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DAYTON VALLEY COMMUNITY ASSOCIATION

Dayton Valley Board of Director's Meeting

Dayton Valley Golf Clubhouse
August 28 2024 – 5:00 PM

FirstService
RESIDENTIAL

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FirstService
RESIDENTIAL

DAYTON VALLEY COMMUNITY ASSOCIATION

Dayton Valley Board of Director's Meeting

August 28, 2024 5:00 PM
Dayton Valley Golf Clubhouse
101 Palmer Avenue
Dayton, NV

MINUTES

Directors Present

Carla Cole - President
Dennis Drury - Vice President
Sandra Mass Trs - Secretary
Eugene Cowles Jr - Director
Alvin Kreie - Director
Ronald P McRae Tr - Director
Katherine Mitchell - Treasurer

Directors Absent

None

Additional Attendees

Brooke Gillman - Community Manager - FirstService Residential
Katherine Mitchell - Appointed later during the meeting

I. ESTABLISHMENT OF QUORUM AND CALL TO ORDER

Resolved

With a majority of the Board present, a quorum was established and the meeting called to order at 5:00 pm.

II. PLEDGE OF ALLEGIANCE

III. EXECUTIVE SESSION ACKNOWLEDGEMENT, IF ANY

Resolved

In accordance with NRS 116.31085, the Board of Directors met in executive session prior to this meeting on August 28, 2024 and reviewed the following items: (Minutes/Legal Matters/Pending Litigation/Non-Compliance Matters/Delinquency Matters).

IV. HOMEOWNER OPEN FORUM – AGENDA ITEMS ONLY

None at this time.

V. BOARD RESIGNATION

Background

Jim Kepler resigned from the Board of Directors as of July 30, 2024.

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VI. NEW BOARD MEMBER APPOINTMENT

Resolved

A motion was made to appoint Katherine Mitchell to fill the vacant seat on the Board of Directors until the next election.

A motion was made to assign Katherine Mitchell as Board Treasurer.

First Motion

Appointment

Motion: Carla Cole
Second: Dennis Drury

▶ ***Resolved***
The motion passed unanimously

Second Motion

Board Position Assignment

Motion: Dennis Drury
Second: Carla Cole

▶ ***Resolved***
The motion passed unanimously

VII. APPROVAL OF MINUTES

Resolved

A motion was made to approve the July 24, 2024 Board of Directors meeting minutes as presented.

Motion: Sandra Mass Trs
Second: Dennis Drury
AYEs: Ronald P McRae Tr, Eugene Cowles Jr, Sandra Mass Trs, Dennis Drury, Alvin Kreie, Carla Cole
NAYs: None
Abstained: Katherine Mitchell

▶ ***Resolved***
The motion passed

VIII. FINANCIALS

A. JUNE 2024 FINANCIALS

Resolved

Enclosed, please find the Financial Reports for period ending **June 30, 2024.**

Treasurer's Report below is specific to period ending **June 30, 2024.**

BALANCE SHEET:

Cash in Operating Accounts	$192,389.35
Cash in Reserve Accounts	$2,398,553.26

DELINQUENCIES

Assessment Delinquencies	$4,807.00
Fine Delinquencies	$60,130.00
Misc. Homeowner Delinquency	$7,437.07
# of Accounts in Collections & Status	7

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INCOME AND EXPENSE STATEMENT

Expenses (over)/under budget month	$4,001 **under** budget for the **month**
Expenses (over)/under budget year to date	$988 **under** budget for the **year**

RESERVE FUNDING DISCLOSURE:

The Association is in compliance with NRS 116.3115(2)(b) which states that the reserve funds have not been used for daily maintenance.

IX. REPORTS

A. MANAGEMENT REPORT

Since the last meeting on July 24th there have been 7 ARC submittals, 96 calls to the care center with most centered towards general association information and violation inquiries, and 34 new violations issued with majority being landscape focused.

Since the last meeting:

- Proposals were collected for the entry gate signage.
- Proposals were collected to refresh the fire lane curbs and fire hydrant paint.
- The 2025 budget process began.

B. PRESIDENT'S REPORT

None at this time.

C. LANDSCAPE COMMITTEE

Tom DeUraite reported that landscape has been very busy. The committee made a recommendation to the Board to take over the islands on Palmer Dr and Cypress Point that are currently not being maintained by anyone due to the assumption they belong to the golf course. There is a meter on Sawgrass that is not functional, the landscaper is trying to replace a tree but cannot get water to the area for a new tree, so Lyon County was contacted and they asked to have Dayton's contractor repair the vacuum braker and then have Lyon County turn on the water.

D. ARCHITECTURAL COMMITTEE

Doug Kreie reported that 6 landscaping and 1 paint approval since the last meeting. As a reminder paint contractors are backed up and now is the time to contact them and all applications must be submitted to Management at FirstService Residential to ensure proper submittal and handling.

E. INFRASTRUCTURE COMMITTEE

Report provided by Susan Cooper attached.

Supporting Documents

Infrastructure Committee Report .docx 9

F. RULES & REGULATIONS COMMITTEE

Gene Cowles reported the CC&Rs have had issues due to them being outdated and some areas not being clear. A committee has been put together, chaired by Ramona Drury, to revise the CC&Rs to bring them up to date and correct clarity issues. After they complete the recommendations the committee will provide those to the Board for review to then send off to Legal for review and edits then the Homeowners will have to vote, which requires 51% approval.

G. CC&R REVISION COMMITTEE

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Resolved

Report provided by Ramona Drury attached.

Supporting Documents

CCR Committee Report .pdf 13

H. NEWSLETTER COMMITTEE

Report provided by Sandy Mass attached.

Supporting Documents

Committee Report 2024-08-28 Newsletter.docx 15

I. IT COMMITTEE

Report provided by Sandy Mass attached.

Supporting Documents

Committee Report 2024-08-28 IT Infrastructure.docx 17

J. BUDGET COMMITTEE

Report provided by Sandy Mass attached.

Supporting Documents

Committee Report 2024-08-28 Budget.docx 20

K. GATES & MONITORING COMMITTEE

Report Provided by Mitch Feather attached.

Supporting Documents

DVCA HOA Gates and Monitoring Committee Report - 8.pdf 22

L. COMMUNITY OUTREACH COMMITTEE

Resolved

Report provided by Ron McRae attached.

Supporting Documents

CoC Public Summary.pdf 24

X. ACKNOWLEDGEMENT OF ACTION OUTSIDE OF MEETING, IF ANY

Resolved

None at this time.

XI. LEGAL REVIEW, IF ANY

Resolved

On or about June 3, 2024, an Alternative Dispute Resolution Claim was filed by Steven C. Price (“Price”) against First Service Residential LLC, management for Dayton Valley Community Association (“Association”), with the Nevada Real Estate Division (“NRED”) as Claim No. 24-226 (“Claim”). Price alleges that the Association should allow rentals for less than 30 consecutive days and seeks clarification of the Association’s interpretation of the Declaration as it relates to rentals for less than 30 consecutive days.

XII. UNFINISHED BUSINESS

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A. ARC COMMITTEE CHARTER, POLICY, AND PROCEDURE UPDATE/REVISION

Resolved

Sandy Mass reported this is still in progress and will be completed by the September meeting.

B. FIRE LANE CURB PAINT REFRESH

Resolved

Enclosed for review and approval are the following proposal(s) from **Premier Painting LLC:**

Proposal #	Description	Price	Board Resolution
1472	Fire Lane & Hydrant Painting	$10,675.00	After the committee spoke to the county it was discovered they can only paint the curbs and not the hydrants. Seeking to get revised proposals for curb paint only to be on the September agenda.

C. SIGNAGE AT PALMER AND BAYHILL GATES

Resolved

Enclosed for review and approval are the following proposal(s) from **Fast Signs** and **Signs by Tomorrow:**

Company	Proposal #	Description	Price	Board Resolution
Fast Signs	95201	Entry Gate Signage	$1,604.64	
Signs by Tomorrow	44456	Entry Gate Signage	$823.48	

Both proposals do not include install and also quote different thickness. These will be sent back to the committee for review and Management will seek updated proposals to include installation.

D. DVCA COMMUNITY OUTREACH COMMITTEE CHARTER

Resolved

A motion was made to accept the clean version of the Community Outreach Charter.

Motion: Sandra Mass Trs
Second: Dennis Drury

- ***Resolved***
  The motion passed unanimously

E. DVCA VIDEO MONITORING POLICY & DVCA VIDEO MONITOR CONFIDENTIALITY AGREEMENT

Resolved

A motion was made to accept the Video Monitor Confidentiality Agreement and Video Monitoring Policy.

Motion: Dennis Drury
Second: Carla Cole

- ***Resolved***
  The motion passed unanimously

XIII. NEW BUSINESS

A. DVCA - SIERRA GATE PROPOSAL

Resolved

Enclosed for review and approval are the following proposal(s) from **Sierra Gate:**

Proposal #	Description	Price	Board Resolution

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1204	Replace Batteries in Operators Bayhill Gate	$1,263.42	A motion was made to approve the proposal noting it will be a reserve expense.

Motion: Dennis Drury
Second: Carla Cole

- ***Resolved***
  The motion passed unanimously

B. DVCA - JP FENCE PROPOSAL

Resolved

Enclosed for review and approval are the following proposal(s) from **JP Fence:**

Proposal #	Description	Price	Board Resolution
865-24	Repair Wrought Iron Fence Near Hole 14	$525.00	A motion was made to approve the proposal from JP Fence.

Motion: Dennis Drury
Second: Eugene Cowles Jr

- ***Resolved***
  The motion passed unanimously

C. DVCA - SLURRY SEAL PROPOSALS

Resolved

The Board would like to engage bids only from SNC as Crus would like roads to be pre-marked.

Postpone until September meeting.

D. ADDING LANDSCAPE INTO THE CONTRACT THAT BELONGS TO THE GOLF COURSE

Resolved

Postponed while research is done to confirm where the easement is.

E. SNOW REMOVAL 2024-2025

Resolved

Management will seek a bid from BrightView with a trigger point of 6 inches.

XIV. SCHEDULING OF NEXT BOARD MEETING

A. WEDNESDAY, SEPTEMBER 25, 2024 - NEXT BOARD MEETING

Resolved

In accordance with NRS 116, the next board of director meeting is scheduled for Wednesday, September 25, 2024 at 5:00 pm.

XV. HOMEOWNER OPEN FORUM – ALL ITEMS

102 Poppy Hills Court - Asked if in the future the Community will get an agreement for the roads to ensure RED pays their part.

Ron McRae responded with a step by step breakdown of how the process will work.

XVI. ADJOURNMENT

Resolved

With no further business at hand, the Board motioned to adjourn the meeting at 6:20 pm.

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Motion: Carla Cole
Second: Dennis Drury

- ***Resolved***
  The motion passed unanimously

Sandra A Moss aka Sandy Moss

10/2/2024

APPROVED **DATE**

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Infrastructure Committee Report .docx

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DVCA Board of Directors Meeting
Infrastructure Committee Presentation
August 28th 2024

Infrastructure Committee held our monthly meeting August 13, 2024
Items of discussion included:

A. **Installation of French Drain and clearing existing flow lines at Champions Drive completed!**
Environmental Protection Services (EPS) has completed work on the Champions Drive Drain: Work on the French Drain was completed July 19, 2024.

Clearing the lateral pipes of sediment and debris, repairing damaged pipes and installing a 10' x 10' x 6' rock lined French drain basin with yard drain for storm water catchment cost a total $10,500.00.

As an ongoing nuisance for years, the Infrastructure Committee is hopeful this issue now resolved! Yay!

B. Request for Proposals from SNC and Cruz Construction
To prepare DVCA roads for Slurry Seal in 2025, the Infrastructure Committee continues to request proposals from SNC and Cruz Construction for DVCA Structural road repairs.

Committee Liaison Dennis Drury has reached out to Brooke Gillman- 1st Service Residential Community Manager to again contact SNC and Cruz for an itemized proposal for DVCA road repairs as discussed.

C. NV Energy Street Light Audit
Infrastructure Committee Member Ron McRae has been in contact with Kellcey Waldaias, Maintenance Admin at NV Energy to audit all

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DVCA streetlight locations, identifying numbers and ownership of said streetlights.
Once ownership is established, NV Energy will assess the repair and warranty replacement of NV Energy owned and DVCA owned street lights.

NV Energy and DVCA Street light identification and repair schedule continues to be an open item.

D. Inspection of Fire Hydrants and correct Fire Hydrant paint color.
DVCA President Carla Cole has been in contact with Lyon County Utilities ongoing for over 1 ½ years. Carla reaffirms that the Lyon County Utilities fire hydrant inspection program is an ongoing 4 year project.

Via email correspondence between Committee Liaison Dennis Drury, Elizabeth Mink, Central Lyon Fire and Brody DeForest, Lyon County Utilities Inspector:

"The hydrants that are maintained by Lyon County Utilities should all be yellow and the curbs should be red 15' on center"
"The color for the public fire hydrants is called *Safety Yellow*."

This brings us to our last red hot topic

E. Refreshing the Red Street Paint at Fire Hydrant locations.
In order to request a proposal to refresh the red paint at fire hydrant locations, 1st Service Residential Community Manager Brooke Gillman has requested the Infrastructure Committee to create a site map of the locations of all DVCA fire hydrants.

Committee member Ron McRae has generously accepted the task.

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Once proposals for **refreshing the Red Street Paint** come in the Infrastructure Committee will extend our recommendations to the Board of Directors as to the most fiscally sound solution to

1. Refresh the red paint this year or
2. Wait until the slurry seal is completed in 2025 which will also include the cost of re-painting the red stripes at fire hydrant locations at that time

Next Scheduled Meeting Infrastructure Committee will meet September 11th 4:00 pm at the Dayton Valley Golf Course Clubhouse.

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CCR Committee Report .pdf

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COMMITTEE REPORT OUTS FOR BOARD MEETINGS

COMMITTEE: CC&R's

Member Reporting:

Committee Report should be no more than 4 minutes in length. The Board will keep time similar to homeowner comments to ensure time management of the meeting.
The committee shall complete and turn into the community manager by the designated time.

Major Accomplishments
(Identify what the committee has successfully completed for tasks assigned)

Continued to work with First Service in issuing Required cc&R violation letters to Home owners.
Started the process of Redoing the cc&R's either deleting, adding or re-wording them
Setup cc&R committee (7 members) to over haul the cc&R Booklet.

Upcoming Objectives and Goals/Tasks
(Short term items in the 1-8 weeks)

To accomplish overhaul of cc&R's so we can once again issue violation letters. A cc&R committee has been formed to accomplish this task.
To help Ron, Sandy, Dennis & Carla get Red 49 approved

Upcoming Homeowner Interaction
(Notification to the Board and homeowners of upcoming items they will see that will require their response)

Continuing to interact with Home Owners to understand there desires on what matters to them.

Committee Recommendations
(Items the Committee would like the Board to consider and take action on. Any recommendation requiring a financial based decision will need to have a summary business case submitted to the Board at least one week in advance.)

cc&R committee to continue to meet on a regular Basis.

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Committee Report 2024-08-28 Newsletter.docx

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COMMITTEE: Newsletter

Member Reporting: Sandy Mass

Committee Report should be no more than 4 minutes in length. The Board will keep time similar to homeowner comments to ensure time management of the meeting.
The committee shall complete and turn into the community manager by the designated time.

Major Accomplishments
(Identify what the committee has successfully completed for tasks assigned)

August 2024 newsletter was published on 8/9/2024 to be mailed and emailed by FSR and the dvcahomeowners.com website (which was emailed on 8/10/2024).

A reminder, the mailed version is in black and white to save on cost. If you want a color version, it is available on the dvcahomeowners.com website and if you receive it by email.

Upcoming Objectives and Goals/Tasks
(Notification to the Board and homeowners of upcoming items they will see that will require their response)

The next Newsletter is scheduled to be published September 13, 2024.

Committee Rcomendations
(Items the Committee would like the Board to consider and take action on. Any recommendation requiring a financial based decision will need to have a summary business case submitted to the Board at least one week in advance.

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Committee Report 2024-08-28 IT Infrastructure.docx

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COMMITTEE: IT Infrastructure

Member Reporting: Sandy Mass

Committee Report should be no more than 4 minutes in length. The Board will keep time similar to homeowner comments to ensure time management of the meeting.
The committee shall complete and turn into the community manager by the designated time.

Major Accomplishments
(Identify what the committee has successfully completed for tasks assigned)

Some dvcahomeowners.com website statistics.

- We processed307 parking passes January thru July 24, 2024. The percentage is starting to shift to RVs/Trailers at 55% with 45% for Cars.
- We signed 41 new accounts on the website so far in 2024 .
- The July newsletter email blast we sent out went to 777 email addresses and 418 unique views occurred. The number of views went up from about 50% to 54%

Photos have been updated on dvcahomeowners.com website. You can see the full size photos that we use on our website that have been contributed by local residents in the the DVCA Acknowledgments Photo Abums. Select the Photo Albums dropdown from the Key Links menu item on the left side of the website. Click on the photo to see the full size.

Upcoming Objectives and Goals/Tasks
(Notification to the Board and homeowners of upcoming items they will see that will require their response)

As always, we are looking for local photos for our website If you want to contribute to our library of images for the website, please submit them by using the contact us web feature or emailing to the website admin at admin@dvcahomeowners.com. We plan to refresh the photos on the website to winter photos in November.

See next page!

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Committee Rcomendations
(Items the Committee would like the Board to consider and take action on. Any recommendation requiring a financial based decision will need to have a summary business case submitted to the Board at least one week in advance.

Based on the interest in the RED Ltd. Development. I recommend that we add a section/page – for information on their project. Also, I would add a folder in the DVCA members only dropdown from the Documents menu item (Financial Documents, BOD Minutes & Policies) to include DVCA specific documents about the project.

Discussion?

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Committee Report 2024-08-28 Budget.docx

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COMMITTEE: Budget

Member Reporting: Sandy Mass

Committee Report should be no more than 4 minutes in length. The Board will keep time similar to homeowner comments to ensure time management of the meeting.
The committee shall complete and turn into the community manager by the designated time.

Major Accomplishments
(Identify what the committee has successfully completed for tasks assigned)

Upcoming Objectives and Goals/Tasks
(Notification to the Board and homeowners of upcoming items they will see that will require their response)

The budget committee has set an initial review meeting for the committee members this Friday to review the preliminary 2025 budget supplied by FSR. We anticipate at least one more meeting after that as we are waiting for an update from our Reserve Specialist to adjust for some costs that are pushed to subsequent years (slurry seal that had been scheduled for this year but will now be done next year).

We anticipate having a budget prepared for board review at the September meeting.

Committee Rcomendations
(Items the Committee would like the Board to consider and take action on. Any recommendation requiring a financial based decision will need to have a summary business case submitted to the Board at least one week in advance.

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DVCA HOA Gates and Monitoring Committee Report - 8.pdf

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Dayton Valley Community Association

COMMITTEE REPORT OUTS FOR BOARD MEETINGS

COMMITTEE: _____

Member Reporting: _____

Committee Report should be no more than 4 minutes in length. The Board will keep time similar to homeowner comments to ensure time management of the meeting.
The committee shall complete and turn into the community manager by the designated time.

Major Accomplishments

(Identify what the committee has successfully completed for tasks assigned)

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Upcoming Objectives and Goals/Tasks

(Short term items in the 1-8 weeks)

_____

_____

_____

_____

Upcoming Homeowner Interaction

(Notification to the Board and homeowners of upcoming items they will see that will require their response)

_____

_____

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_____

Committee Recommendations

(Items the Committee would like the Board to consider and take action on. Any recommendation requiring a financial based decision will need to have a summary business case submitted to the Board at least one week in advance.)

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CoC Public Summary.pdf

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Community Outreach Committee Report for DVCA Board meeting on 8/28/2024

INTRO: My name is Ron McRae and I'm the committee chair of the "Community Outreach Committee" (COC). First, let me thank the 8 committee members and the six board members for all the work they have done. The committee has created a detailed report but I'm going to summarize and expand on that document.

APOLOGY: I apologize in advance for the length of this report; however, there is a lot of background and currently, a lot of moving parts. It normally takes me an hour to explain, in detail, the problems and solutions. I will try to do it now in a fraction of that time.

THE HISTORY: Let's sum up 30 years of our community history in 1 paragraph. DVCA was part of a master association called Eldorado Lakes. The master association covered all of the housing developments on Dayton Valley Rd. When the 1st developer went bankrupt the HOAs split apart. When the property was purchased out of bankruptcy by DAYTON VALLEY INVESTORS (remember this name for later), they decided to create a new community called Legado instead of integrating it with DVCA. This means DVCA will never have more than 842 homes and Legado HOA will eventually have 1,700 homes. The master association would have ensured that DVCA was properly compensated for use of the roads by Legado and gated like all the other communities.

THE MASTER ASS'N: Because we lack a master association, and multiple bankruptcies have occurred, we are all on our own to address the issues. Prior boards have tried to fix the problems. We can see "echoes" of agreements in meeting minutes and newsletters but these aren't contracts.

THE PLAYERS: Currently there are two developers – The RED, Ltd and LD Lots/Silverado. There is also Legado HOA. All of the old homes by the Legado Roundabout or across Dayton Valley Rd at "Point Legado" AND all new homes that are being built are in the Legado HOA. As of today, the Legado HOA doesn't have any money because only 200 of the 1,700 homes were built.

THE DEVELOPMENTS: Legacy 49 is building 1,200 homes and a commercial zone that are all accessible off Dayton Valley Rd. Silverado is building between 200-250 homes off the Palmer Roundabout that is landlocked and require Palmer for access. Please note that the vehicles using Palmer do not pass by any DVCA houses.

THE EASEMENTS: In the DVCA CC&Rs, Section 7.1(d), our HOA states, quote, "The Association Shall Maintain…all roadways". In their dying days, around 2016, Dayton Valley Investors gave LD Lots, Silverado and Legado HOA easement rights to ALL of our roads with, quote "no duty to maintain" via a recorded easement document #522345. This document is a killer since it gives them unlimited access to our roads without any reciprocity. The board also has the right via the CC&R section 3.2(d) to "Grant Easements and rights of way in, on, over and under the common area".

THE BASINS: Part of Legacy 49 is enormous stormwater basins that replace the second golf course. They are large enough to hold a 300-year flood worth of water the flows off the

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mountains and falls from the sky. The basins will be maintained by a special tax on LEGACY 49 homes that are paid to, and maintained by, the county. The annual cost to maintain is estimated in the 6-figures. These highly landscaped basins have an asphalt road on the top that can be used as a cart path. These cart paths extend past the basins and around the property. The middle of the basins has dirt trails that are also heavily landscaped with exercise stations and parks. Legacy 49 sees the golf course and the basins as an amenity of their new homes. If the basins added $10k to the value of each Legacy 49 home RED would reap an additional $12M in profit.

TRANSITION: Now that I've explained the community history, players, easements, developments and basins let's talk about the desires of DVCA's founders and forefathers.

GOVERNING DOCUMENTS: Per our Articles of Incorporation, which is the most foundational of all our governing documents, it is clear that the DVCA HOA must…and I quote here, "promote DAYTON VALLEY COUNTRY CLUB as a well-planned and controlled residential community with first class improvement for the benefit of each and every owner in the DAYTON VALLEY COUNTRY CLUB."

THE CONSTITUTION: The DVCA corporation has a 1st amendment right of freedom of speech. This allows our corporation to have an opinion. If we cannot reach "mutually beneficial agreements" with the developers we can let our opinion be known publicly. Because public participation is an important part of the Lyon County's approval process this could make or break a development's future.

THE GATES: We need to be a properly gated community like Legacy 49 and Point Legado. Legacy 49 will have 9 different "villages" ranging from modest homes to McMansions. We have private roads that we must pay for and therefore must limit access by gating our community from the outside world. There are actually four gates that are needed

1) A gate on La Costa will properly close off La Costa, Royal Troon, Champions, Turnberry and the other side streets.
2) A gate on Cypress Point Dr will close the road past the NEW Country Club entrance
3) …and a gate on Lakeview Dr will close the road past the OLD country club entrance
4) Finally, a second gate on Lakeview Dr should be placed past the maintenance shed. This will delineate DVCA's private roads from Airpark's County roads. There are already medians for the keypad and gate on DVCA property. This gate will be locked open.

THE ROADS: Most of our community has an alternate egress in case of fire or disaster. For homes off La Costa there are two routes – the main route towards the Country Club and an alternate route at the end of La Costa Circle. The La Costa Circle "fire road" is actually a non-conforming 20' wide asphalt road. La Costa PUD requirements are for a 30' wide asphalt road with concrete curbs and gutters. The road currently has a barrier that was installed by a past board member. Although the issue of continued gating of this road is up for debate, the need to expand the road is not. At 20' wide only one egress lane can be accommodated. This will delay

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egress from Stonehaven or La Costa. Moore Ave, off of Lakeview Dr, is a stub road that is incomplete and lacks a cul-de-sac.

PALMER LANDSCAPING: The Palmer median is looking a little tired and dated. DVCA received a recent bid for $180,000 to completely redo the Palmer median. The committee feels that the new communities would benefit from an updated ascetic as it would maximize their home values but DVCA would need a significant contribution to rehabilitate the median.

RECAP: 1. DVCA must pay to maintain our private roads. 2. The new developments do not owe any fees to use our roads. 3. All of the new builders have full access rights to our roads. 4. There are three entities that the board must negotiate with – The RED Ltd, LD Lots/Silverado and Legado HOA. 5. DVCA has no leverage over any of the developers beyond our public letter of support or lack thereof. 6. We need four gates and a road replaced. 7. We need the #522345 document re-recorded with a new exhibit-A to remove all roads except Palmer. 8. Optionally, the Palmer Median should be replaced.

MOVING ON: Now, let's talk specifics.

THE PROCESS: After the committee met, workshopped with Jaimee Yoshizawa from RED and Mike Evans from Silverado, then met again, nine recommendations were made to the board. The board voted at the last meeting to confer with legal in a private session to discuss the recommendations.

FIRST - THE RED LETTER:

> The first recommendation was for the DVCA to create a letter of recommendation for the Legacy 49 project. This letter was created, vetted and finalized in a week. After edits by legal, the letter was unanimously signed by the board last week. Copies are available.

SECOND – THE RED GATES AGREEMENT

> The RECORDED AGREEMENT: RED has agreed to the cost of two gates -La Costa and Cypress Point (and $12k worth of legal fees) totaling $322,500 at map recordation – which should be at the end of 2025 if the project passes the BOCC. Even if the project doesn't pass, RED will bind this agreement to the parcel and any future developer would have to pay it.

THIRD – THE RED BASIN EASEMENT

> The RECORDED EASEMENT: RED has agreed to give DVCA perpetual easement access to all of the amenities of the basins at no cost to us. Again, the easement is bound to the property and can't be undone. Jaimee has Moore Ave slated as one of the access points for Lyon County to access the basins roads for maintenance. This means that our residents will be able to park on Moore and walk, ride or enjoy the basins without leaving the gates.

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FOURTH – THE 1st FAIRWAY FENCING

The PUD PLAN: Red has already modified the master plan to mandate the homes and businesses built along the 1st fairway have 4' tall wrought iron metal fences that match our architectural standards.

FIFTH – CONNECT SENIOR COMMUNITY TO PALMER

1) It is the board's belief that the more vehicles that pass the country club the better for business. The 129 senior homes on the casino footprint have a main entrance off Dayton Valley Rd. The senior housing community on the old casino footprint must have a second egress point and the board has asked her to connect it to Palmer instead of using an alternate route. Jaimee has not committed to a solution at this time. No matter her choice, the $322,500 must still be paid.

WHAT DOES RED WANT?

1) RED wants our support and to remove uncertainty from the project. Because the casino footprint has "echoes" that imply we are owed two gates, Jaimee wants DVCA to agree that the monies promised remove any other obligations that DVCA may have over the property. Remember that DVCA can not locate any of these original agreements and our new "mutually beneficial solution" is fair to all parties.

LEGAL: All of this has been agreed to and our lawyer Gayle Kern and RED's lawyer Amanda Stevens are currently hammering out the details. Time is of the essence since the agreement and easement must be finalized by the next board meeting on 9/25/2024.

LD LOTS/SILVERADO

1) Because Silverado cannot build without Legacy 49's sewer infrastructure the committee has decided to delay any workshop with Silverado.
2) We are confident that we can reach a deal with Silverado that is equitable for both sides and similar to the agreement made with RED.
3) We would like LD Lots, Silverado and Legado HOA, which is all the same people, to re-record #522535 with a new Exhibit A that limits access to Palmer ONCE THE PALMER GATE IS REMOVED!

LEGADO HOA

1) Developers build and then disappear. They are not the proper entity to try to negotiate an ONGOING annual maintenance fee for roads or landscaping.
2) Legacy 49 is the declarant over their land but they are not CURRENTLY majority vote in the Legado HOA. In time, Legacy 49 will build enough lots to get majority vote and will be able to immortalize agreements that bind Legado HOA. With 1,700 homes Legado

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will gross $110k per month – twice DVCA's budget. Legado HOA can't afford an annual road maintenance fee now but they will be able to in the future.

3) Any desire to negotiate an annual maintenance fee with Legado must wait.

GOLF COURSE: We get asked a lot what the HOA is doing for the golf course. The committee explained to Jaimee about how her problems were intertwined with Jim's problems. She has a permit to discharge the wastewater but doesn't have a guarantee that the golf course will deliver it. She needs an inordinate amount of water for 100 acres of landscaping which would cost 5-figures A DAY if she used city water. If the poor state of the golf course shaved $50k off the price of each of Legacy 49's 1,200 homes Jaimee would lose over 60 million dollars in profit. It makes good business sense to ensure the course has the infrastructure repaired and the sprinkler heads replaced. On Monday, Jim graciously drove Jaimee around the course in a cart to identify the issues and the solutions. What Jim mostly needs is a civil engineer with a construction company who cares about the golf course. This described Jaimee to a Tee.

BRIDGE: You can't have a discussion of new homes without talking about the second bridge. I'll cut to the chase: Jaimee presented the county with a plan for a $5MM emergency egress bridge paid for in its entirety by Legacy 49 and built in advance. The county told her to focus on the drainage basins and they would handle the bridge. For the county to actually build a bridge they need BLM to transfer property and an easement across Vidler Water's land surrounding the river along with the millions of dollars to build a causeway across the wide floodplain of the river. Your home values aren't connected to a second bridge – they are connected to the state of the golf course.

TIMELINE: If Legacy 49 is approved in December of this year, bulldozers would be moving dirt by May 2025. The basins, along with the infrastructure, would be done by the end of 2025. The commercial zone and the senior homes will be built first, starting in 2nd quarter 2026. There are multiple home builders and construction will happen simultaneously. Silverado could also start building in the 1st quarter 2026 when RED's sewer lift pump is complete.

ALTERNATIVE: If Legacy 49 is not approved Jaimee will sell the land (and purchase options) to an east coast developer who will ram the development through by taking the path of lawsuits instead of collaboration with the local community.

SUPPORT: Please help move Legacy 49 across the goal line by going to www.legacy49.com and clicking the "SUPPORT" button.

OUTRO: At the end of this board meeting everyone is given a three-minute opportunity to address the board. If you have comments or questions for the board, please step up then. If you have questions for me, I'll stay after the meeting to answer all of them or give you my cell number so we can talk at a later date. Thanks for your time.