

**BELLA VISTA VILLAGE PROPERTY OWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING (WORK SESSION)  
April 14, 2016 ° 8:00 A.M. ° COUNTRY CLUB BOARD MEETING ROOM**

**BOARD MEMBERS PRESENT:** Vice Chairperson Brad Morris, Directors Bruce Portillo, Patrick Laury, Joshua Hart, Ruth Hatcher, Ron Stratton, and John Nuttall.

**BOARD MEMBERS ABSENT:** Chairperson Bob Brooks.

**OTHERS PRESENT:** Chief Operating Officer Tom Judson, Board Treasurer/Director of Finance & Administration Dwain Mitchell, General Counsel Doug McCash, Corporate Secretary Genevieve Henderson, and Environmental Health & Safety Manager Don Schmutz.

**I. CALL TO ORDER**

Vice Chairperson Morris called the meeting to order at 8:01 a.m.

**II. MEMBER COMMENTS**

Kim Anschutz, of 33 Oniell Lane, stated that she and her husband have put an offer in for a portion of the ARKMO land. She stated that they plan on using the land to build a nice home and a farm for their horses. They have previously put two offers in for a portion of the land. The first offer was made one year before the land was placed on the market, and the second was made after it was on the market. Neither offer was accepted. She stressed that it will be a nice piece of property when they are finished building and asked the Board to consider the current offer and make a decision soon.

**III. OLD BUSINESS**

- A. Policy 1.03.6** – Vice Chairperson Morris reported that Policy 1.03.6, which creates a Charitable Giving Committee, will be ready for a second and final reading at next Thursday’s Board meeting. He stated that it passed unanimously last month, but asked the Board if they had any additional comments or further discussion.

Director Laury raised the question of whether the formation of a Charitable Giving Committee would violate Policy 9.05, Community Fund Drives. He stated Policy 9.05, “Community fund drives shall not be a Property Owners Association function and the POA, as a non-profit organization, will not contribute either time or money. Solicitation of POA employees on POA premises is limited to distribution of a 3 1/2” x 7” slip (provided by a recognized organization) which may be included with the employee paycheck, not more than once a year for each organization.”

Vice Chairperson Morris referred the question to Mr. McCash. Mr. McCash stated that Policy 9.05 is specific, solely to Community Fund Drives, not to Charitable Giving organizations.

Director Hatcher asked Mr. McCash to define “Community Fund Drives.” Mr. McCash stated that it would be people actively soliciting donations for an organization from multiple individuals within the community, not only from companies. The Board had no additional comments or further discussion.

- B. Policy 1.03.7** - Vice Chairperson Morris reported that Policy 1.03.7, which creates a Resource and Advisory Committee, will be ready for a second and final reading at next Thursday’s Board meeting. He stated that it passed unanimously last month, but asked the Board if they had any additional comments or further discussion.

Director Hatcher stated that it is her understanding that there is no term limit associated with the Resource and Advisory Committee members, and that membership is at the discretion of the Board. Mr. Judson confirmed this. The Board had no additional comments or further discussion.

- C. Policy 1.04** – Vice Chairperson Morris reported that there is a variety of minor changes to Policy 1.04 to ensure that it is in compliance with our Governing Documents. He stated that it will be ready for a second and final reading at next Thursday’s Board meeting and asked the Board if they had any questions or comments. The Board had no questions or comments.
- D. Bylaw Article II, Section 1(c) and Bylaw Article VII, Section 1(c)** – Vice Chairperson Morris reported that the adjustments being made to Bylaw Article II, Section 1(c) and Bylaw Article VII, Section 1(c) are to ensure that the POA is in compliance with State Law. He reported that the adjustments made will require the Board to appoint a Vice President in accordance with Arkansas State Law for Non-Profit Organizations. He stated that it will be ready for a second and final reading at this coming Thursday’s Board meeting and asked the Board if they had any additional comments or concerns. The Board had no comments or concerns.
- E. Offer for the purchase of approximately 144 acres of ARKMO land** – Vice Chairperson Morris reported that the offer for the purchase of 144 acres of the POA’s ARKMO land has been on the table for two months. He stated that though there were negotiations and modifications earlier in the offer, there have been no additional changes to the current offer on the table. He stated that it will be voted on at next Thursday’s Board meeting and asked the Board if they had any additional comments or questions.

The Board discussed the benefits of having the additional funds on hand to use for other investments, whether or not the land should be sold in pieces rather than as a whole, and what the long-term plan for the property could develop into.

#### **IV. NEW BUSINESS**

- A. Policy 3.09** – Vice Chairperson Morris reported that the first reading of the proposed changes to Policy 3.09 will be at next Thursday’s Board meeting. He stated that the purpose of the proposed changes is to slightly modify the conditions under which the POA would turn off water service on an improved property for non-payment of assessments. He referred to the current policy where it states “Circumstances that can lead to the suspension of water service are, but not limited to: The member’s assessment account is past due in an amount in excess of \$200.00 on any one lot owned by the member and the member is not in a payment arrangement for the payment of the past due assessments.” He referred to the proposed changes, reporting that the timeline of when the POA begins the process of suspending water service will change from \$200.00 past due on assessments, to 60 days or more past due. He asked the Board if they had any additional comments or questions.

Director Hatcher asked how many members are past due on their assessment accounts. Mr. Judson replied that he does not know the number of members that are delinquent, but that there is \$45,000 owed, over 60 days past due. He commented that the balances become harder to collect as more time passes and payments accrue. He stated that as long as a member has a payment plan, in good standing order, their water service will continue. He reported that the proposed changes to Policy 3.09 would not go into effect until January 2017, allowing members adequate time to prepare for the change and get their accounts in order.

**B. Policy 7.05** – Vice Chairperson Morris reported that the first reading of the proposed changes to Policy 7.05 will be at next Thursday’s Board meeting. He stated that the purpose of the proposed changes is to provide additional distinction between fees which require approval by the Board to change, and fees that can be adjusted by the Chief Operating Officer or General Manager. He stated that the intention of the proposed changes is to provide reasonable flexibility to the Chief Operating Officer or General Manager, working with other members of the staff, so that amenity usage fees can be adjusted based on the environment of the market, without Board approval, for promotional pricing.

Mr. Judson reported that the Golf department developed a promotional rate for the afternoon, after 2:30 p.m., where the price was set at \$25 for the first golfer and \$20 for subsequent friends and family. He reported that it was run for a brief period of time, and that it brought in 345 rounds, or \$7,000 in revenue.

**C. ADA Board of Directors Update** – Mr. Schmutz reported that the ADA project should be completed this week or next week. He stated that the initial plan forecasted a cost of \$655,922 but only \$609,859 has been paid to date for work completed. He added that there are still substantial reserves until the work is complete. He reported that there were \$1,756 in errors, which is a low error rate for the size of the project and that the project is under budget by \$23,704. He referred to pictures of some of the finished work, describing the partitions in the restrooms of the POA’s facilities, the handicapped spaces in the parking lot of the Country Club, the Metfield pro-shop, the handicapped showers installed at the pools, the parking lot grade at Papa Mike’s, Kingsdale Grill, and Branchwood, the rescue pads installed at POA facilities, and the tile installed for the lift that goes into the pool. He reported that most of the work left to be done is landscaping. He stated that the playground at Branchwood would be a priority for Phase 2 of the project.

Vice Chairperson Morris asked if there are other things that will need to be addressed for Phase 2.

Mr. Schmutz responded that we have taken a great step forward, but there are additional things that will need to be done and with regulations frequently changing, it will be continuous.

Director Hatcher asked if any part of the playground at the Kingsdale complex is ADA accessible.

Mr. Schutz responded that he believes all of the playgrounds need some work to be compliant.

Mr. Judson reported that he met with the Young Residents Committee, and the playgrounds are one of their top priorities. He stated that all of the playground equipment is more than 30 years old, needs to be replaced, and that none of the playgrounds are ADA accessible. He stated that we are working on the development of Phase 2 ADA plans for Branchwood, which includes the playground equipment. He anticipates a recommendation from management in the coming year for capital expenditures for the other playground equipment.

**D. Loch Lomond Fishing Dock Proposal** – Mr. Judson presented the proposed plans for the Loch Lomond Fishing Dock. He referred to the existing fishing dock, stating that the plans are to reuse it and add to it. He stated that the plan is to move the existing dock farther out from the shore and extend the walkway. This will place the dock in deeper water and allow for additional fishing fingers to be constructed off of the walkway. The fishing fingers will also provide additional stability to the dock. He reported that the Fly-Tyers Club is in support of the plan and, if passed

by vote, is willing to contribute \$10,000 to the construction, designating \$1,800 of it for a fish habitat. He stated that the remaining contribution would offset the cost of the overall project, reducing the POA's total cost to \$30,288. He stated that it is management's recommendation to move forward with the project, including a provision that the contribution of \$10,000 be made by the Fly-Tyers.

Director Stratton referred to the common property adjacent to the dock, stating that there is also a proposal to make this property into a park and picnic area. He recommended going forward with this plan. Mr. Judson said that he would get an estimate for the park and picnic area, and see if it is possible to combine the two projects.

Mr. Judson reported that the POA has been in communication with the property owner immediately adjacent to the dock, and the property owner is in favor of the proposed changes.

**E. Board resolution granting the President and Secretary the authority to execute warranty deeds, promissory notes, and mortgages** – Mr. Judson stated that there are lots that the POA owns, and the POA does a number of transactions in which these lots are sold to individuals. The Board resolution gives the President the authority to execute and the Secretary the authority to acknowledge, warranty deeds, promissory notes, and mortgages.

**F. Cart Rate for Junior Golfers** – Mr. Judson reported that when the cart rate policy was modified, there was an oversight of the impact on junior golfers. He stated that right now the cart fee for juniors is twice as much as the green fee. He reported that the rate will be modified, and cut in half to \$9. He stated that the Golf Committee is in favor of the modification.

**G. Employee Recognition Program** – Mr. Judson stated that going forward, when there is a new employee of senior stature, he is going to bring them forward and introduce them to the Board. He introduced Tommy Lee, the new Director of Business Development, to the Board. He added that in the coming months, there are Employee Recognition Programs being created to celebrate success. The recognized individuals will have the opportunity to tell the story of why they are being recognized to the Board.

## V. ANNOUNCEMENTS

- A) The next Board of Directors Regular Meeting will be held on Thursday, March 17, 2016, 6:30 p.m. in the Country Club Board Meeting Room.

## VI. ADJOURNMENT

The meeting was adjourned at 9:11 a.m.