

## Virginia City Highlands Property Owners' Association

Minutes – August 13<sup>th</sup>, 2019

V.C. Highlands Fire Station 72 Training Room

Present: Carmona, Warnke, Alcon

Absent: Schroeder, Dosen

- I. Call to Order, Declaration of a Quorum, and Approval of Meeting Agenda  
President Carmona called the meeting to order at 7:00 pm. He declared a quorum present. Needed to add an item to the agenda picking a new annual meeting date.  
Warnke made a motion to approve the agenda, seconded by Alcon. Motion adopted
- II Pledge of Allegiance
- III. Approve Minutes of Meeting  
Warnke made a motion to approve the June 11 minutes, seconded by Alcon. Motion adopted
- IV. Comments by Association Members (NRS 116.31083.5)  
None
- V. Review of Financial Statements  
Revenue for the month \$1,222, Admin \$953, Roads \$5356, accounts Checking \$120,429.25, Reserve \$235,840.13 for a total of \$356,269.38.
- VI. New Business  
We had an issue with the ballots so we have to redo ballots which means canceling the original annual meeting and picking a new date. After a discussion the board agreed on September 14 at 10am.  
Warnke made a motion to approve the new annual meeting date of September 14 seconded by Alcon. Motion adopted
- VII. Unfinished Business  
None.
- VIII. Committee Reports
  - A. Architectural Committee Report  
2 fences, 1 approval, 1 denied.

Nichols fence: Proposal was fence is taken down to 6'.

Mr Nichols discussed how he needs a 10' fence because his deck is 7' off the ground so his dogs are going to see the neighbors and will make noise. The lights next door are on all night and will be shining in his wife's bedroom. He made the argument that bobcats can get over a 6' fence but will have a hard time getting over a 10' fence. He stated his little wiener dogs are defenseless. He also tried to argue that the Evans had said that the view would be blocked but Carmona stopped him and said the Evans were moving so anything involving the Evans was null and void. He also stated that the lights were a county issue – they have to be under a certain wattage – if they are then there is nothing that can be done. Carmona suggested black out curtains. Carmona also talked about the small dogs but said we live in a rural area and Alcon mentioned that great horned owls take many small animals in our area and no fence will protect against that. They talked about the deck height. Carmona did a sketch showing his house which is on top of a hill. He said in order to maintain privacy he would need a 20' fence and he is exposed to the road on 270 degrees. Carmona stated he did not believe any of their reasonings justify a 10' foot fence. He is totally comfortable with a 6' fence. If we allow a 10' fence there is no way of us preventing other people from having a 10' fence. Alcon discussed how the board were elected to enforce the rules of the architectural guidelines. She also discussed how the variance was discussed because we believed the neighbors were OK with it. Schroeder suggested the provision that if the Evans move the variance would be off the table. At the end of the day it's about the setting of a precedence. Carmona opened it up to the

audience. Mr Evans said they are asking for forgiveness not permission since they put this up 2 years ago without permission. The light is allowed. He does not want approval based on false statement. He said they have never thrown rocks at their dogs as the Nichols had stated. The Nichols said the Evans did not complain about the fence until the Nichols objected to their daycare. The Nichols discussed the architectural guidelines and how they are not clear about fences in the back. Alcon and Carmona discussed how the board has to go with historic precedent, which is 6' in the back and that's why we have a committee. (the guidelines state only 3' closed board fencing in the front of the house). Mr Nichols stated that no one can see the fence except the Evans. Carmona said we would make an appointment and hold a 10' post in the position of the fence has not been built yet and if it cannot be seen then we will revisit. Warnke said he doesn't want us to set a precedent of 10'. If the new neighbors move in and said they want a 10' fence, then we would be a hard time refusing that. Carmona decided the next step was to table it and talk to the attorney. Warnke stated we and the committee are there to make these determinations. The architectural committee has already rejected it. Alcon said she was OK with reaching out to the attorney.

Alcon made a motion to approve contacting the attorney regarding the legalities surrounding us approving or not approving a 10' fence, seconded by Carmona. 2 ayes 1 no. Motion adopted.

Harrison fence request. They are proposing a 6' iron fence and gate in front of their house and 6' closed wood fence in the side and back. He discussed how the "Castle House" has a 6' wrought iron gate and fence surround. The guidelines currently do not allow a solid iron fencing with metal posts. Mr Harrison suggested the Castle House set a precedent, Carmona argued he considered the small amount of fencing on each side of the gate essentially part of the gate. Mr Harrison said he realized this was against the norm but he considers it an upgrade and won't peel and rot like a wood fence. Grace from the architectural committee discussed how metal mesh is allowed between wood posts. Alcon/Carmona discussed the possibility of wood posts instead of metal posts. Carmona had suggested he goes with a metal gate and then a split rail fence with hog panels/metal mesh. Carmona said the architectural committee could call an emergency meeting if they wanted to look at the possibility of approving vertical wood posts with iron railing in between. So Carmona said he would take a photo of the front of the property, Photoshop wood verticals with iron railing in between so it could be taken back to the architectural committee to see if they would approve it. Otherwise split rail fencing with hog panels would be an alternative. Carmona asked to make a motion.

Warnke made a motion to postpone and defer the decision back to the Architectural Committee seconded by Alcon. Motion adopted.

#### B. Road Report

Austin did the culvert project. We had a slight bump in the road as our backhoe broke so we had to rent a backhoe which is \$3000 for the month but we can use it for other ditch/culvert work. Otherwise we were under budget. The county was paying for the culvert work so we were only out for the rental of the back hoe. We're going to get out and fill potholes and then work on the roads that need rock/materials. The method Austin is using for pot holes seems to be working very well.

#### IX. Any Other Matters Which Board Members wish to Discuss

Carmona discussed the annual potluck since the annual meeting has changed. After a discussion it was decided to keep it on its original date. A motion was not needed since it's not a Board event. Wanke asked about SNC and Carmona said he had got the opinion of another contractor and they thought SNC was giving us the run around so it's back to the attorney.

#### X. Comments By Association Members (NRS 116.3108.5)

None

#### XI. Adjourn

There being no further business, the meeting was adjourned at 8:09pm.

XII. Executive Session to Discuss Possible Violations of the CC&R's, if Necessary  
Executive Session to discuss CC&R Violations

Respectfully submitted,  
Becky Alcon, Secretary