



SPRING CREEK ASSOCIATION BOARD OF DIRECTORS REGULAR MEETING MINUTES

Spring Creek Association (“SCA”) Board of Directors
Wednesday, March 27, 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), Jody Atkin (Tract 200), Randy Mauldin (Tract 300), Chair John Featherston (Tract 400)

At-Large Members: Vice Chair Tom Hannum via phone, 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.

Graham Stroker, Tract 100, commented on repairs to the bike path as the crack seal or durapatching created speed bumps. President Bahr commented that she would get with staff to try to resolve the issue.

II. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER AND/OR APPROVE A PROPOSAL FROM MULEY'S FOR THE HP BAR CONCESSIONAIRE.

FOR POSSIBLE ACTION

President Bahr introduced the item that Muley's was interested in being the full-time bar concessionaire at the Horse Palace.

Jason Schroeder, Muley's owner, was present. He commented that they would provide full bar services for events along with additional security and checking ID's. He provided information on a secure connection for an ATM and inquired about the ice machine. He was interested in creating a partnership with the Sweet Shop.

No public comment was received.

Member DiLulo moved, Member Atkin seconded to approve the proposal from Muley's for the HP Bar Concessionaire and to draft an agreement. Motion carried (7-0).

III. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST FROM STACI KING TO WAIVE USE FEES FOR THE HORSE PALACE FOR THE JAYME KING MEMORIAL HORSESHOE TOURNAMENT FUNDRAISER IN JULY.

FOR POSSIBLE ACTION

President Bahr introduced the item that the Jayme King Memorial was requesting the Board waive facility fees for their event on July 20, 2024.

Jordan King was present and stated that they donated approximately \$8,000 back to the community youth organizations.

Last year, there were concerns about the event having a band at the facility late. It was discussed that the noise ordinance times would need to be followed. It was also mentioned that the concession and bar have first right of refusal if there were any plans to bring in additional vendors.

No public comment was received.

Member Popp moved/Member Reed seconded to approve the request to waive use fees for the Horse Palace for the Jayme King Memorial Horseshoe Tournament fundraiser on July 20, 2024. Motion carried (7-0).

IV. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER AND/OR APPROVE A PROPOSAL FOR PASTURE LEASE AT THE RYAN RANCH.

FOR POSSIBLE ACTION

President Bahr introduced the item that we had received 2 proposals for the Ryan Ranch Pasture.

JB Anderson was present and stated that he had walked the property with a member of the

Lamoille Conservation District and was provided with some funding options for weed abatement. He stated that he would like to drill seed with Siberian wheatgrass the areas as soon as possible to help choke out the weeds. He stated that NRCS will pay up to 75% of chemicals and Lamoille Conservation District will reimburse up to \$500 per year for chemicals. He is requesting a ten year agreement.

Attorney McConnell commented that a shorter agreement, such as three year with renewal options is preferable. It should include annual reviews of the plan with an option to renew after the term.

Mr. Anderson commented on any benchmarks could be drafted into the agreement. He commented that the bottom pasture is a big opportunity and that the dam needs work. He stated that he would not be trenching and would use a header pipe to irrigate. He stated that it would be grazed until it was 4-6" stubble and running cattle on the property helps to aerate with their split hooves. He also commented that he may section the pastures using an electric fence.

Shay and Chastity Harrell also put in a proposal. Chastity Harrell was present and stated that they have leased the area in the past and would play to graze three mini Aberdeen cows. They were planning to use the project for their kids to learn to raise livestock and maintain the land.

President Bahr mentioned that the Campground pasture and the Horse Palace pasture would be other options for them as shorter term options.

No public comment was received.

Member DiLulo moved/Member Atkin seconded to approve the proposal from JB Anderson for the lease of the Ryan Ranch for three years with the condition of first right to renew. Motion carried (7-0).

V. REVIEW, DISCUSSION AND POSSIBLE APPROVAL TO ACCEPT A PROPOSAL FROM EIDE BAILLY, LLC TO PROVIDE AUDIT SERVICES TO SPRING CREEK ASSOCIATION FOR THE YEAR ENDING DECEMBER 31, 2023 AND SINGLE AUDIT SERVICES FOR FEDERAL FUNDS. *FOR POSSIBLE ACTION*

President Bahr introduced the item and stated that the proposal includes the SCA yearly audit as well as a proposal for the single audit that will be required for the use of federal funds.

Teri Gage, Eide Bailly, was present and reiterated that the federal funds are subject to a single audit with over \$750,000 and those require further testing to ensure that the funds are spent correctly. They are estimating between 40 and 60 hours for that portion.

They provided a proposal for the standard audit at \$38,000 for the audit and \$4,000 for the tax return. This is figured on a blended rate of \$170 per hour for 225 hours.

President Bahr commented on the importance of the use of a 3rd party for the audits and Attorney McConnell commented that auditors report to the Board in a public meeting each year and have provided recommendations to the Board.

There was no public comment.

Member Reed moved/Member DiLulo seconded to approve proposal from Eide Bailly, LLC to provide audit services for Spring Creek Association for the year ending December 31, 2023 and single audit services for federal funds. Motion carried (7-0).

VI. REVIEW, DISCUSSION TO APPROVE A USAGE AGREEMENT WITH THE BOARDWALK AT THE MARINA LLC TO PROVIDE CONCESSIONAIRE SERVICES FOR WATERSPORTS RENTALS AND CONCESSIONS. FOR POSSIBLE ACTION

President Bahr introduced the item that an agreement has been drafted for Boardwalk at the Marina to provide concessionaire services for watersports rentals and concessions.

Boardwalk had stated that all of their personnel would be CPR certified, but do not plan to have a lifeguard on duty unless specified in the agreement. They stated that their insurance was not requiring a lifeguard.

Attorney McConnell provided information on the insurance limits in the agreement. She stated that it could be lowered from 1 million/5 million to 1 million/3 million, but the \$250,000 per person limit was not acceptable and would have additional exposure for SCA.

Boardwalk commented that their lawyer had drafted a waiver that was very strict that no one could enter the water without a life jacket or they would be removed. It was asked to also have Attorney McConnell review the waiver.

President Bahr commented on food truck options rather than using the shed for concessions as there is not potable water in the area.

Public Comment:

Graham Stroker, Tract 100, asked when the facility would be open. It was discussed that it would be seasonally from May 15 through September 15.

Member Atkin moved/Member Popp seconded to approve the usage agreement with the Boardwalk at the Marina to provide concessionaire services for watersports rentals and concessions contingent upon the insurance limits. Motion carried (6-0), Vice Chair Hannum did not vote.

VII. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST FROM THE BOARDWALK AT THE MARINA LLC TO WAIVE ALL ENTRY FEES TO THE MARINA FOR JUNE 7-9 2024 FOR A GRAND OPENING EVENT. FOR POSSIBLE ACTION

President Bahr introduced the item stating that Boardwalk was requesting the Board to waive entry fees to the Marina June 7-9, 2024 for their grand opening event. It was discussed that the entries would not be realized, but the usage may increase which would increase the percentage to SCA for rental.

No public comment was received.

Member Reed moved/Member Popp seconded approve the request from the Boardwalk at the Marina LLC to waive all entry fees to the Marina for June 7-9, 2024 for a grand opening event. Motion carried (7-0).

VIII. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST FROM THE BOARDWALK AT THE MARINA LLC TO CONSIDER IMPLEMENTING NEW NON-PROPERTY OWNER ACCESS RATES AT THE MARINA

FOR POSSIBLE ACTION

President Bahr introduced the item requesting the Board consider changing the Marina entrance fees. It was suggested to use a rate similar to Southfork that is \$10 per vehicle.

No public comment was received.

Member Popp Hannum moved/Member Atkin seconded to increase the entry fee for non-residents to an entry fee of \$10 per vehicle.

Member Popp amended/member Atkin seconded to modify the entry fee for non-residents to an entry fee of \$10 per vehicle at the Marina. Motion carried (7-0).

IX. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST FROM THE BOARDWALK AT THE MARINA LLC TO CONSIDER INSTALLING A 3 COMPARTMENT SINK AT THE SHED AT THE MARINA.

FOR POSSIBLE ACTION

Boardwalk stated that they would look into food truck options rather than the 3 compartment sink. Vice Chair Hannum commented that the process for the health department and other associated departments can be difficult because one item may trigger another item needed for another department.

No public comment was received.

The item was tabled.

X. REVIEW, DISCUSSION AND POSSIBLE ACTION TO CONSIDER A PROPOSAL FROM HIGH ENERGY ENGINEERING TO PROVIDE A SPORTS LIGHTING DESIGN FOR SCHUCKMANN'S SPORTS COMPLEX.

FOR POSSIBLE ACTION

President Bahr introduced the item and stated that we are gathering all of the sports groups to try to get lighting at Schuckmann's. The overall price is expected to be over a million dollars. This plan would include getting lights in the parking lot and lights on the fields. This plan will help to bring the full scope of the project for grants or donations.

There was general discussion on the specifications that are required on lighted fields to hold tournaments per Little League.

No public comment was received.

Vice Chair Hannum moved/Member DiLulo seconded to approve the proposal from High Energy Engineering to provide a sports lighting design for Schuckmann's Sports Complex. Motion carried (7-0).

XI. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE SELLING THE 2005 ROSCO CHALLENGER II SWEEPER PURSUANT TO THE DISPOSAL OF ASSETS POLICY.

FOR POSSIBLE ACTION

President Bahr introduced the item for the Board to consider selling the 2005 Rosco Challenger II Sweeper pursuant to the disposal of assets policy.

No public comment was received.

Member DiLulo moved/Vice Chair Hannum seconded to approve selling the 2005 Rosco Challenger II Sweeper pursuant to the disposal of assets policy. Motion carried (7-0).

XII. 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 REFER COA VIOLATIONS AT 435 FLORA DR (106B-006-050) 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 July 2023. The property owner was not present and the property remains in violation. The property was before the BOD in December. There has been no contact since then and is still not painted.

No public comment was received.

Member Reed moved/Member Vice Chair Hannum seconded to refer the violations at 435 Flora Dr (106B-006-050) to legal counsel and uphold the fine. Motion carried (7-0).

XIII. APPROVAL OF MINUTES:

FOR POSSIBLE ACTION

A. February 28, 2024, Regular Meeting Minutes

Vice Chair Hannum moved/Member DiLulo seconded to approve the February 28, 2024 Regular Meeting Minutes as presented. Motion carried (7-0).

XIV. ACCEPT FEBRUARY 2024 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 February 2024 Assessment and Legal Receivable reports as presented. Motion carried (7-0).

XV. ACCEPT FEBRUARY 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 February 2024 financial reports as presented. Motion carried (7-0).

XVI. MEETING SCHEDULE

NON-ACTION ITEM

The next Regular Board of Directors meeting is scheduled for Wednesday, April 24, 2024, at 5:30pm. The meeting may be held telephonically.

XVII. PUBLIC COMMENT

ACTION SHALL NOT BE TAKEN

Chair Featherston commented on the possibility of ordering more life rings for the Marina. President Bahr also provided information on the new shower and misters that were installed at the Marina. Member Reed commented on the installation of the mailbox lights and inquired about when the chutes would be sold.

ADJOURNMENT

The meeting adjourned at 7:52 p.m.