

December 2021

Volume 6, Issue 11

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PRESIDENT'S MESSAGE

Hello everyone,

I am sure you have been wondering what happened to the November newsletter. Unfortunately, our volunteer editor had a serious computer malfunction and one of the casualties was the November newsletter. So please enjoy this December issue.

You may also be wondering what happened to the budget ratification meeting. It was originally scheduled for November 17th but because of a discrepancy in projected assessment income between the budget adopted by the Board in October and the scheduled ratification meeting, the November 17 date had to be pushed back a week. The issue is with the number of occupied homes vs vacant lots. Because of this the Board needed to vote again to adopt the modified budget. But the way the by-laws are structured, all votes outside of a regular meeting must be unanimous. There is one Board member that for reasons of his own chose to not approve the new budget. This means that the budget the Board approved back in October will be the one presented to you, the owners. The Board will then vote to approve the new, corrected budget at the January meeting. Please allow me to point out there is no increase in assessments in either budget. While we are on the subject of the budget, at some point in the future the budget committee will meet to decide how much to transfer from the reserve money market account into CD's. As of right now there is more cash than we need in the money market account, so it makes sense to move some funds into investments that earn a higher interest rate.

One of the key components to determine how much cash to convert is our annual reserve study. This year it is an on-site study as required by law. I do not anticipate any surprises since we have previous studies to refer to, but once again we are in good shape financially.

Another item of concern is compliance with the rules and regulations. If a violation is noticed, Complete is required by law to send a written notice. Some people have asked, "Why can't you just call me?" Again, calling you first about a violation is against Nevada law. I hope you all understand.

Continued on page 2

PRESIDENT'S MESSAGE—CONTINUED

"

If you use the Bayhill gate you probably noticed that it is in the open position. During a recent gate inspection, it was reported that one of the Mag-Locks is defective. To avoid a potential failure that could cause added damage to the gate mechanism it was determined to lock them open until repairs are completed. The parts are ordered and once the repairs are completed the gates will be back in normal operation. I would also like to point out that the authorization for the repair was delayed by a week because three new members of the Board did not agree with the way the vote was being conducted. It is not that they disagreed with the need for the repair, but instead questioned how email votes are recorded. Again, I refer you to the by-laws where it states that all votes between meetings must be unanimous and will subsequently read into the minutes at the next board meeting. The Board has used email votes since before I became president, and everything functioned smoothly until now. So once again the authorization for the Bayhill gate repair is delayed because three new Board members want to change the procedure and held the repair hostage until they got their way.

I have recently been informed that I have been performing the duties of president in a more authoritative manner than previously. This is true. After the actions of the previous year, I thought it was in the best interest of the community that I take a more direct approach in managing the affairs of this association. Those of you that regularly attended meetings prior to the COVID shutdown will probably remember a more laid-back style. This is true and that is the style of leadership I prefer and employed. That style worked. . .until it did not. If I have offended anyone, I am truly sorry but again, I do want to say that I have always worked for what I believe is best for this community

Thank you and as always, if there is anything I or the rest of the Board can do for you, please let us know.

Dennis Drury, President, Dayton Valley Community Association

GATES AND MONITORING COMMITTEE—DENNIS DRURY

Please see President's Message for information about the Bayhill gate.

The committee continues to work on regular activities. If you have any questions, please use the Contact Us "Gates and Monitoring" option on the dvcahomeowners.com website, or by calling Complete at 775-515-4242.

ROADS COMMITTEE—DENNIS DRURY

The committee continues to work on regular activities. If you have any questions, please use the Contact Us "Roads" option on the dvcahomeowners.com website, or by calling Complete at 775-515-4242.

TO REQUEST A PARKING PASS / CARD / PERMIT

To request a parking pass/card/permits from the website: Go directly to the Contact Us page at http://www.dvcahomeowners.com/contact.php . Select "Request Parking Pass" from the "Send To"

Hello Neighbors!!

Winter is here and now is the time to plan your 2022 outdoor projects. Don't forget that any major changes to visible landscaping or hardscapes require architecture committee approvals in advance.

Painting the same color does not require an application, but if changing any exterior color, please go onto the HOA Website (**NEW!!** - here's the link to the Architecture page: dvcahomeowners.com/info.php?pnum=15d0031b26dd8a) to see the pre-approved colors or notify Complete and we can bring them to your home to show you. **We have a wonderful book of all the pre-approved colors! Contact the committee or Complete (see below) to setup a meeting to see to book.**



If you want to repaint your home using colors that are not pre-approved, please send 2 sets of color chips or examples with your ARC application; this way we can keep one set with the application on file, and share the second set with the committee. Computer scans can distort the colors; we prefer the original.

As a reminder, all ARC requests must go to Complete so they can be logged in, after which they'll be forwarded to the committee. If you have any questions, please contact Complete and the committee by using the "Contact Us" section on the dvcahomeowners.com website and select "Architectural Committee" in the "Send To:" drop down.

The ARC Committee meets every other Thursday. We also try to review requests as they come in to see if there might be some questions and call you to get clarification. We just want to let you know about the schedule change to set your expectations on when to expect your requests will be reviewed.

SOCIAL COMMITTEE

The Social Committee will restart in 2022. . If you have any questions, please use the Contact Us "Social Committee" option on the dvcahomeowners.com website, or by calling Complete at 775-515-4242.

NAME CHANGE! - COMPLETE MANAGERS MESSAGE

Julie Thompson is our community Manager. If you have any questions, comments or concerns, please feel free to contact them through the "Contact Us" Page on association website at www.dvcahomeowners.com, or by phone at 775-515-4242.

CAMCO is now Complete Association Management Company (Complete)
704 W. Nye Lane, Suite 101
Carson City, NV 89703
775-515-4242 - Office 775-515-4243 - Fax

LANDSCAPE COMMITTEE—TOM DE URIARTE

Your committee has been busy this month reviewing the neighborhood with our contractor, Brightview, to (1) identify places where dead bushes and trees have been removed in the past year; (2) to identify bushes and trees that need trimming; and (3) to request proposals for replacement of all bushes and trees that have not been replaced.



Most trimming has been done and the rest will be completed soon. Proposals for new bushes and trees have been promised to come in time for the Board to vote on them before Spring.

Enjoy the holidays!

Please use the Contact Us, "Landscaping" Send To option, on the dvcahomeowners.com website to join in, OR to submit an issue. You can also call Complete at 775-515-4242 and they will forward your request to the appropriate individual(s)

COVENANTS, CONDITIONS AND RESTRICTIONS (CC&RS COMMITTEE) — CARLA COLE & SANDY MASS

The DVCA Board would like to wish you all a very Merry Christmas and a Happy New Year. May your Christmas sparkle with moments of love, laughter, and goodwill, and may the year ahead be full of contentment and joy.

If you were not dialed into the Zoom Board Meeting on October 27th, there has been a change in the board liaison to several committees. I will now be taking over the CC&R Committee along with Sandy Mass.

It is the time of year that we remind homeowners to rake their leaves. To the owners of homes that have sidewalks, please remember you are responsible for raking the leaves from the trees along the sidewalks, including the streets and gutter areas in front of your home.

The holiday season is here and that means decoration time. CC&R Article 4.4 states, "Holiday decorations and lights must be removed 30 days after the holiday."

To request a parking pass, go to the DVCA website, click the "Contact Us" bar. You will be directed to a page, click the drop-down menu, and select "Request Parking Pass." Please fill out the form and submit your request and we will notify you in a day or two.

Should you have a concern you would like to pass on, please go to the DVCA Website, click the "Contact Us" bar, select the " Rules and Regulations" (or another option if appropriate) from the drop-down menu, and send in your concerns and a board member or our Community Manager will contact you.

Those of you that would like to be a volunteer on the CC&R Committee, the charter for the committee will be ready in January and at that time community members will be assigned. All committee appointees must be

WEBSITE AND COMMUNICATIONS UPDATE—SANDY MASS EFFECTIVE IMMEDIATELY

As I discussed last month, As a HOA homeowner, it is **your responsibility** to **make sure you have your communications preferences known to Complete** if you have not already. You can tell Complete of any changes to your mailing address, email address, and if you want emailed documents in addition to the mandatory snail mailed copies. You can reach Complete by using the "Contact Us" Page, option "Property Management" at www.dvcahomeowners.com, or by phone at 775-515-4242.

Please note: Complete can only send emails to ONE email per HOA address! I know many households have multiple members on the dvcahomeowners.com website with their own accounts; Complete cannot accommodate that. HOWEVER, you can download a copy of the newsletter and other correspondence on the dvcahomeowners.com website once it has been mailed and emailed by Complete.

Our website will have those communications available for download/review once they've been sent, thus your dvcahomeowners.com account will still be active and useful. However, until we have completely worked out the ramifications of the new NRS rulings, we will continue to act very conservatively.

If you have questions, you can check the FAQs page located as a dropdown option from the "About Us" menu option. We continue to add new FAQs. Or you can contact Complete (see above) or Sandy (see below). We are all working to make sure we conform to the new NRS regulations

Do you have features you want to see on the website? Or the Newsletter? Contact Sandy by emailing her directly at webmaster@dvcahomeowners.com, or by using the "Contact Us" option at the dvcahomeowners.com website.





JOAN LATIMER—VICE PRESIDENT

HAPPY HOLIDAYS EVERYONE!

I want to let you know that I have resigned as the chairperson to the Social Community. With only August and September HOA meetings being held since the election those who have volunteered to serve on this committee have yet to be approved by this board. I and several other board members asked to add a September meeting but we're met with denial from Board President Dennis Drury. Sadly following the October HOA meeting two of the volunteers who had yet to be approved have now declined to serve. They had wonderful ideas on bringing a Welcoming Committee back to the DVCA. Something this community needs.

Now that I have shared the negative I will end with a positive.

I pray that the new year will bring favorable happenings to our World, our community and this HOA Board.

Wishing you PEACE, LOVE and JOY this HOLIDAY SEASON and through out the NEW YEAR.

FIDUCIARY DUTY

Association Directors as Decision Makers

The primary duty of a board of director is to make decisions on behalf of its homeowners' association. In the performance of this duty, board members and officers must serve as fiduciaries. They have a duty to act for someone else's benefit while subordinating one's personal interests to that of the other person. In associations, it applies to the executive board of directors, officers and community managers acting in their official capacities

What are a fiduciary's requirements?

In Nevada, the requirements of a fiduciary are specified in NRS 116.3103:

Members of the executive board are fiduciaries and shall act on an informed basis, in good faith and in the honest belief that their actions are in the best interest of the association. Officers and members of the board:

a. Are required to exercise the ordinary and reasonable care of officers and directors of a nonprofit corporation, subject to the business judgement rule; and

b. Are subject to conflict-of-interest rules governing the officers and directors of a nonprofit corporation organized under the law of this state.

A director must understand each component of this duty:

1. **Business-judgement rule** – Directors are presumed to be exercising sound business judgement if their actions can be defended as being in the best interest of the association.

2. **Act on an informed basis** – For any association issue, the board MUST first make some kind of appropriate inquiry. This will vary depending upon the type of decision and the weight of its consequences. Directors should also have a general understanding of the scope of their authority and options available to them.

3. **Use of Experts** – Some decisions involve matters beyond the directors' expertise. Experts may include attorneys, accountants, reserve study specialists, insurance agents, contractors, or anyone else who specialized knowledge is essential to a decision before a board.

4. **Duty of Care** -In exercising "ordinary and reasonable care," boards must identify risks and avoid actions that may lead to loss or harm to the association. Even a lack of action may compromise the associations assets. Directors cannot always avoid bad outcomes but must watch out for foreseeable risks.

5. **Duty of loyalty** - Directors **MUST** avoid self-dealing, conflicts of interest, or even the appearance of a conflict of interest. This includes disclosing any personal interests that may **appear** to influence a decision before that decision is made. If a director stands to gain personally from a decision, then he or she must abstain from voting on the matter as well. **NRS 116.31084**. Finally, directors may NEVER directly contract for services, goods, or financing with the association.

6. **Duty of Confidentiality** – Directors have access to association records that are considered privileged, meaning the information is available only to certain people and only for certain purposes. This includes any information relating to a unit's owner, including specific violations, personnel records, and draft documents. Discussions with attorneys over legal strategy may also be confidential. Those who have access to

6. **Act within the scope of authority** - Associations exist for a specific purpose. Often, this is stated explicitly in the covenants, conditions, and restrictions (CC&Rs). The board exists to execute the provisions of the governing documents, but must ensure their actions are within their scope, Further restrictions exist in NRS 116.3102, which limit an associations power.

Directors may NOT:

1. **Act for reasons of self-interest, gain, prejudice, or revenge.**
2. **Commit and act or omission that amounts to incompetence, negligence or gross negligence" NAC 1163405**

This information presented is offered online by the Ombudsman's Office. It would be in everyone's best interest to go online to www.red.state.nv.us and sign up for a couple classes. Evening classes are available and well worth the time to know for yourself to differentiate between the truth and the **MISINFORMATION** that is being given out in the community on social media.

Social Media and Code of Conduct

I am sure you all have heard of Social Media platforms such as Facebook, Twitter, Tic-Tok, Snap-Chat, Instagram, Pinterest, LinkedIn and NEXTDOOR. They are all huge corporations, and all have guidelines, terms of service and or codes of conduct. When you violate their terms, you can be kicked off for a short or long period of time or even banned. The Dayton Valley Community Association is a corporation and adopted a Code of Conduct for board members in April of 2021 because of the volatile personal attacks on members of this community and board members, discussing board business on social media and dispersing misinformation.

- A Dayton Justice of the Peace in a summation recently said, "NEXTDOOR is horrible, a horrible tool for YOU guys, it is being used incorrectly and all it is doing is adding hate and discontent among the community." It was further stated she could not do anything about it, but the association can.

Please sign on into the DVCA website and read the Code of Conduct and please come to the January 26, 2022 board meeting.

A prime example of misinformation was the fence fiasco. For those of you that are unaware, a complaint was filed by a homeowner with the state regarding the fence and the State of Nevada NRED Ombudsman's Office closed the complaint as **unfounded.**

STEVE GALLISDORFER—DIRECTOR

You may have heard by now that four of the current board members stripped me of being the liaison of the. **Rules & Regulations, Election and Landscaping** committees. I am still on the Board, and I will continue fighting for what is right for our community. And yes, their action was expected. I have fielded many phone calls from volunteers for those committees who listened in on this and sympathize with your feelings over it. I also understand that you were volunteering because I asked you to help me, and that now you are withdrawing your names as I won't be your liaison. In their excitement, the same people who did this also forgot vote for the new committee liaisons, so currently there is none for these three committees. There were volunteers to be liaison, but no board vote to seat them as such. That can happen at the next board meeting, which is scheduled for January 26th.

Also, the volunteers who were waiting to be seated on committees were not seated, which was NOT expected. I wrote committee charters from scratch for two of those committees (none could be found in the records), and I rewrote the third charter. These charters had been done for weeks prior but had not been forwarded to the attorney for review, so they now being forwarded for approval, but very late. This delayed action means that committee members for these important committees cannot be seated now until the January 26th meeting at the soonest. So, I am sorry I got your hopes up that you could start work soon, but this one was out of my control. November's meeting is for budget ratification only, and now *THAT* is delayed because the count for the number of homes in the DVCA was not checked by the Budget Committee, so was wrong and hence the budget was wrong. The community's desire for positive, transparent change is coming very slow and painfully.

The October meeting *SHOULD* have been in-person for all homeowners, and I have received numerous complaints that it was changed to Zoom on short notice, and of not being able to be heard or hear what was being said. Obviously, the current call-in system does not work well for homeowners. This is very unfair to you as homeowners, and I will continue the push to allow you to attend every meeting **in person**. You have a legal right to participate in these meetings, and it is being knowingly denied to you. Please let your feelings on this matter also be known to the rest of the board too, and don't give up.

I hope you had a wonderful Thanksgiving. We have so much to be thankful for, in spite of the little things that can bother us! Don't let that distract you!!! And I wish a very Merry Christmas to you all too.



INSURANCE & RISK MANAGEMENT COMMITTEE —LEANDRA CARR

Do you know that the State of Nevada Ombudsman's Office offers a series of free online classes on all things related to Homeowner Associations? There is a wealth of information on how boards work, homeowner responsibilities, meetings and plenty of other topics. Homeowners are always welcome and it has been great to see several of our new board members participating and being proactive in these classes. Check them out here: https://red.nv.gov/uploadedFiles/rednvgov/Content/CIC/Program_Training/ptcal.pdf

The committee continues to work on regular activities. If you are interested, please use the Contact Us

News from Dayton Valley Golf

We had a great start this year.

Course is improving and so is restaurant!!

MEMBERSHIP SPECIALS APPLY BEFORE DECEMBER 31ST (775) 246-7888 Ext 1

TOUR SPECS
GOLF MANAGEMENT, LLC

PRO SHOP

8AM – 4PMa

Tee Times will be starting at 8:30 am and adjusting with consideration of weather and sunlight.t

We suggest booking online at daytonvalleygolf.com

Range hours will be changing as well. Balls are currently available until 4pm but that is subject to change. The Korn Ferry Tournament PGA 1st Stage qualifying was a great success. The Course's change in condition earned rave reviews. Men's Club Championship the first of the month produced Clifford Smith Gross winner and Mike Griswold Net winner. Curtis Echols won match play champion.

101 Bar and Grill

Sunday Monday Thursday Night Football

5 PM – 8PM

Five Screens, Drink, Food Specials and Squares

Friday and Saturday Night dinners from 5-8 pm. Reservations 775-246-7888

Taco Tuesday is canceled for Winter Months to resume in March

NEW: BREAKFAST AT 101

SAT AND SUN FROM 10-12

Entertainment: The Killer Keys Dueling Pianos December 18th Tickets on Sale: $45.00

Purchase tickets at Pro Shop and 101 Bar

Includes Show, Dinner and a cocktail. This is an interactive event. Lots of Fun. Dancing and singing.

LIMITED SEATING.

THANK ALL OF YOU FOR SUPPORTING OUR DAYTON COMMUNITY TOURNAMENTS
CHAMBER OF COMMERCE COMMUNITY ROOTS DAYTON HIGH SCHOOL BOOSTERS

Holiday Parties, Weddings, Birthdays or Anniversary.
Book your Special Events with Stephanie: ext. 5

Our Wishes for a Grateful Thanksgiving, Merry Christmas and a Happy New Year.

Jim Kepler, PGA Golf Professional, General Manager

Please NOTE that the following events are not Dayton Valley Community HOA sponsored events. We include information that has been provided as useful to those that read our newsletter. CONTACT VENDORS PRIOR TO FIND OUT IF EVENTS HAVE RESTARTED DURING THE LIFTING OF COVID-19 RESTRICTIONS

Interact with the Nevada Wild Horses
Volunteers needed for
LBL EQUINE RESCUE
Silver Springs, NV
Come and work with rescued Nevada wild horses. Water, feed ,clean ,groom. Consider it your Pilates workout, but it's free AND after chores, you get to interact (talk, hug, sing to, and groom) with the horses.
Come out any Saturday from 10am - 1:00 pm
to get acquainted with the staff and the horses.
Further information:
lblequinerescue@gamil.com
Facebook
Linda Bruno: 775.350.4900
Penny Meyers: pnmeyers@yahoo.com

BOOK CLUB—Fourth Thursday of the month in member's homes. Call Penny for information **NEW** 775-241-2485 or email pnmeyers@yahoo.com

DAYTON HEALTH & WELLNESS MASSAGE with Karen J Ryan, LMT NVMT9348

Please call for appointment 775-720-4098



BINGO FOR CASH

1st and 3rd Monday of every Month
Dayton Community Center
DOORS OPEN AT 5PM
BINGO STARTS AT 6PM
For more information check out our Facebook page Historical Society of Dayton Valley Bingo or Website daytonnvhistory.org
Historical Society of Dayton Valley perserving Dayton History





Free personalized home evaluation

Dennis Lindsay

Realtor CA Lic 0088218978 NV Lic B50008718

dennislindsaygroup@gmail.com

Your Local Real Estate Resource
With 40 Years of Experience

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corcoran

GLOBAL LIVING







YOGA

Call Dianne McCullough
for info 775-546-3146

Low impact aerobic with some jazzy combinations.



BUNCO—Join in the FUN!

2nd Monday each month

It's BACK!! October 11

Arrive in the Palmer Room at 5PM to visit,
Bunco starts at 6PM sharp.

Sign up in the Golf Pro-Shop or call 775-246-7888

Prize Pool: $5.00 per person + 25¢ for Money Bag

Saturday Bridge Group

Now plays at 1PM every Saturday at a friend's house in DVCA

If you want to play, send email to webmaster@dvcahomeowners.com.



DO YOU WANT to learn how to play BRIDGE?

Wray Brett is looking for those that are interested in learning so she can create a study

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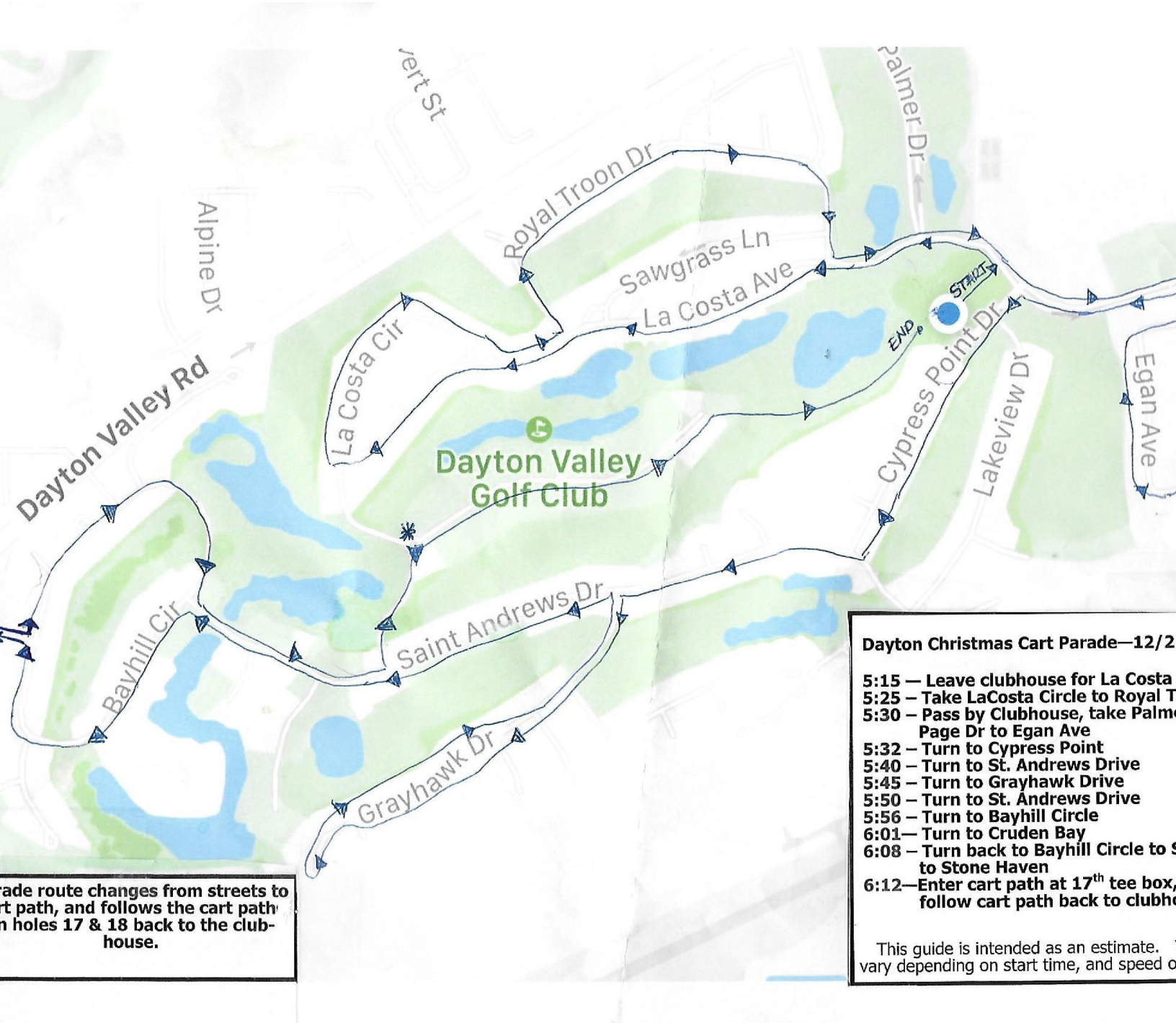
WE HAVE SPACE FOR YOU

Dayton Valley Golf Cart Parade



Date: Tuesday, Dec 21, 2021
Approx Parade Start Time: 5:15
Route: Flip to other side.
(Remember, this schedule is only a guide)

Decorated golf carts should gather at the clubhouse between 4:30 and 5:00 pm. For those interested in participating in the parade, a sign-up sheet will be posted in the clubhouse.



rade route changes from streets to
rt path, and follows the cart path
n holes 17 & 18 back to the club-
house.

Dayton Christmas Cart Parade—12/2

5:15 — Leave clubhouse for La Costa
5:25 – Take LaCosta Circle to Royal T
5:30 – Pass by Clubhouse, take Palm
Page Dr to Egan Ave
5:32 – Turn to Cypress Point
5:40 – Turn to St. Andrews Drive
5:45 – Turn to Grayhawk Drive
5:50 – Turn to St. Andrews Drive
5:56 – Turn to Bayhill Circle
6:01— Turn to Cruden Bay
6:08 – Turn back to Bayhill Circle to S
to Stone Haven
6:12—Enter cart path at 17th tee box,
follow cart path back to clubho

This guide is intended as an estimate.
vary depending on start time, and speed o