \$125 per year for seasonal outdoor cart storage. Motion carried (5-0), Members Atkin and Reed absent.

VII. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FIRST READING OF THE FACILITY DONATION POLICY AND APPLICATION. FOR POSSIBLE ACTION

President Bahr introduced the item that the first reading of the Facility Donation Policy and Application is before the Board with the requested changes from the previous meeting. If the first reading is approved, it would come back to the next meeting for a second reading and approval.

No public comment was received.

Member DiLulo moved/Vice Chair Hannum seconded to approve the first reading of the Facility

Donation Policy and Application. Motion carried (5-0), Members Atkin and Reed absent.

VIII. COMMITTEE OF ARCHITECTURE

A. COA REPORTS

NON-ACTION ITEM

Secretary Duncan provided background on the COA reports, violations, and revenues.

B. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER AN APPOINTMENT TO FILL THE VACANCY ON THE COMMITTEE OF ARCHITECTURE FOR THE REMAINDER OF THE TERM UNTIL DECEMBER 31, 2024. FOR POSSIBLE ACTION

SCA received 2 applicants for the vacant position on the COA.

Valerie Applegate was present and stated that she has lived in the area for 3 ½ years and wanted to get involved in the community. She had read the COA Rules and Regulations and Declarations of Reservations and wanted to uphold the aesthetics, safety, education and property values.

Elisa Liebelt was present and is a native Spring Creek resident and loves the beauty of Spring Creek. She had also read the COA Rules and Regulations and DOR's and would like to maintain the vision of Spring Creek.

Public Comment:

Kevin Martindale, Tract 100, thanks the applicants and appreciated their offer to volunteer.

Member DiLulo moved/Member Popp seconded to appoint Elisa Liebelt to the vacancy on the Committee of Architecture for the remainder of the term until December 31, 2024. Motion carried (5-0), Members Atkin and Reed absent.

C. COA APPEAL HEARING: APPEAL OF A COA DECISION DENYING A VARIANCE FOR THE PEAK OF THE SHOP TO BE AT 22' 10 3/8" INSTEAD OF 20' AT 496 BRENT DRIVE (202-020-004). FOR POSSIBLE ACTION

The COA denied the variance request at 496 Brent Drive, so the property owner Ricky Steward, had requested an appeal of the decision for the height of his shop to be 22' 10 3/8" instead of 20' as the rules require.

They stated that to lower the roof that it would change the structure, and it would cost additional money for the structure to be built.

It was discussed that SCA would work with Roper for a no cost change for the structure.

No action was taken.

D. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 915 WILLOW CREEK LANE (402-010-071) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES. FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since February 2024 and there has been no contact from the property owner.

Vice Chair Hannum moved/Member Popp seconded to refer the violations at 915

Willow Creek Lane (402-010-071) to legal counsel for further action and to uphold the fine. Motion carried (5-0), Members Atkin and Reed absent.

E. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 734 HAYLAND DR (202-010-063) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.

FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since February 2024 and there has been no contact from the property owner.

Member Popp moved/Member DiLulo seconded to refer the violations at 734 Hayland Dr (202-010-063) to legal counsel for further action and uphold the fine. Motion carried (5-0), Members Atkin and Reed absent.

F. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 730 HAYLAND DR (202-010-061) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.

FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since February 2024 and there has been no contact.

Vice Chair Hannum moved/Member Popp seconded to refer the violations at 730 Hayland Dr (202-010-061) to legal counsel for further action and uphold the fine. Motion carried (5-0), Members Atkin and Reed absent.

G. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 331 OAKMONT DR (402-002-009) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.

FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since February 2024. We have received contact from the property owner, but the violations have not been resolved.

Member Popp moved/Member DiLulo seconded to refer the violations at 331 Oakmont Dr (402-002-009) to legal counsel for further action and uphold the fine. Motion carried (5-0), Members Atkin and Reed absent.

H. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 764 LAMONT DR (202-004-006) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.

FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since March 2024 and there has been no contact.

Vice Chair Hannum moved/Member Popp seconded to refer the violations at 764 Lamont Dr (202-004-006) to legal counsel for further action and uphold the fine. Motion carried (5-0), Members Atkin and Reed absent.

I. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 576 BRENT DR (202-020-024) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.

FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since March 2024

and there has been no contact.

Member Popp moved/Vice Chair Hannum seconded to refer the violations at 576 Brent Dr (202-020-024) to legal counsel for further action and uphold the fine. Motion carried (5-0), Members Atkin and Reed absent.

J. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 432 TIFFANY DR (202-025-059) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.

FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since March 2024 and there has been no contact.

Vice Chair Hannum moved/Member Popp seconded to refer the violations at 432 Tiffany Dr (202-025-059) to legal counsel for further action and uphold the fine. Motion carried (5-0), Members Atkin and Reed absent.

K. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 418 TIFFANY DR (202-025-056) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.

FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since March 2024 and there has been no contact.

Member Popp moved/Vice Chair Hannum seconded to refer the violations at 418 Tiffany Dr (202-025-056) to legal counsel for further action and uphold the fine. Motion carried (5-0), Members Atkin and Reed absent.

L. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 297 OXFORD DR (202-024-008) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.

FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since March 2024 and there has been no contact.

Vice Chair Hannum moved/Member Popp seconded to refer the violations at 297 Oxford Dr (202-024-008) to legal counsel for further action and uphold the fine. Motion carried (5-0), Members Atkin and Reed absent.

M. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 276 LAWNGDALE DR (104-003-012) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.

FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since November 2023. There has been contact from the property owner, but the violations have not been resolved.

Member Popp moved/Vice Chair Hannum seconded to refer the violations at 276 Lawndale Dr (104-003-012) to legal counsel for further action and uphold the fine. Motion carried (5-0), Members Atkin and Reed absent.

N. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 432 CAMEO DR (107-005-004) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.

FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since April 2024 and there has been no contact.

Vice Chair Hannum moved/Member Popp seconded to refer the violations at 432 Cameo Dr (107-005-004) to legal counsel for further action and uphold the fine. Motion carried (5-0), Members Atkin and Reed absent.

O. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 285 KNOX DR (202-026-009) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.

FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since March 2024 and there has been no contact.

Member Popp moved/Vice Chair Hannum seconded to refer the violations at 285 Knox Dr (202-026-009) to legal counsel for further action and uphold the fine. Motion carried (5-0), Members Atkin and Reed absent.

P. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 437 TRECARTES AVE (202-028-009) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.

FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since March 2024. The deck has been painted and the inoperative vehicle has been removed. They are requesting more time to replace the shingles.

The item was tabled.

Q. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 487 EDGEWATER DR (201-008-011) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.

FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since June 2023. The weeds have been taken care of and the porch painted. There are some additional touchups needed on the house trim.

This item was tabled until the August 28, 2024, meeting.

R. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 561 CEDARLAWN PLAZA (202-031-018) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.

FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since March 2024 and there has been no contact.

Vice Chair Hannum moved/Member Popp seconded to refer the violations at 561 Cedarlawn Plaza (202-031-018) to legal counsel for further action and uphold the fine. Motion carried (5-0), Members Atkin and Reed absent.

S. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 562 CEDARLAWN PLAZA (202-031-024) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.
FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since March 2024 and there has been no contact.

Member Popp moved/Vice Chair Hannum seconded to refer the violations at 562 Cedarlawn Plaza (202-031-024) to legal counsel for further action and uphold the fine. Motion carried (5-0), Members Atkin and Reed absent.

T. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 635 HOLIDAY DR (202-001-008) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.
FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since March 2024 and there has been no contact.

Vice Chair Hannum moved/Member Popp seconded to refer the violations at 635 Holiday Dr (202-001-008) to legal counsel for further action and uphold the fine. Motion carried (5-0), Members Atkin and Reed absent.

U. REVIEW, DISCUSSION AND POSSIBLE ACTION TO REFER COA VIOLATIONS AT 809 SPRING VALLEY PKWY (202-013-024) TO LEGAL COUNSEL FOR FURTHER ACTION AND OR OTHER ACTION CONSISTENT WITH COA RULES.
FOR POSSIBLE ACTION

Secretary Duncan stated that the property has been in violation since April 2024 and there has been no contact.

Member Popp moved/Vice Chair Hannum seconded to refer the violations at 809 Spring Valley Pkwy (202-013-024) to legal counsel for further action and uphold the fine. Motion carried (5-0), Members Atkin and Reed absent.

IX. APPROVAL OF MINUTES: FOR POSSIBLE ACTION

A. May 22, 2024, Regular Meeting Minutes

Vice Chair Hannum moved/Member DiLulo seconded to approve the May 22, 2024, Regular Meeting Minutes as presented. Motion carried (3-0-2), Members Popp and Mauldin abstained, Members Atkin and Reed absent.

B. June 15, 2024, Annual Property Owner Meeting Minutes

Chair Featherston moved/Member Popp seconded to approve the June 15, 2024, Annual Property Owner Meeting Minutes as presented. Motion carried (5-0), Members Atkin and Reed absent.

X. ACCEPT MAY & JUNE ASSESSMENT AND LEGAL RECEIVABLE REPORTS. FOR POSSIBLE ACTION

Treasurer Austin-Preston provided general comment on the report.

Vice Chair Hannum moved/Member Popp seconded to accept the May and June 2024 Assessment and Legal Receivable reports as presented. Motion carried (4-0), Members Atkin, Mauldin and Reed absent.

XI. ACCEPT MAY & JUNE 2024 FINANCIAL REPORTS. FOR POSSIBLE ACTION
Treasurer Austin-Preston and President Bahr provided general updates.

Vice Chair Hannum moved/Member Reed seconded to accept the May and June 2024 financial reports as presented. Motion carried (4-0), Members Atkin, Mauldin and Reed absent.

XII. MEETING SCHEDULE NON-ACTION ITEM
The next Regular Board of Directors meeting is scheduled for Wednesday, August 28, 2024, at 5:30pm. The meetings may be held telephonically.

XIII. PUBLIC COMMENT ACTION SHALL NOT BE TAKEN
Vice Chair Hannum comments on upgrades at the Vista Grande playground and regarding vandalism in the area.

The annual chip seal project will start next Monday.

ADJOURNMENT

The meeting adjourned at 8:01 p.m.