August 2023

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DAYTON VALLEY COMMUNITY ASSOCIATION

Dayton Valley Community Association Newsletter

on location

Questions & Answers >>>

Q: Where can I find the 2023 Speed Survey results including homeowner comments?

A: The full summary of results can be found on the DVCA website. Thank you to the homeowners who participated in the 2023 speed survey. The HOA Board will now take into consideration a cost analysis of possible speed calming options. Any possibilities being considered for the community must align with NRS statutes and the DVCA's governing documents. Also, certain options could trigger a capital improvement with a special assessment and may require a membership vote to be implemented.

Q: Is there an update on the sinkhole on Lakeview Dr.?

A: Yes, a steel plate has been placed over the sinkhole while our management company works on proposals and with DVCA insurance on getting the sinkhole fixed.

Q: Is the DVCA starting a Neighborhood Watch Program?

A: No, an excerpt of the legal opinion drafted by the association law firm is provided on page 7. The full opinion can be found on the DVCA website and FSR Resident Portal.

Q: Has the Board been in contact with The Red LTD, regarding plans adjacent to the DVCA?

A: Yes, and both parties will be in touch if/when business matters need discussion. According to The Red LTD, the project is currently on hold by Lyon County.

Message from the DVCA President >>> Carla Cole

Homeowners,

I want to update you on some of the projects we have been working on. First off, the sinkhole. Sierra Nevada Construction has placed a steel plate over the sinkhole as a safety precaution. Management and the Infrastructure Committee are continuing to work on the proposals for repairing the sinkhole.

There has been much talk and misinformation on Nextdoor about speed and radar signs. Speed is an issue in all communities. So, what can the Association do to slow down homeowners, school busses, Fed Ex, UPS, Amazon, Landscapers, visitors, and residents of Airpark and Legado? In short, the Association is unable to take any action on those who are not a homeowner within DVCA. There was mention of taking away the gate remotes from the residents of Legado and Airpark; we CAN NOT and will not restrict the ingress or egress of Airpark or Legado residents or take their remotes away. Speed calming solutions entail more than "a free or donated radar sign," such as cost analysis and legal issues. Could this become a special assessment, and how much would it cost to implement the speed-calming solutions? The Board thanks the 17% of the homeowners who participated in the recent survey, and we will continue to look into solutions for our community.

I was pleased to talk with Jaimee Yoshizawa., President of The Red LTD. She informed me that no proposals regarding the development off of Palmer Drive had been finalized to date. The Board will be meeting with Jaimee in the next couple of weeks.

The Palmer Gate Entrance is set for a Landscape Renovation funded through the Reserve Study. The Landscape Committee and Management met with the Project Manager of Brightview this week to discuss the renovation.

There have been several inquiries about starting a Neighborhood Watch in the Community. The full opinion of the DVCA's Legal Counsel is enclosed with this newsletter and available on the DVCA Website and FSR Resident Portal.

Continued on page 2…

Continued from page 1…

If there is an interest in establishing Neighborhood Watch within DVCA, it will be outside of the Association, and the Association cannot support the homeowners as this is outside the scope of the Association's responsibilities.

If you have any questions regarding the DVCA, please contact the management company or the board. Do not rely on the misinformation on Nextdoor.

The Board would like to wish you all a Happy Labor Day, September 4th. Labor Day is an annual celebration recognizing workers' contributions to America's strength, prosperity, well-being, and the unofficial end of summer!

Carla Cole, President,
Dayton Valley Home Owners Association

2023 Board of Directors and Board Committee Liasions >>>

Director Gene Cowles
Liaison: Rules & Regs Committee
gcowles@dvcahomeowners.com

Director Doug Kreie
Arc Committee Chair
dkreie@dvcahomeowners.com

Treasurer Katie Mitchell
Liaison: Newsletter Committee, Budget Committee
kmitchell@dvcahomeowners.com

President Carla Cole
De Facto Member: All Committees
Liaison: Landscaping Committee
ccole@dvcahomeowners.com

Vice President Dennis Drury
Liaison: Gates & Monitoring Committee, Infrastructure Committee
ddrury@dvcahomeowners.com

Director Jim Kepler
Liaison: Arc Committee
jkepler@dvcahomeowners.com

Secretary Sandy Mass
Liaison: IT Committee
DVCA Webmaster
smass@dvcahomeowners.com

DVCA Community Management >>>

FirstService RESIDENTIAL

First Service Residential
639 Isbel Rd, Suite 320
Reno, NV 89509
Customer Care
(775) 624-8805
For After Hours & Weekends

Community Management
MikKenzy Lipkowitz
Email & Phone
daytonvalley@fsrnevada.com
(775) 624-8805

FSR Resident Portal
daytonvalley.connectresident.com

FSR Website:
http://www.fsresidential.com/nevada/offices/reno-office

DVCA Community Financial Updates >>>

2024 Budget Planning

The Budget Committee will start to meet in September. FSR will provide a draft budget to work from and adjust.

DVCA Investment Accounts:

The Board approved, in the July BOD meeting, FSR's Financial Analysis and recommendations for the Association's investment accounts and FSR will not receive any benefit or compensation. Reserve accounts will be set up with Morgan Stanley, and allocate specified amounts of reserve funds into CD/Treasuries at varying maturation terms, maximizing reserve fund interest rates and terms, while allowing for funds to still be available for planned reserve expenditures when needed. One operating account will be moved into a US Bank Money Market account. All accounts will be transitioned in the next 30 days. The analysis estimates a potential $50K increase in combined annual interest. It was recommended by management to review all accounts every 6 months to 1 year.

DVCA July 26th, 2023 Board of Directors Meeting Highlights >>>

DVCA Board of Directors Meeting Highlights >>> July 26th, 2023

Director(s) Present: C. Cole, D. Drury, S. Mass, K. Mitchell, D. Kreie & G. Cowles **Director(s) Absent:** J. Kepler

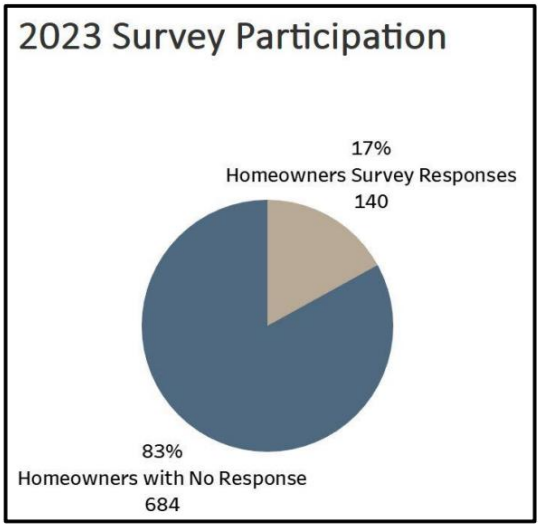
- **May 2023 Financials:** The review of the DVCA's May 2023 financial summary was read aloud and records are now available on the FSR Resident Connect Portal and the DVCA website for homeowners to access and review.
- **Bank Analysis:** The Board approved to move forward with the investment analysis and recommendations of FSR.
- **Management Report:** Management reported 63 homeowner calls. Summary of top correspondence reasons: 16 general inquires, 13 account balance inquiry, 6 architectural requests, 4 account set-ups, 4 website access and 4 website inquiries.
- **Revised Crack Seal Proposal:** The Board approved the revised Crack Seal proposal for $29,270 for Crack Seal: Transverse Cracks + Crack Seal: Concrete Curb & Gutter Separation Joints for $86,480 for a total of $115,750 which will come from Reserves. The proposal includes blowing, heat lancing, and traffic control.
- **Landscaping Contract Renewal:** The Board approved the Brightview Landscaping renewal contract for $52,608 or $4,384 monthly plus sales tax.
- **Landscape Proposals:** The Board accepted proposals: #8153497 for $2,995.20 from reserves for replacing missing/dead trees & shrubs at Bayhill Gate. #8153515 for $10,783.85 from reserves to improve drainage at Cruden Bay. #8153535 for $513.81 from operating to add new plants and shrubs to Glen Eagles Ct.'s island. #8153539 for $785.98 from reserves for adding trees and shrubs to Pebble Beach Ct.'s island. #8153500 for $1,645.94 from reserves for trees and shrubs in Spyglass Ct.'s island. #8153597 for $1,056.01 from reserves for island 3 on Palmer Dr. renovations.
- **Speed Results Survey:** Summary of survey results including homeowner comments can be found on the DVCA website and FSR Resident Portal. Thank you to all who participated.
- **Bayhill Gate Discussion:** The discussion regarding gate hours was postponed until August Board meeting.
- **Arc Committee Update:** The Committee is processing applications and appreciates all homeowners who have submitted applications and are working with the committee. Email dkreie@dvcahomeowners.com with any questions, as some changes may not require an Arc application.
- **Infrastructure Committee:** The Committee met with SNC to discuss DVCA future road needs. Updates regarding drains, fire hydrants, street lights, red curb painting, and the sinkhole were also provided by the committee.
- **Gates & Monitoring Committee:** The Committee confirmed the accident at Palmer Dr. gate, which was submitted to the sheriff and insurance. We are waiting on parts for the gate and then it will be fixed.
- **Rules & Regulations Committee Update:** The Committee continues to work alongside management on compliance checks. The Committee is also working on a Parking Policy, including RV Parking. Thank you to all homeowners who are making efforts to keep their properties in compliance and following community CC&R's.
- **IT Committee Update:** A Box account has been set up for the DVCA's records repository, as well as, committee collaboration areas. The Committee is also working on a DVCA website refresh.

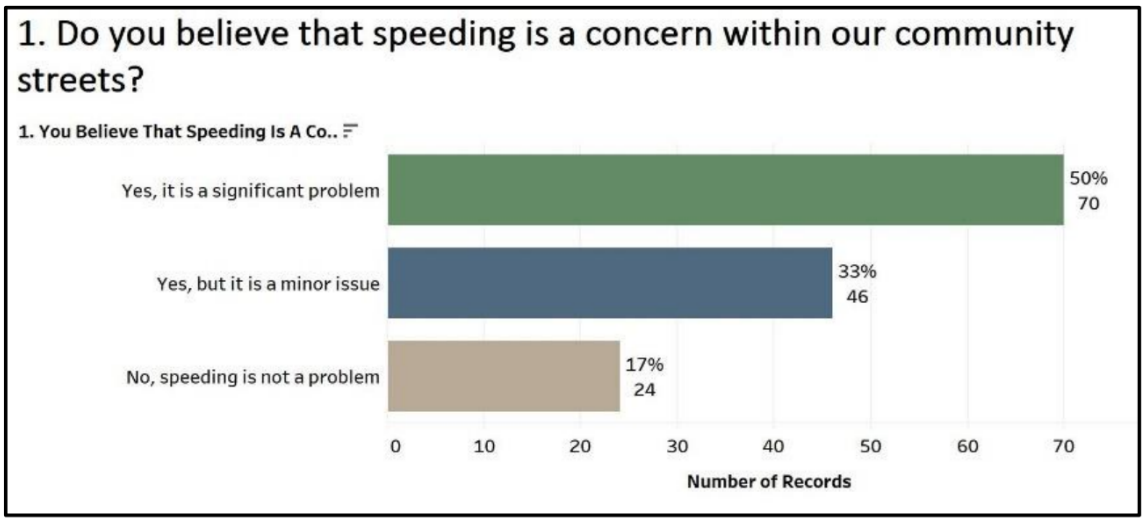
DVCA 2023 Speed Survey >>>

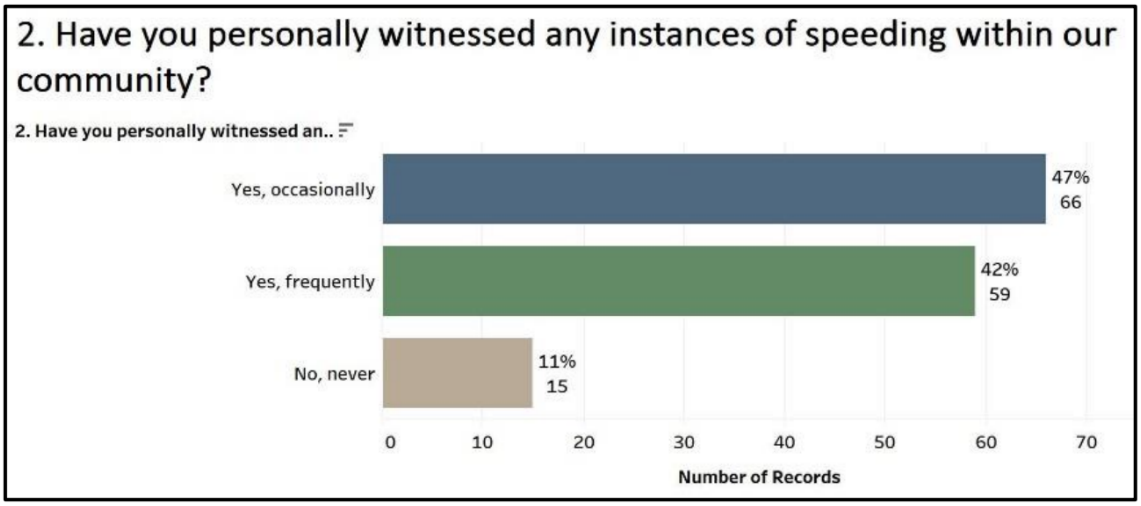
2023 Survey Results

Survey Duration: 6/12/2023 to 7/21/2023

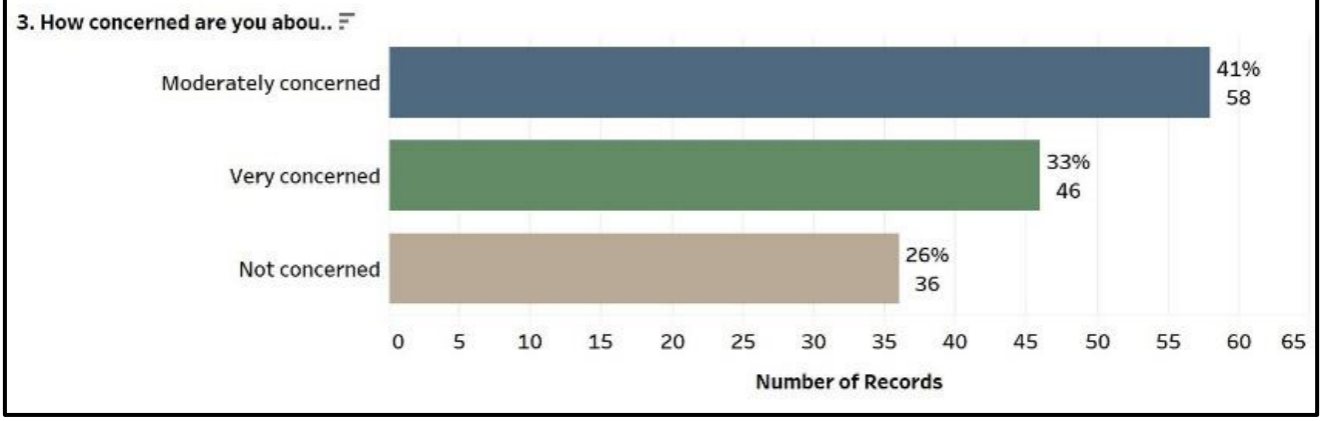
Thank you to all homeowners who participated in the 2023 speed survey. The HOA Board will now perform, and take into consideration, a **cost analysis** of possible speed calming solutions and work alongside our management company and DVCA legal. Possible solutions being considered for the community must align with NRS statutes and the DVCA's governing documents. As well as, research if solutions could trigger capital improvement thresholds, a possible membership vote or even special assessments, if implemented.



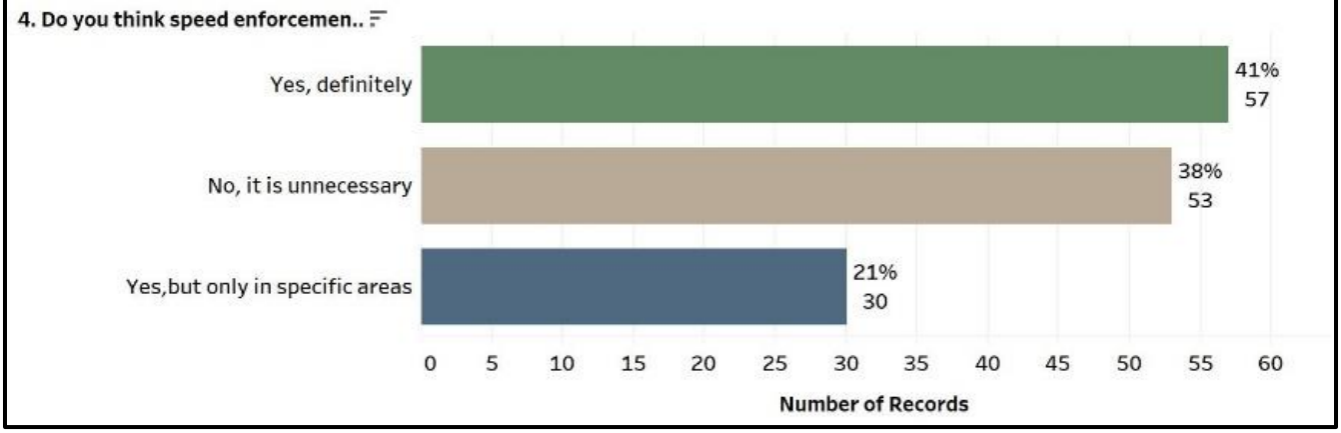




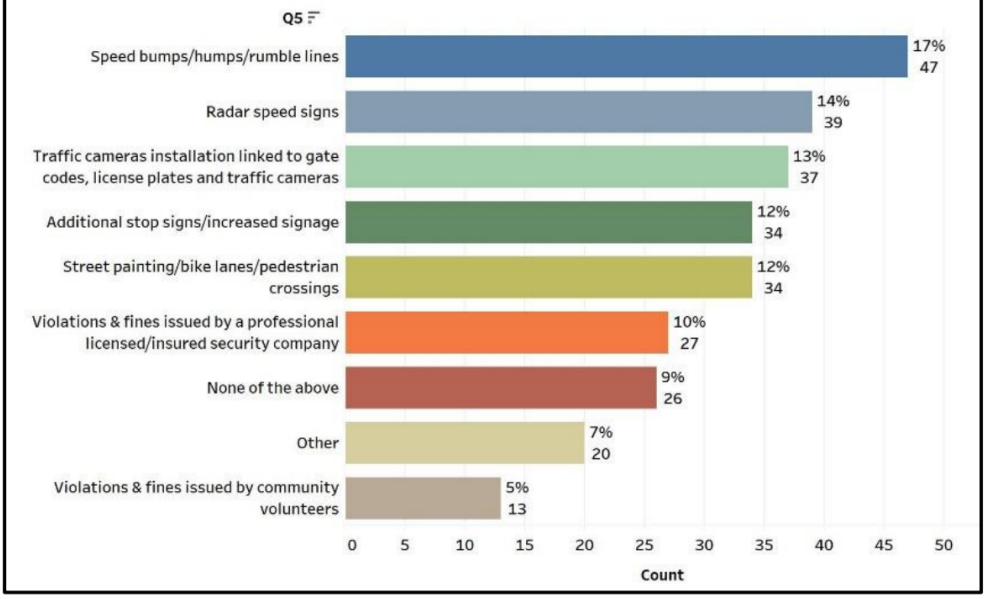
3. How concerned are you about the potential safety hazards associated with speeding in our community?



4. Do you think speed enforcement measures should be implemented in our community?



5. Which speed enforcement measures do you believe would be most effective in addressing speeding issues? (Choose any that you would consider for the DVCA)



FirstService RESIDENTIAL

"I have not received any complaints on speed since I have been community manager for DVCA."

MIKKENZY LIPKOWITZ, SUPR
Senior Supervising Manager

DVCA Home Owner Association Information >>>

CC&R 4.11(a)(b): Signs >>>

"No sign of any kind shall be displayed to the public view without the approval of the Architectural Control Committee or the Board, except such signs as may be required of legal proceedings or political signs. All signage shall be of architectural style in harmony with the overall Community.

To the extent permitted by law, the Architectural Control Committee and or, the Board may adopt limitations on signs including without limitation, restrictions on the size of signs, the duration of their posting, content and location.

(a.) No flashing or moving signs shall be permitted in the Development

(b.) Real Estate (for sale/rental) Signs are limited to size to 18'' x 18''. Signs must be displayed on the front of the lot, one real estate sign per lot."

Please note that any signs displayed in the DVCA development that are found to be in non-compliance with DVCA CC&R's will be subject to a violation and fines.

Sidewalk Upkeep >>>

We are reaching out to all homeowners and tenants to remind them to make sure that the sidewalks and walkways adjacent to your property are clean of debris, sand, loose gravel, electric cords, and any garbage. This required maintenance not only helps with your property's curb appeal but also can prevent any injuries or accidents from happening. Please do your part in making sidewalks safe for everyone in our community.

For more information or questions, please reach out to the CC&R committee liaison gcowles@dvcahomeowners.com

We appreciate your cooperation!

CC&R 4.15 Vehicles & Parking >>>

(a.) Limitations of Types of Vehicles

(i) No trailer, motor home, recreational vehicle, camper, or boat, motor scooter, dirt bike or ATV shall be parked, kept, stored, or permitted to remain upon any area within the Development on a regular basis unless stored completely within an enclosed garage."

Non-compliance of CC&R's will be subject to a violation and fines.

DVCA Website & FSR's Resident Portal Log in Issues >>>

If you are experiencing difficulties with logging onto the ***DVCA website***, please contact:
admin@dvcahomeowners.com

If you are experiencing difficulties with logging onto ***the First Service Residential Portal***, please contact:
daytonvalley@fsrnevada.com

CC&R's 4.15 (f) Golf Carts >>>

"Golf Carts shall enjoy an easement to operate on, over and across all association roadways. Golf Carts must obey traffic rules, traffic signs, and speed limits. Golf Cart operators assume all responsibility for injury and property damage related to their operation. Golf carts may not be driven on sidewalks or homeowners' property to avoid speed bumps or other traffic control devices. Drivers of motor vehicles within the Development shall grant the right of way to golf carts at all times. Golf carts must be stored in a garage and at no time are allowed to be parked on the street or driveway overnight. The speed limit for all vehicles on Association roads is 15MPH." **Non-compliance of CC&R's will be subject to a violation and fines.**

Trees, Weeds & Leaves >>>

Please keep trees and bushes trimmed for pedestrians, cars, walkways, sidewalks and golf cart paths. Landscaping in yards should be well kept; free of leaves, debris and weeds. **Non-compliance of CC&R's will be subject to a violation and fines.**

Parking Passes >>>

Overnight street parking is not permitted (midnight- 6am).
Passes are only available at: www.dvcahomeowners.com 'Contact Us' and select 'Request a Parking Pass"
Please plan ahead, and request passes at least 2 days in advance, allowing committee volunteers time to process and deliver passes.
***FSR does not issue parking passes.**

DVCA Compliance Checks >>>

For any violation questions or concerns, contact our management company, FSR directly.

Top 5 DVCA Non-Compliance Issues 6/27- 7/18/2023:

1. Landscaping (weeds)
2. Front Yard Maintenance
3. Replace Dead Trees
4. Remove Garbage Containers from view
5. Unsightly Items on Front Porch

CC&R 4.19 (e) Wild Animals >>>

"The feeding of wild animals, including but not limited to, ducks, geese, coots, pigeon, birds of prey, etc. is prohibited except that the backyard songbird seed feeders and hummingbird feeders for feeding of songbirds and hummingbirds is permitted."

Feeding wildlife can be a safety concern to the health of the community.
Non-compliance of CC&R's will be subject to a violation and fines.

CC&R 4.13 (b) Trash Pickup >>>

"The refuse/trash containers may be placed for pickup at a reasonable time prior to trash collection and shall be promptly stored, no later than midnight on the day of trash pickup, as specified in section 4.12(a) after collection."

Non-compliance of CC&R's will be subject to a violation and fines.

DVCA Street Lights >>>

Please report any out streetlights to FSR at daytonvalley@fsrnevada.com or (775) 624-8805. Make note if the light has an identifying plaque and also report those details.

DVCA Home Owner Association Information >>>

Association Capital Improvements & DVCA Community Speed Calming Solutions >>>

What are the requirements of the executive board when initiating a capital improvement?
NRS 116.3115(9); NRS 116.345(3); **NRS 116.3102(1)(g)**; **Advisory Opinion No. 16-01**

"Pursuant to NRS 116.3102(1)(g), subject to the provisions of the declaration**,** the association may cause additional improvements to be made as a part of the common elements. The governing documents define the authority of the board, and as such, any capital improvement must be authorized in the governing documents.

Though not defined in NRS 116, a capital improvement can be thought of as any addition to the common elements requiring association funds. Pursuant to NRS 116.3115(9), "the association shall provide **written notice to each unit's owner of a meeting** at which an assessment for a capital improvement is to be considered or action is to be taken on such an assessment at least 21 calendar days before the date of the meeting**."** This must be followed even if the association is using surplus funds.

If the improvement is a building/structure, NRS 116.345(3) also applies, **requiring the written consent of a majority of the units' owners and residents of the planned community who own property or reside within 500 feet of the proposed location of the building or structure."**

Reference: https://red.nv.gov/Content/CIC/Program_Training/Frequently_Asked_Questions/Association_Finances/

- **Speed Bumps:** Installing speed bumps may be considered a capital improvement as it involves physically altering the property and can have long-term effects on traffic management.
- **Radar Signs:** If the radar signs are to be permanently installed, it may be considered a capital improvement. Non-permanent radar signs rented or purchased and maintained/calibrated by a licensed/insured vendor could be an additional operating budget cost.
- **Additional Stop Signs and Signage:** Adding additional stop signs and signage is unlikely to be considered a capital improvement since it is a relatively minor modification and not a substantial enhancement of the property.
- **Street Painting and Crosswalks:** If Street painting currently does not exist, it could be classified as a capital improvement, as the project involves significant changes to the property's layout, appearance, or functionality.
- **Violations and Fines Issued by a Third-Party Security Company:** Implementing a system for a licensed vendor to issue violations and fines could be more of an operational measure.

****** Final capital improvement determinations will be based on cost analysis, final project scope, legal/mgmt. advisory, and alignment with NRS & DVCA governing documents. ******

DVCA Legal Opinion on Neighborhood Watch Programs >>>

Below is an excerpt from the non-privileged legal opinion from the DVCA's Association legal; Leach, Kern, Gruchow, Anderson & Song.

"(…) It is very important to ensure a neighborhood watch program operates independently of the Board, and should always operate under very strict parameters and guidelines which the police or sheriff can explain. In its supportive role, the Board may want to consider inviting a police department representative to a general meeting of members to discuss the formation of such a committee. But the Association's role should only be to provide information on neighborhood watch programs, not to start and manage a watch program. Although Lyon County does not have such a program presently, there are many online resources for formation of a neighborhood watch program. See for example, ***http://www.reno.gov/government/departments/police/community-action-and-outreach/neighborhood-watch.***

Another reason the Association should not be involved in a neighborhood watch program is that providing security for units is outside the scope of the Association's responsibilities. The Association cannot provide security of any kind, and Owners in the community should not rely on the Association to provide security. The Association is not a law enforcement agency, has no authority to prevent crime or address crimes that have been committed, and is ill-suited to do so. While the Association has many obligations, it is not charged with keeping the owners safe. That is a function for law enforcement. (…)"

For the *full* legal opinion, please go to the DVCA website (www.dvcahomeowners.com) or to FSR's Resident Portal.

Community Events & Information >>>

** Local community information & events are for informational purposes only & are not sponsored or hosted by the DVCA.*

Dayton Community Info & July Events >>>

BINGO for Cash
Mondays @ 6pm
Dayton Community Center
@170 Pike St.
Historical Society of Dayton Valley

Golf the Card Game & Lunch
Wed @ 10am
daytonvalleysocialclub@gmail.com

Mexican Train & Lunch
Thurs @ 11am, Contact
niksue@msn.com

Dayton Library Writers Group
Sat @ 10am (775)246-6212

Bridge & Lunch
Mondays @ 10am DV Clubhouse
daytonvalleysocialclub@gmail.com

Dayton Valley Palmer Club
https://dvpalmerclub.wixsite.com/

Arts & Crafts Group
Contact
Daytonvalleysocialclub@gmail.com

Christian Book Club
2nd Wed of month @ 1pm/
Contact kittyz49@hotmail.com

Morning Book Club
Every 2nd Tues @ 10am contact
daytonvalleysocialclub@gmail.com

Evening Book Club
Every 4th Thurs @ 6pm contact
daytonvalleysocialclub@gmail.com

Bunco
Every 2nd Monday at 6pm.
Contact: golfgalk7@gmail.com

Mahjong
Contact leandracarr@hotmail.com

DV Women's Golf Club
Contact: cc911retired@aol.com

Dayton Valley Golf Course >>> Save the Date

Veterans of Foreign Wars
Evans-Kendall Post 8071
Post 8071 Auxiliary
Serving Virginia City and Dayton Since 1946

GOLF TOURNAMENT

Saturday, September 2nd, 2023
8:00 AM Shotgun Start

Dayton Valley Golf Club

Support Our Veterans!

$150 Per Player
- Breakfast
- 18 Holes & Cart
- 4 Drink Tickets
- Lunch
- Swag Bag
- Gun Raffle Entry

Sponsorships
- $500 Tee Sign & Two Players
- $1,000 Tee Sign & Four Players
- $2,000 Tee Sign, Four Players & Building Donor Plaque
- Contest Sponsorship Opportunities (Please call for details.)

$30 Companion Ticket (All the fun, without golfing.)

Raffles – Auction – Contests
- First Place
- Hole in One
- Closest to the Hole
- Longest Drive
- Gun Raffle
- Silent Auction
- Prizes
- 50/50 Raffle

All players are entered in a special gun raffle!

Registration Opens May 15th, 2023
(Register Early – Don't Miss Out!)
Register online at: https://www.vfwpost8071.org/golf/
For Information Call:(530) 305-2808 or (775) 636-2082

This is a benefit supporting the Virginia City Veteran and Community Service Center building project. All proceeds from this event will go towards completing this project while supporting our Veterans and the local community. VFW Post 8071 is a Tax Exempt, 501 (c) 19, non-profit organization.

2023 DVCA BOD Meetings >>>

August 23rd at 5pm
HOA Board of Director's Meeting
101 Palmer Dr.
Dayton Valley Golf Course Clubhouse
For the meeting agenda go to:
www.dvcahomeowners.com
or
daytonvalley.connectresident.com

Sep 27th
Oct 25th *
Nov 15th**

* Budget Approval
** Budget Ratification 10am

BOD Meeting Agendas >>>

Agendas for BOD meeting can be found on the FSR website Resident Portal. The DVCA website may also post and email the BOD agenda as a courtesy to homeowners. BOD agendas may change up to 24 hours prior to the meeting and will be made reasonably available to homeowners. Be sure to update your communication preferences with FSR. You also can register to the DVCA website to be on the email distribution list for courtesy email notifications.



Dayton Valley
New Summer Menu & Hours!
10am-7pm

Taco Tuesday is Back!
Starts at 12 to 7pm

Check out the DV Golf Course Website for menus and more information or **CLICK HERE**

www.daytonvalleygolf.com

Healthy Communities Coalition
Lyon & Storey Counties

Naloxone is now available to anyone who wants to keep on hand for an emergency narcotic overdose.
DAYTON
209 Dayton Valley Rd.
775-246-7834