DVCA Community Outreach Committee Activity Review and Recommendations for July 24, 2024, Board Meeting

The Community Outreach Committee (COC) was created by the Dayton Valley Community Association (DVCA) Board of Directors in May of 2024 to create an on-going plan to collaborate with the developers and builders that soon will be building between 1,500 to 2,000 homes adjacent to our DVCA boundaries.

Current COC members include Ron McRae, Carla Cole, Dennis Drury, Sandy Mass, Russ Olmo, Chris Hansen, and Lynda Marz.

This committee has workshopped separately, communally, and finally with the two major developers Red LTD and Silverado, on an INTENSE fact-finding mission, led by Ron McRae, to determine and define issues and concerns DVCA has as an existing homeowner's association.

Facts:

These facts are supported by research performed by Ron McRae over the last several years. His primary focus was boundaries, land versus road ownership and responsibilities of the defunct "Master HOA." Ron also had many conversations with homeowners, committee members, developers, Lyon County Commissioners, and other local HOAs.

- DVCA was always supposed to be a Master Association, with most of the land that RED LTD is developing as part of DVCA. RED LTD is requesting modifications to the original plans laid down with Lyon County back in the late 1980s and early 1990s. The current 'Legado' homes are not part of these plans. Why are we not a Master Association? When the original developer, John Lawrence went bankrupt in the late 1990s the Master association was disbanded along with Northpointe HOA and Hillcrest HOA. When new developers started building in 2005 the tie of DVCA as a Master Association to that land was overshadowed and became Legado HOA. To make matters worse, The Great Recession in 2008 stopped construction; companies went bankrupt (again), the surrounding land was sold in bits and pieces and the course was purchased by Duncan. By now, the Master Association was forgotten over time.
    - Subsidiary fact: the RED LTD "Legacy 49" development, Point Legado (across DVR) and the Legado Villages (off the roundabout) will be a single master HOA called Legado.
- Agreements were made; some difficult to find.
    - This included two gates to be built when the 'casino' parcel was built next to fairway one. For this we have some documentation – See Exhibit A & B.
    - Road Fees with different builders, both inside the DVCA boundaries and the landlocked Silverado Villages. These agreements are harder to find; some were paid, many were not.

  - The La Costa Circle 'fire road' was originally designed as a regular road that was to connect to St Andrews or Stonehaven. There are maps that show that road. The builders were supposed to complete that road, but they did not.
- Per our Articles of Incorporation, we are mandated to support the golf course. There are several ways we achieve this, but one that takes infrastructure money is maintaining Palmer Drive. This includes road maintenance as well as landscaping. Why is this important?
  - The Palmer median needs to be updated. The amount in our Reserve fund will cover the replacing of some trees or shrubs; but will not cover the cost of creating an incredibly beautiful entry via Palmer Drive.
  - Silverado will be building an additional 200-250 homes in two new Legado Villages off the Palmer roundabout. The Legado Villages are land-locked, and lone access is via Palmer. They will have their own electronic gates to their villages.
- These homes will be built. A fact-finding workshop was held with the eight COC members as well as with Jaimee Yoshizawa from RED LTD, and Mike Evans from Silverado. Jaimee wants to start moving dirt for the development to the east of us on Dayton Valley Road by spring of 2025. Mike Evans wants to start building the next two Legado Villages as soon as Jaimee has built her 'sewer lift pump' that is required for Silverado to attach to the Lyon County Sewer system (the current system does not have the required flow to meet Lyon County build code requirements).
  - The first phase by RED LTD is 139 senior homes to be built on what is called the 'casino footprint'.

Issues:

During the conversations and workshops these are issues determined to affect DVCA.

1. We need to complete the promised infrastructure in DVCA. This includes:
   a. Four gates, La Costa Ave, Cypress Point Dr, Lakeview front, and Lakeview back (at Airpark to Lakes Blvd).
      i. Why do we want to gate like this?? Because all the new villages that RED LTD and Silverado's Villages are building are gated like this.
      ii. Once all our new gates are built, and Palmer gate removed, all residents will only have one gate to enter our community.
   b. Complete the La Costa Cir connection road to Stonehaven.
      i. Even if the road is blocked it should meet our easement's road standards.
   c. Upgrade Palmer Dr median landscaping.
   d. Complete Moore roundabout. Currently it dead ends.
2. Mitigate damage to Palmer drive due to home construction.

3. Ensure homes that back fairway one match DVCA Architecture landscaping standards to ensure conformity with DVCA homes on fairway two.
4. Determine reasonable way to compensate for shared usage of common elements between DVCA, RED LTD, and Silverado developments. For DVCA this includes Palmer Dr Road and Landscaping maintenance. For RED LTD, it is the usage of the walking and bike trails and discounts on other amenities. For Silverado, it is use of the Legado Villages parks.

How do we solve the Issues:

1. Issues 1 and 2 – "Facility Fee" of $2,500.00, plus 2.5% increase annually, per home built. DVCA used to call this a "Road Impact Fee." This wlll be deed restricted to the property and paid at time of escrow. Developers can suggest another alternative payment structure as long as it is timely paid (as in now) or tied to the land.
    a. This dollar amount was determined by taking the estimated costs of two gates, La Costa, and Cypress Point, and dividing by the 139 senior homes to be built on the 'casino' footprint. The same dollar amount is to be paid per home by Silverado as well to fund the rest of the capital improvements 1 and 2 listed in the Issues section above.
        i. See exhibit C for spreadsheet showing estimates, and division of costs.
    b. The money received from this Facility Fee will be kept in a restricted Capital Improvements Operating Fund, generating interest until enough money has accumulated to start projects based on assigned priority.
    c. Recommended by the Treasurer, the COC will be responsible, with management, for auditing the fees received on a quarterly basis once building has begun.
2. Issue 3 - Ask RED LTD to restrict the DVCA Architecture requirement for the homes/property backing up to fairway one to the land to ensure conformity with fairway two**. In fact, as result of discussions with Jaimee in the past, she has currently added wrought iron fencing style to the commercial footprint, see Exhibit D for rendering, and is willing to deed restrict to the homes that will be built against fairway one.**
3. Issue 4 - Negotiate with RED LTD and Silverado to create an equitable way to share usage and costs of shared elements amongst our two HOAs.

Conversations, Asks and Gives

RED LTD:

- Jaimee would like a letter of support for the RED LTD Legacy 49 development from DVCA. She would like this letter by August 21, 2024.
- Jaimee is willing to restrict our requests to the 139 homes that will be built on the 'casino footprint'.
- Jaimee would like a budget that justifies the $2,500.00 facility fee for the 139 senior homes.
- Jaimee will have her attorneys create the paperwork for the deed restriction, which can then be forwarded to our legal counsel for review/modification/approval.
- The agreement will include a clause that any previous legal commitments regarding easements and fees will become null and void.
- Jaimee does not want to look to the past; she wants to look to the future.
- We have told Jaimee that most residents at DVCA do not have an issue with RED's senior gated homes having access via Palmer Dr. In fact, those vehicles would not be driving past any DVCA homes. They will drive past the country club which is beneficial to the golf course.

Silverado:

- Mike Evans cannot commit to any requests from DVCA without going back to Silverado senior management and owners. They own the property outright for the next two villages and are eager to build.
- However, Mike agrees with much of what Jaimee said, including going forward and closing out the past (and stop digging through all the 35 years of accumulated paper) and sharing costs.
- Silverado wants to be a considerate builder and do its best to not impact existing homeowners.
- He did mention the equitable share of ongoing costs by including DVCA use of RED LTD and Village shared assets.

DVCA:

- To meet our mandated support of the golf course, we would like Jaimee to connect the senior homes to Palmer Drive.
- DVCA will agree to add a clause to these new agreements with Silverado and RED LTD, that previous easements and agreements will become null and void.
- Once gates are built at La Costa, Cypress Point and Lakeview, we will remove Palmer Gate.

Motion to be taken at July 24, 2024, BOD Meeting with Committee recommendations for the following Action Items:

1. The Board approves the letter for RED LTD to be forwarded to DVCA legal counsel for review with subsequent final approval by the DVCA BOARD. Letter attached and included in board packet. Deadline for letter to be sent to RED LTD by August 21, 2024.
2. The Board approves homeowners to support RED LTD at Lyon County Commission meetings.
3. The Board officially ask RED LTD to connect the senior homes property to Palmer Drive.
4. The Board officially ask RED LTD for $2,500.00 "Facility Fee", plus 2.5% automatic increase per year beginning on 1/1/2026, per 'casino footprint' home. This Facility Fee will be paid at closing, escrow, or mutually acceptable time. AND ensure homes built with backyards on fairway one match DVCA Architecture landscaping standards to ensure conformity with DVCA homes on fairway two. Letter to be reviewed by DVCA legal counsel with final approval by DVCA Board.
5. Upon RED LTDs acceptance of item #4, The Board asks Jaimee to have her attorney create the initial paperwork for the deed restrictions to the 'casino footprint' homes.
6. The Board sends RED LTD's deed restriction legal paperwork, when received, to DVCA legal counsel for review/modifications/approval. When deed restriction paperwork returns from DVCA legal counsel, the board reviews and approves paperwork to be sent back to RED LTD for filing with Lyon County. Final approval by the board must occur by/on the September 25, 2024, board meeting.
7. The Board begin negotiations with Silverado with an ask of $2,500.00 "Facility Fee", plus 2.5% automatic increase beginning on 1/1/2026, per home for PUD Legado Villages 10 and 14. This Facility Fee will be paid at closing, escrow, or mutually acceptable time.
8. The Board asks the Board to approve COC to begin more research and analysis of previous costs and projections of future maintenance costs for Palmer Road Maintenance and Landscaping. This is for future discussions with RED LTD, Silverado, and most likely Legado HOA, about sharing common element cost sharing agreements. This will take some time. The other parties would do the same.
9. The Board asks FSR to make an immediate appointment for the board to meet with legal counsel to review and adjust these plans going forward to ensure that DVCA is following all laws or regulations.

Conclusion

As a committee, we understand that this is a lot of information coming to the board and community at once, even though this has been in planning for a long time. Jaimee from RED LTD visited us over four years ago when she started planning Legacy 49. Some delays were from COVID, some were from Lyon County (she must keep 100-year flood water on-site that development!), but the time is now.

DVCA should have been the Master association; but we are not. However, we should still have a similar look, and feel, to Legacy 49. That requires us to move our gates in from Palmer Dr to La Costa, Cypress Point, and Lakeview. We need to revitalize the landscape on Palmer Dr.

The time is now. We can get the capital funds, WITHOUT AN ASSESSMENT TO OUR EXISTING HOME AND LOT OWNERS, from the developers directly adjacent to our property. It is our fiduciary duty as DVCA board members to take advantage of this.

EXHIBIT A: 2005 MASTER PUD PLAN FOR LEGADO – "GATES 1, 2 AND 3 BUILT WITH HOTEL RESORT"

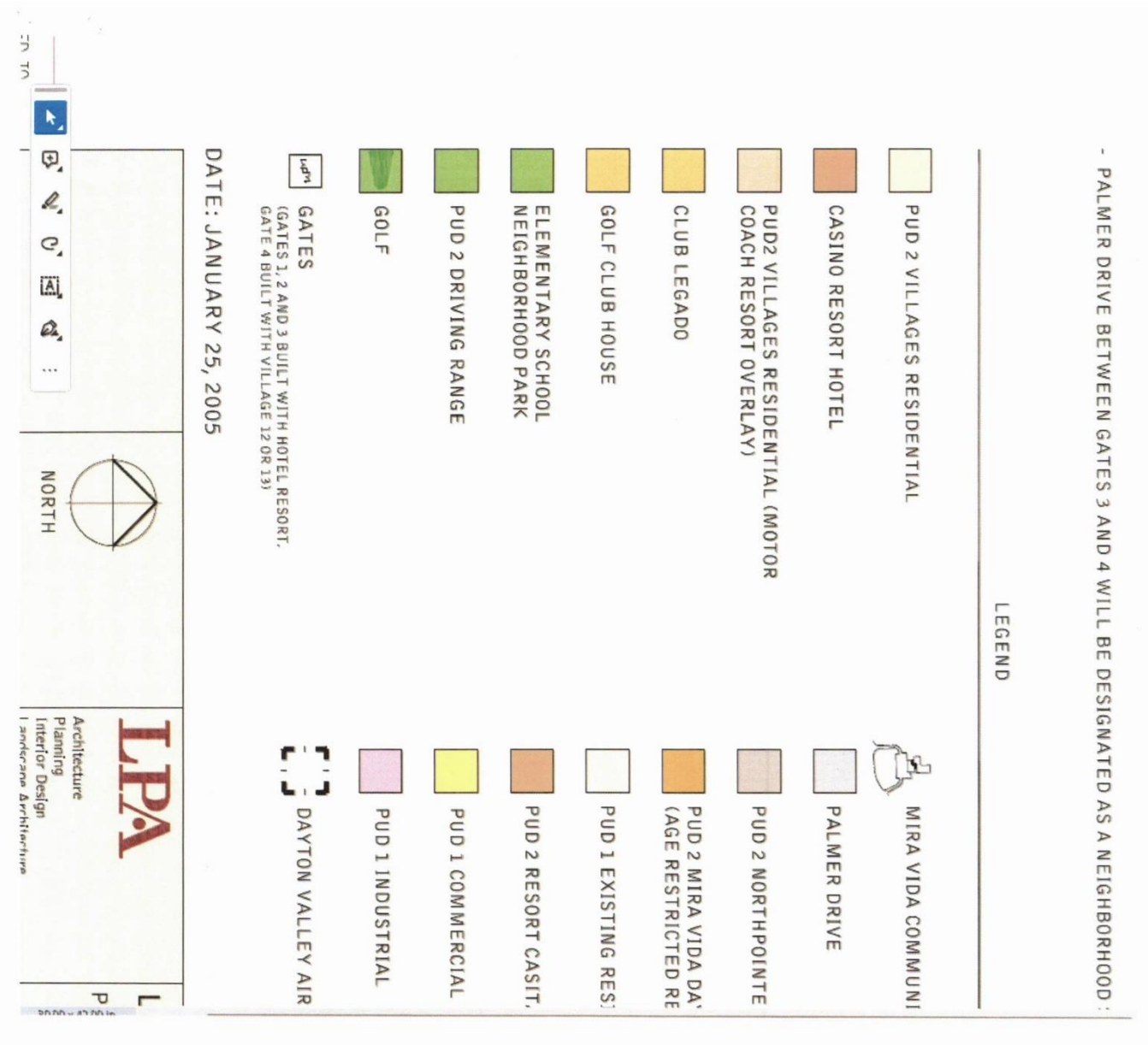


EXHIBIT A: 2005 MASTER PUD PLAN FOR LEGADO – "GATES 1, 2 AND 3 BUILT WITH HOTEL RESORT"



EXHIBIT B: "HOA MEETING WITH LAKEMONT – JANUARY 25, 2007" – PAGE 1

HOA MEETING WITH LAKEMONT

January 25, 2007
10:00 am
Lakemont/Wade
Conference Room Reno

Meeting called by:	**Dayton (DVCA) Homeowners**	**Type of meeting:**	**Discuss HOA Issues**
Lakemont Attendees:	Joe Wade, Carol Dotson, and Greg Peitzmeier	**Note taker:**	Carol Dotson
HOA Attendees:	Rick Klippert, Gene Anderly and Paul Bess	**Note taker:**	Rick Klippert

AGENDA ITEMS – HOA ISSUES	**Remedy**
Lakeview Drive:	**Lakeview Drive:**
✓ Install a chain at Lakemont property entrance	Fence already installed (see map)
✓ Pave Lakeview Road thru Airpark - When?	Plans to pave in approx. 2-3 years. Maintenance and cleanup of area has been already been addressed. The area where a 5" landscape easement is located is taken care of by the Airpark.
	6" Wrought Iron fence installation will be complete within the next 90 days.
	There will be an orange construction fence built –in as a barrier until the home owners (in the surrounding area) have built their homes.
✓ Install Security fencing along golf course at Lakeview Drive to prevent access to/from BLM land by ATVs/Dirt Bikes	Lakemont expects the gate to be open during the nights & weekends, the gate will be locked during the daytime for work to be completed. Lakemont expect work to be completed after the first closing, our goals is the next 90 days.
	The second cul-de-sac will be completed this fall and Lakemont will need a written letter from the HOA Board to allow owners to access through the gates and then remove it after completion.
Maintenance and Cleanup:	**Maintenance/Cleanup:**
✓ Review CC&R's for Fence Maintenance on Lakeview Road	To the best of our knowledge it is the responsibility of each property owner to maintain the Fence on Lakeview Road.
✓ Cleanup of Gallery Property Dayton Vallley Road Corner– Review Bartos Contract for responsibility & timing of improvements.	The area surround the Gallery property area is currently being cleaned up and Bartos is scheduled to be done by next week. We will discuss the community corner area with Bartos and expect it will take 2 weeks to clean up if we have to send someone ourselves we will do that.
✓ Cleanup and landscaping of Dayton Valley road – Wall remaining area.	Lakemont will landscape the area on the north side of the road where Royal Troon is located. The south side of the road where Point Legado is located, will have landscaping installed in the corner where

EXHIBIT B: "HOA MEETING WITH LAKEMONT – JANUARY 25, 2007" – PAGE 2

SEE "OTHER: Section"

	the models are located this spring. We will extend the corners as built.
✓ Landmark Homes Site at the Golf Course transition areas (4,5,&8 holes) – Maintenance Issue (not finished or maintained)	Transitions at the Golf Course – Ed Johanson will work with Landmark to help get the maintenance issue resolved We don't have an estimated completion date but will help put the pressure on to complete.
✓ Road repairs on La Costa & La Costa Circle - Maintenance Issue	Relates to Landmark issue – see above
Security: (Letter to Sheriff - Issues)	Lakemont is in the processing of formulating letter to the sheriff to address HOA concerns.
✓ Security – Speeding – Vandalism	See above
✓ Speeding Issue – Sheriff needs to patrol	See above
✓ Give Authorization to Homeowners to file complaints regarding trespassers on Lakemont Property.	See above
Security Issues:	**Security Issues:**
✓ No Security-Golf Course doesn't provide any security- complaint calls have gone out regarding people/animals on the course and nothing happens. DVCA has no authority over golf course.	Relates to the above letter we are sending to the Sheriff and also possibly hiring a security company to patrol course. Other questions/issues should be addressed to Golf Course Manager Fred Olsen.
✓ Security Company – Check into Cost, possibility?	HOA will follow up obtain costs for this.
Other:	**Other:**
✓ Placement and Installation of New Gate at Cypress Point & La Costa – Schedule	Cypress Point & La Costa gate can possibly be negotiated with HOA. It is not required to be built per our agreement until the casino is completed. Access, dual maintenance and access to future trails & parks can all be discussed. The gates will need to be open from 7:00am to 7:00 pm. We will need corporation by all and a written agreement will need to be drawn out to control functional hours of gate. Working together we can complete this possibly by the end of this year.
✓ Royal Troon/Bayhill landscaping of Dayton Valley road-Wall area-When?	Lakemont plans to work together with the HOA to landscape the Bayhill area though Lakemont doesn't own this particular portion of land. Lakemont will help obtain low costs for the HOA to landscape the area and will help the HOA with design. South Side of Royal Troon will be done this spring and landscaping will begin in the corner and continue down the fence.
✓ Speed Bumps – Cost to Greg for St. Andrews	Waiting on proposal from HOA.
✓ Existing Roads – Lakemont turn over to HOA – Who Maintains?	We need to have a separate meeting to discuss this in further detail. HOA is currently responsible for maintenance.
✓ Study fencing enclosure costs and Lakemont will get back to HOA	Completed

EXHIBIT C: Community Outreach Committee ---- $ Comparisons for DVCA Capital Improvements

| Inter-community Co-Op Committee ---- $ Comparisons | | |

Detail to support costs on main spreadsheet

LA COSTA GATE	
* Needs Islands, roundabouts	$ 30,000.00
* Needs Posts, Gates	$ 100,000.00
* No sidewalk access	$ -
* Needs landscaping rocks / no water	$ 10,000.00
* Fence from gate post to 1st hole lake	$ 3,000.00
* Fence from gate post to country club lake	$ 3,000.00
* Needs Power	$ 10,000.00
* No GC easements needed	$ -
TOTAL	**$ 156,000.00**

CYPRESS POINT GATE	
* No new islands, No new roundabout	$ -
* Needs Posts, Gates	$ 100,000.00
* Sidewalk access on one side	$ -
* Needs another post, pedestrian gate	$ 20,000.00
* Needs remote keypad to open gate	$ 5,000.00
* Fence/large rocks from sidewalk gate post to cart path	$ 3,000.00
*Fence from cart path to corner lot	$ 7,000.00
* Place rocks near golf course post	$ 2,000.00
* Already Landscaped with trees bushes	$ -
* Needs Power	$ 10,000.00
* GC Easements for both sides of street	$ -
TOTAL	**$ 147,000.00**

LAKEVIEW GATE	
* Needs Keypad Island, No Roundabout	$ 15,000.00
* Needs Posts, Gates	$ 100,000.00
* Sidewalk access on one side	$ -
* Needs another post, pedestrian gate	$ 20,000.00
* Needs remote keypad to open pedestrian gate	$ 5,000.00
* Fence from sidewalk gate post to corner of 902 Lakeview @ fence	$ 2,000.00
* Fence from golf course post to corner of 901 Lakeview @ fence	$ 5,000.00
* Needs landscaping rocks / no water	$ 10,000.00
* Needs Power - NVE transformer is adjacent	$ 10,000.00
* GC Easements for both sides of street	$ -
TOTAL	**$ 167,000.00**

AIRPARK GATE		CHAIN LINK
* No Islands, No Roundabout	$ -	
* Needs Posts, Manual Gate	$ 50,000.00	$ 10,000.00
* Sidewalk access on one side	$ -	
* Needs another post, pedestrian gate	$ 20,000.00	$ 2,000.00
* Keyed lock for pedestrian gate	$ -	
* Place wrought-iron fence from sidewalk gate post to corner of our exterior fence on Bally Bunion	$ 10,000.00	$ 10,000.00
* Place chain-link fence from southside gate post to corner of "Bermuda Triangle" near the brass survey monument.	$ 5,000.00	$ 2,000.00
* Already landscaped with rock - no water	$ -	
* GC Easements for both sides of street	$ -	
* Bermuda Triangle Fence	$ -	

* Needs power (for lighting)	$ 10,000.00	
TOTAL	$ 95,000.00	$ 24,000.00

LA COSTA CIR REBUILD

* Remove existing road, curb, rocks & regrade	$ 15,000.00
* Install 260 ft. long, 30 ft wide asphalt road	$ 74,000.00
* Rework Stonehaven intersection /	$ 10,000.00
* Private Road	$ -
* No Extension of Underground Utilities : Water, Sewer	$ -
* Concrete Curb	$ -
* Gutters	$ -
* No Sidewalk	$ -
TOTAL	$ 99,000.00

PALMER MEDIAN LANDSCAPING

* Brightview Quote for Palmer Center Island	$ 158,000.00
* Increase for Inflation	$ 17,000.00
TOTAL	$ 175,000.00

EXHIBIT D: RED LTD Wrought iron fence rendering against fairway one

