

**SPRING CREEK ASSOCIATION**

**COMMITTEE OF ARCHITECTURE**

**REGULAR MEETING NOTICE**

The Spring Creek Association Committee of Architecture will hold a regular meeting on **Monday, November 8, 2021**, at the Fairway Community Center Meeting Room, 401 Fairway Blvd, Spring Creek, NV beginning at **5:30 P.M. (PST)** This will be a Zoom Only Meeting. See Below.

There may be a quorum of the SCA Board of Directors present at the meeting, however; they will not be conducting any Association business.

Posted with this Notice is the Agenda for said meeting of the Committee of Architecture.

This notice is to be posted at the following places **by 9:00 a.m. PST Wednesday, November 03, 2021**:

SCA Office @ 401 Fairway Blvd. Khoury’s Market Community Board

 Country Club Shell SCA Horse Palace

Spring Creek Association Website: [www.springcreeknv.org](http://www.springcreeknv.org)

**COVID-19 RESTRICTIONS:**

**DUE TO THE RECENT RISE IN COVID-19 CASES IN THE ELKO COUNTY AREA, THE SPRING CREEK ASSOCIATION REGULAR COA MEETING FOR NOVEMBER 08, 2021, WILL BE HELD VIA ZOOM ONLY. THE PUBLIC CAN PARTICIPATE IN THE VIRTUAL MEETING ON A COMPUTER, LAPTOP, TABLET OR SMARTPHONE. THE REGULAR COA MEETING ROOM WILL NOT BE ACCESSIBLE TO THE PUBLIC FOR THIS MEETING.**

**The meeting can be accessed by phone by calling:**

**Number: 1- 669- 900-6833, Participant ID: 825 3741 0982 Passcode: 993603**

 **1-346-248-7799**

 **1-253-215-8782**

**Comments may be submitted by e-mail to:** **COA@springcreeknv.org** **by November 09, 2021.**

**NOTICE TO PERSONS WITH DISABILITIES**:

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Committee of Architecture in writing at: 401 Fairway Blvd; Spring Creek, NV 89815, by E-mail to coa@springcreeknv.org, or by calling (775) 753-6295 at least 48-hours prior to the scheduled meeting.

Respectfully Submitted,

COA Secretary

Spring Creek Association

**SPRING CREEK ASSOCIATION**

**COMMITTEE OF ARCHITECTURE**

**Minutes of the Regular Meeting**

**5:30 P.M., P.S.T., Monday, November 08, 2021**

 **401 Fairway Blvd, Spring Creek, NV 89815**

**Zoom Meeting Only**

**AGENDA**

**COMMITTEE MEMBERS:**

 **Jill Holland** – Chairperson

 **Cassandra Banuelos-** Vice Chairperson

**Stefanie Sisk -** Member

 **Kevin Martindale** - Member

 **Elex Vavrick -** Member

**NOTICE:**

* **Items may be taken out of order.**
* **Two or more items may be combined.**
* **Items may be removed from agenda or delayed at any time.**
* **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.

1. **CALL TO ORDER**

Meeting was called to order on Monday, November 08, 20121 at 5:30pm. This was a zoom meeting only, all members called in via zoom.

1. **ROLL CALL**

**Present at Roll Call:** Quorum Established

Jill Holland – Chairperson – Present via telephone

 Cassandra Banuelos- Vice Chairperson – Present via telephone

Stephanie Sisk – Member – Present via telephone

 Kevin Martindale – Member – Present via telephone.

 Elex Vavrick – Member – Present via telephone

 **Staff Present:** SCA Vice President Kerr, SCA Treasurer/Secretary Austin-Preston

 **Corporate Attorney**: Katie McConnell present via telephone

1. **PLEDGE OF ALLEGIANCE**
2. **COMMENTS BY THE GENERAL PUBLIC**

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***

 Mr. Mark Ward of 458 Parkridge Prkwy/561 Palace Parkway was present at the meeting. Under public comment Mr. Ward indicated he received courtesy notice of non-compliance for a vehicle that is parked at his property. He understood he has four options. He described the options available to rectify the non-compliance. He understands the bylaws. Questioned the options, what is the difference between the options. The vehicle will still be there. He brought in two photos, one is the photo provided with the letter and one is of his property from overhead. He described his property and the items located currently placed on it. Described where the car is parked. Request of committee; he understands what the volunteers do, does not have a problem with the volunteers, SUV ask if they (volunteers) drive a small, grey, logoed “Ruby Mountain High Vac” Vehicle, a vehicle was pulling out of an access road built behind his house. His wife noticed a small dark colored SUV driving through the lot and out his access road. Could be coincidental, two in one day, a week before this photo was taken, would like to know if the volunteer does drive the vehicle described or knows the individual to whom it does belong. Please tell the volunteer not to drive in that area or on the private property. Asked the COA to look into it.

 VP Kerr knows the person who took the picture, explained the volunteers only drive a SCA vehicle, which is clearly marked with SCA logos on the sides of the vehicles, and the volunteers are not allowed to go onto properties. VP Kerr can vouch for the volunteer; they did not drive onto your property. Mr. Ward thank VP Kerr. Left the photos.

 Chair Holland requested clarification if he wanted to proceed with his issue, would it come before the COA at a later date? VP Kerr indicated that was correct. Mr. Ward asked if he could continue regarding his issue, VP Kerr explained his comments were under public comment and the COA could not take action at this time. VP Kerr pointed out that Mr. Ward thought he was on the agenda, which is why he was at the meeting. VP Kerr indicated she had spoken with Mr. Ward prior to the meeting. She also explained he could fill out an agenda application if he would like to be on the next agenda or they could discuss his situation on the phone at a later date. He thank the VP. Mr. Ward departed the meeting.

 Chair Holland called for other public comment.

 Mr. Ricks indicated he would like to talk about his shed. VP Kerr indicated he was on the agenda. He opted to talk on his agenda item.

1. **NEW BUSINESS**

E.1 Review, discussion, and possible action to approve a **Livestock Permit** for two (2) goats at **640 Westby Drive, (Tract 202, Block 012, Lot, 028) – 1.480 acres.**

 ***FOR POSSIBLE ACTION***

VP Kerr explained the documents, including staff did not receive a plot plan for the structure location. Chair Holland suggested the committee to deny at this item at this time due to the lack of the plot plan. Chair Holland called for a motion.

Member Banuelos made the motion table this approval of the application until a plot plan has been received. Seconded by Member Sisk. Motion carried 5-0.

E.2 Review, discussion, and possible action to approve a **Home Occupation Permit** for a **HOME SALON at 503 Lawndale Place (Tract 103, Block 006, Lot 092) – 1.410 acres.**

***FOR POSSIBLE ACTION***

VP Kerr explained the documents, requested Chair to check to see if anyone on the phone line to speak. No one on the line to speak about this home occupation. Chair Holland questioned if the homeowner should be present in order to approve the permit. Legal Counsel McConnel recommend to table until the homeowner can be present. There is no plan as to how the home occupation will proceed or be operated at the home.

Chair Holland asked for public comment. No public comment.

Motion made by Member Martindale to table the home occupation permit until such time the owner can notify the COA when they could be at a meeting. Asked staff to contact them and see what meeting would be convenient for them to present. Seconded by Member Vavrick. Motion carried 5-0.

E.3 Review, discussion, and possible action to approve a **Commercial Business Permit** for **SILVER STATE FITNESS,** proposed occupation **GYM**, at **278 Spring Creek Parkway, Ste. 103**. **(Tract 106D, Block 002, Lot 002)**

***FOR POSSIBLE ACTION***

VP Kerr explained the documents. Located in the small Khoury’s shopping center. Took over the old fitness center. Chair Holland explained the business was bought out and is being managed by the previous manager. Chair Holland asked if there was representative on the phone to who would like to speak. The number on the application is not represented on the call-in numbers. Katie McConnel indicated this is a commercial business versus a home occupation. She does not she a problem with this application. Chair Holland asked if the new owner was familiar with the regulations for this area since it was the manager and same type of business and knows the area? Member Vavrick, asked a questions, has the application been completed for the Commercial business license. Asked if the business licensed been completed. VP Kerr indicated the application was submitted, signed but not permitted. Chair Holland still wants to know if they just pay and keeps going? She is hesitant to just approve and keep going on. Katie explained commercial business applications, there is no zoning issues, there is nothing the COA can do in regard to if they can or cannot operate. Chair Holland asked regarding payment. VP Kerr indicated the COA can approve it with a stipulation they must pay or she would not receive the permit.

Member Vavrick motioned we approve a commercial business permit for Silver State Fitness, with the stipulation they pay their fees within 30-days of the application. Seconded by Member Banuelos. Motion carried 5-0.

E.4 Review, discussion, and possible action to approve a **Commercial Sign Permit** for **SILVER STATE FITNESS,** located at **278 Spring Creek Parkway, Ste. 103. (Tract 106D, Block 002, Lot 002)**

***FOR POSSIBLE ACTION***

VP Kerr explained the documents. VP Kerr explained we do not have the dimensions of the sign it would be a replacement for the previous sign. Chair Holland pointed out the sign is already up on the building.

Member Martindale made the motion to approve the commercial sign. Seconded by Member Vavrick. Motion carried 5-0.

1. **OLD BUSINESS**

F.1 Review, discussion, and possible action to extend the time frame allowing a family member to live in a trailer at **441 Tiffany Drive, (Tract 202 Block 029, Lot 011) – 1.030 acres**.

***FOR POSSIBLE ACTION***

VP Kerr explained the history and documents for this property. Received an agenda request from property owner. Provided to COA.

Chair Holland requested clarification as to whom requested this be on the agenda. VP Kerr indicated SCA received confirmation by the property owner, as of 11.8.2021, to be on the agenda. Property owner was not on the phone.

Chair Holland asked if the COA should table it, or can they wait to see if the property owner wants to speak later in the meeting.

Legal Counsel McConnel provided information regarding postponing agenda item for later in the meeting. Discussion postponed by Chair Holland.

Returned to F.1 at 1 hour 03 min into the meeting. Chair Holland asked for the property owner to speak. No person available to speak.

Member Vavrick went over the past situation with property owner. Katie recommend the property owner be present. VP Kerr informed the COA they property received confirmation they would be on the November 08, 202, agenda. Katie explained the COA can approve or deny request. If the COA were to deny, staff would have to start the violation again. Member Varick discussed the current situation. Member Banuelos agreed with Member Varick, start the courteous process with violations. Chair Holland asked counsel if denied the request, would staff have to start the process. Katie confirmed.

Member Vavrick moved to deny the extension of a family member to live in a trailer at 441 Tiffany and start the process of non-compliance. Seconded by Member Martindale. Motion amended by Member Vavrick to have staff verify status of property and check for compliance. Seconded by Member Martindale to the amendment. Motion carried 5-0.

1. **VIOLATIONS**

G.1 Review, discussion, and possible action regarding property violations of DORs

COA R&R, Item #5: Accessory/Auxiliary Placement/Setbacks/Number of; and refer to the SCA Board of Directors requesting to take **legal action** and uphold all fines regarding **283 Brooklawn Drive, (Tract 106C, Block 001, Lot 009) – 1.130 acres.**

***FOR POSSIBLE ACTION***

VP Kerr explained the documentations. Mr. Ricks explained why the shed had not been moved. He has plans to move the shed next week. Chair Holland ask if the problem was it was to close to the shop. VP Kerr explained the shed is not within the several of the required setbacks, additionally, the permit has expired. Chair Holland asked for other comments. Member Vavrick indicated if Mr. Ricks receives his permit and moves the shed the problem would be solved. Mr. Ricks would need to reapply for the permit and have it moved as indicated. Chair Holland had questions about taking action or tabling this item. VP Kerr explained the options the board could take including stipulating a time frame to complete the permit and move the shed. Member Vavrick questioned about the time frame for the permit and would he still be in violation. VP Kerr explained permits are good for 180 days, the permit has expired, even if the permit were renewed, the shed would still be in violation due to its location and does not match the permit requirements.

Chair Holland moved to place this on the agenda in December unless he has complied before hand. No second. Chair Holland then asked for public comment, then asked for motion. Member Vavrick indicated it would be best to table this. He discussed the property owner completing the permit and getting things done. He then asked if the committee should table it? Chair Holland explained if he complied it would not need to come back to the COA. VP Kerr explained the COA options.

Member Banuelos moved tabled this item until the next meeting of December 13, 2021, unless the homeowner provided proof of compliance. Seconded by Member Vavrick. Motion carried 5-0.

G.2 Review, discussion, and possible action regarding property violations of

COA R&R Item # 12: Inoperative/Unregistered/Unlicensed Vehicles, SCA DOR’s, Item #15: Storage of Tools and Trash, COA R & R Item #13: Exterior Condition of Structures, COA R&R, Item #16, Fences and Walls, and refer to the SCA Board of Directors requesting to take **legal action** and uphold all fines regarding **514 Brent Drive, (Tract 202, Block 020, Lot 007) – 1.030 acres.**

***FOR POSSIBLE ACTION***

VP Kerr explained the documents. Property owner contacted the SCA on 11.8.21. Proper owner was informed to call into to the meeting to discuss his situation. Property owner did call in. Property owner has been working on the violations. Shed still has been painted still needs work. Most of the cars are licensed. The fence has been taken down in spots. Still needs to move some of the cars to his son’s. Needs more time. Has three (3) cars that still need to be registered. Needs more time. Chair Holland asked how much more time was needed? Property owner indicated “about two months.”

Chair Holland asked if the COA had any questions. No questions asked.

No public comments. Closed public comments.

Member Vavrick explained if he would continue to make improvements in the next 60-days it would be done. Chair Holland indicated the tractors are not part of the licenses. The property needs to be in orderly condition. The property owner asked how he should show progress with the property. Chair Holland explained the processes.

Member Martindale made motion to extended for the time frame for compliance for the above listed rules and regulations another 60-days and the owner stay in communication with staff and be brought back to the January 2022 agenda.

Member Vavrick seconded. Motion carried 5-0.

G.3 Review, discussion, and possible action regarding property violations of

COA R&R Item # 12: Inoperative/Unregistered/Unlicensed Vehicles, COA R&R, and refer to the SCA Board of Directors requesting to take **legal action** and uphold all fines regarding **522 Brent Drive, (Tract 202, Block 020, Lot 008) – 1.35 acres.**

***FOR POSSIBLE ACTION***

VP Kerr explained the documents. There has been no contact from the property owner.

Chair Holland called for the property owner on the phone. No property owner responded.

Member Varick indicated there is a pattern of non-contact with SCA/COA.

Member Martindale made a motion to refer 522 Brent Drive be referred to the SCA and uphold all fines. Seconded by Member Vavrick. Motion carried 5-0.

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***

 VP Kerr indicated they legal report is the same as the October 06, 2021, report due to time constraints. Katie McConnel have had few more properties that have been cleaned up. One property has been sold in October. She discussed additional progress being made. Member Varick complimented legal for trying to move forward with these issues.

Public Comment. No public comments.

1. **APPROVAL OF MINUTES**

Approval of minutes from the October 11, 2021, regular meeting.

***For possible action***

Member Vavrick made the motion to approve the October minutes with the changes of the letter “f” substituted for “ph” in Member Sisk’s name. Seconded by Member Sisk. Motion carried 5-0

1. **REPORTS**

**J.1** Approval of the Committee of Architecture Revenue Report for November 2021.

***fOR POSSIBLE ACTION***

**J.2** Approval of the Committee of Architecture Occupancy Report for November 2021.

***fOR POSSIBLE ACTION***

**J.3** Approval of the Committee of Architecture Violation Report for November 2021.

***FOR POSSIBLE ACTION***

VP Kerr explained the reports.

Member Vavrick moved to approve report items J.1., J.2., and J.3. Seconded by Member Martindale. Motion carried 5-0.

1. **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***

No public comment.

Committee Comment:

Member Sisk asked about the binders, hers still had October documents, she was provided the documents in a folder due to not having a binder. She indicated she had dropped it off. VP Kerr indicated her binder was not in the office as the time the binders were put together for the November meeting, thus she was given a packet containing the November information.

Chair Holland discussed receiving requests for continuing with the COA for the year 2022. She asked if the November 1st, 2021, deadline was “typo”. VP Kerr clarified the November 1st date was not a typo because the Board meetings have moved up to November 10 and December 01, 2021. Chair Holland pointed out the COA manual says December 1st. VP Kerr clarified it was for the November SCA Board meeting.

Chair Holland asked if any committee members had received the policies and procedures manuals and did they have a chance to read it if they had? Member Banuelos and Member Sisk responded they did not receive one. She said she asked Bailey to e-mail it before they filled out their paperwork for committing to next year because there has not been much review of it over the last few years. She indicated Bailey was going to get with Annette to get the manuals out. Chair Holland asked if Member Varick or Member Martindale had received the manuals. Member Vavrick responded he had not received one. Member Martindale indicated he read it online. Chair Holland indicated she did not think this particular item is online. Member Vavrick discussed the one he has is the Committee of Architecture workshop regarding open meeting laws, rules, and regulations. Chair Holland clarified it is called “Member Policies and Procedures Manual – Committee of Architecture.”  Annette clarified the COA Rules & Regulations, we had a workshop on Rules and Regulations. The procedure manual was not sent out as we are working on updates and hoping to have them out in December. Chair Holland asked who creates and approves them? VP Kerr indicated annual updates and changes would go before legal and then it would come before the COA for approval. Chair Holland asked if the Board has anything to do with it or is it just staff? VP Kerr explained staff would propose changes on new procedures based on any new laws, etc., and it would come before the COA to approve. Chair Holland asked if she had questions on the current policy, or should she wait until the new policy is presented? VP Kerr explained this is under public comment, no action could be taken. It would be best to e-mail or call with changes to Annette. Chair Holland indicated she does not have changes she just has questions. Legal Counsel McConnell suggested it be put on the December meeting agenda and staff could put it on the agenda.

Chair Holland had questions regarding liquor licenses. Why do we worry about liquor licenses? Discussion took place regarding the differences between business licenses and why we would require licenses for one and not another. Legal Counsel clarified home occupations and business licenses. It was discussed we should clarify what criteria to make sure we are approving the licenses correctly. Counsel McConnell suggested looking at the permit again to add more language to provide their state license and any other licenses. Discussion ensued on who should have to provide permits and who should not. Counsel McConnell suggested we review the applications and perhaps change the verbiage and requirements on the permit, if the applicant does not provide the required documents, the permit can be denied.

Chair Holland asked if there was any other information on the horse situation. VP Kerr indicated she had not had a chance to go into the issue any further.

Chair Holland asked when the COA rule #5 would be back on the agenda. VP Kerr responded she would attempt to get it on the agenda in December or maybe January. Chair Holland indicated the rule affects a lot of things they are trying to solve. Counsel McConnel clarified that no action could be taken. Chair Holland asked if any other committee members had any ideas or comments on putting it on the agenda. She wanted to know how important they felt it was in putting it on the agenda and how important it was in making decisions. Chair Holland asked for member comments, the only member to comment was Member Banuelos. Member Banuelos commented “maybe they should wait to see if they will be reappointed by the BOD for next year?” Chair Holland commented that was a good comment and feedback and she did not know how fast they could deal with that and how important it is to making decision on other things.

Chair Holland commented on signing plans and there was an issue last week with height clarifications. She stated the list of definitions do not match our rules and accessory opposed auxiliary. She thinks the definition or verbiage is restrictive to property owners and maybe we can be changed the down the road.

Chair Holland reminded the members on DOR A, with improvement standards; the words say no building and that is something they should look at in the next year. There has never been a conclusion on that, and they need to be careful with the rules.

Member Martindale asked about e-mails he used get to sign plans. VP Kerr clarified we do not have a COA Secretary, however we do have a new Director of Operations and we are still working on the details on how the process is going to work. VP Kerr will send an e-mail when the process is clarified. Chair Holland asked that Annette, Katie, and Jessie make sure that the procedure manual is looked at carefully in that regard because there are pretty specific guidelines in the manual regarding that and outlined specifically.

1. **next regular meeting**

The next regular meeting of the Committee of Architecture is scheduled for Monday, December 13, 2021.

 **FOR POSSIBLE ACTION**

1. **ADJOURN MEETING**

Meeting adjourned at 7:17pm