BELLA VISTA
PROPERTY OWNERS ASSOCIATION

Rules & Regulations Committee
January 09, 2025, at 1:30 p.m.
Boardroom and via Livestream

Agenda

I. Call to Order
II. Approval of minutes from the October 10th meeting.
III. Policies Under review
   i Policy 1.01 - *Member Access to Association Information*
   ii Policy 2.07 - *Board Election and Political Candidates use of Facilities*
   iii Policy 3.08 - *Request for the Use of Common Property*
IV. Open Forum – Comments are limited to three minutes per property owner.
V. Response to Open Forum
VI. Next Meeting Date – February 13th
VII. Adjournment

BELLA VISTA PROPERTY OWNERS ASSOCIATION
RULES AND REGULATIONS COMMITTEE MEETING
OCTOBER 10, 2024, AT 1:30 P.M.
BOARDROOM AT THE COUNTRY CLUB AND LIVESTREAM

COMMITTEE MEMBERS PRESENT: Committee Chair Portillo, Director Gain, Director Barron

COMMITTEE MEMBERS ABSENT: Director Hendren

PROXY: None

OTHERS PRESENT: Chief Executive Officer Tom Judson, General Counsel Doug McCash, and Roxie Goins

I. Call to Order
Chairperson Portillo called the meeting to order at 1:30 p.m.

II. Open Forum
None

III. Response to Open Forum
None

IV. Approval of Minutes
Director Gain made a motion approving the September 12th meeting minutes. Director Barron seconded. The motion passed unanimously in favor.

To view the Rules and Regulations October 10th Meeting, please click the link provided.
https://www.youtube.com/watch?v=RNJ3pb1pXh4

V. Reviewed the updated proposed changes for Policy 2.09, 2.11, and the Bylaws.

a. Policy 2.09 Appointing an Interim Director
   i. Director Barron made a motion to eliminate option B and substitute "I" as it is written and to move forward for a Board vote and Director Gain seconded. The motion passed unanimously in favor.

b. Policy 2.11 Director Election Process
   i. Director Gain made a motion to move forward for a Board vote. Director Barron seconded. The motion passed unanimously in favor.

c. Bylaws
   i. Director Barron made a motion to move forward for a Board vote and Director Gain seconded. The motion passed unanimously in favor.

Next Rules and Regulations Meeting January 9th

VI. Adjournment
Committee Chair Portillo adjourned the meeting at 1:51 p.m.

BELLA VISTA
PROPERTY OWNERS ASSOCIATION

From: Tom Judson, CEO

To: Board of Directors

Date: December 12, 2024

Subject: Policy 1.01 – Member Access to Association Information

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The below would be inserted between VII and VIII.

VII. Reasonable Request for Information

Members are encouraged to attend Board and Committee meetings to ask questions and have their concerns addressed. Members can also submit questions or concerns to the following email addresses:

info@bvvpoa.com, the email will be forwarded to the correct individual or department.

board@bvvpoa.com, with the email shared with all Board members.

ceo@bvvpoa.com, for the Chief Executive Officer.

The Board and Management team will endeavor to respond to emails from Members in a timely manner. Members are encouraged to be reasonable and respectful with their emails.

Emails that are deemed to be abusive or that include profanity will be ignored, with the sender's email address potentially blocked in extreme situations. Excessive emails received from an individual Member, as determined by the Board, will be ignored, with no advance notice given to the Member. If a Member does not receive a response to an email in a timely manner, the Member is encouraged to attend the next Board meeting to ask their questions or have their concerns addressed.

July 19, 2007
November 15, 2007
November 17, 2011
November 20, 2014
November 17, 2016
November 15, 2018

November 17, 2022
March 23, 2023

P 1.01

MEMBER ACCESS TO ASSOCIATION INFORMATION

PURPOSE:

To ensure that the spirit of Bylaw IV.3.F. is followed, thereby ensuring that Members shall be advised of the performance of its Board and management. To also advise the Members of the decisions that are reached and policies adopted on behalf of the Association and its Members. This policy will ensure that Members have appropriate access to information and proceedings of their Association, consistent with the right and need to know, while still enabling the Association to conduct its business and operations to the best advantage of its Mem hers.

I. MEETINGS OF THE ASSOCIATION BOARD

1. All Board meetings shall be announced as far in advance as practical.

2. Work sessions, regular meetings, and special meetings of the Board which conduct the business of the Association shall be announced to the Members and open to all Members. All formal actions of the Board shall occur only in these meetings, except for those occurring in Executive Session (see 1.3 below). The minutes of such work sessions, regular meetings, and special meetings shall be accessible to Members.

3. The Board will hold an Executive Session at the call of the Chairperson, the request of the Chief Executive Officer/President, or upon the written request of at least three members of the Board. Executive Sessions are normally used for Association personnel issues, membership discipline, legal issues, and/or other sensitive issues or topics of which the Board needs to be informed or topics on which the Board may need to give direction. Each Director shall be notified of an Executive Session as far in advance as practical. The Corporate Secretary may attend an Executive Session for the purpose of taking minutes. Formal actions by the Board of Directors may be taken in Executive Session subject to the normal quorum and voting requirements.

Executive Sessions are closed meetings and all minutes of such meetings, the materials used in such meetings, and the discussions occurring in such meetings, shall be kept and remain confidential. The subject of our general topics discussed at Executive Sessions shall be reported normally at the next regular meeting of the Board. Any action taken by a vote of the Board at an Executive Session shall be reported normally at the next regular Board meeting to include each individual Director's vote on the topic or by a confirming roll call vote.

4. Work sessions of the Board will be open meetings. Formal actions normally will not be taken at such sessions.

5. The Board may hold discussion sessions that will normally not be open to others. No formal action may be taken at such sessions and minutes will not be recorded.

II. COMMITTEE MEETINGS

1. All Association Committee meetings shall be announced as far in advance as practical.

2. Meetings of the Elections, Audit, and Charitable Giving Committees will normally be closed meetings.

3. Meetings of Joint Advisory Committees will be open, and minutes will be accessible to Members. Sub-committee meetings developing recommendations for the full committee may be closed and no minutes of the meeting are required.

4. Meetings of Special or Ad Hoc Committees and Task Forces will normally be open but may be closed at the discretion of the committee chairperson. All recommendations resulting from such committee meetings will be accessible to Members. If the meeting is closed to Members, no minutes will be taken of the meeting.

5. The schedule of all Association meetings, whether open or closed, shall be made widely available in a timely manner. The agendas of all Board meetings shall be widely accessible in a timely manner and as far in advance of such meeting as practical.

III. OTHER MEETINGS

1. Meetings of Association staff, Management, or Directors with other organizations shall be closed, unless mutually agreed to be open.

2. Meetings of Association staff or Management shall not be open unless an exception is made by the Chief Executive Officer.

IV. PRESS ACCREDITATION

For the purpose of assisting in the dissemination of information to the Members, the Chief Executive Officer is empowered to provide media organizations with the same access to Association meetings and information as a Member.

V. DOCUMENTS

1. Any document distributed at an open meeting of the Board, an open meeting of a Board Committee, an open Special meeting, a Joint Advisory Committee, or an Ad-Hoc Committee or Task Force shall be deemed an open document and therefore available to the Members. Whenever feasible, copies of such documents shall be made available to attendees at such meetings.

2. "Books and Records" as cited in Bylaw IV.3.F are defined herein as official Association reports, both financial and otherwise, including documents distributed in accordance with item V.1 above. They shall be made accessible to Members electronically and at the Association general offices during normal working hours. Books and Records shall be made electronically available at www.bvvpoa.com. Members desiring personal copies of such documents shall be required to pay for the cost of producing copies, except if such should have been available at an open meeting.

3. Working papers prepared by Association staff or Directors normally will not be available to the Members unless they are presented at open meetings (see V.1 above).

4. While financial reports shall be made accessible to Members (see V.2 above), background documentation and accounting files normally will not be made available to other than Association staff or Directors.

5. Most contracts executed by the Association shall be open to inspection by the Members. Excluded will be personnel-related contracts and those that have non-disclosure provisions or other legally sensitive information, as determined by the Chief Executive Officer in conjunction with the Association's General Counsel.

6. The Association shall not be required to uniquely compile information for a Member unless agreed to by the Chief Executive Officer or the Board. Complying with requests by committees for unique compilations must be approved by Management.

7. Communications between or among Directors, Association staff, or committee members shall be considered private and not accessible to Members, regardless of whether such documents exist in electronic or hard-copy form.

8. Personal information, including the wages or salary of individual Association staff, shall be confidential.

9. The Chief Executive Officer or the Chairperson of the Board may, at their discretion, permit a confidential document to be made available to Members.

VI. MEMBERSHIP LISTS

Lists of Members are to be used for Association business only. Such lists will not be distributed to Members or to other parties. However, the Association may make a list of Members available for inspection if the requesting party can demonstrate a proper purpose for such a request. In accordance with a court case filed in 2009, the Association will review the request to determine if a proper purpose has been demonstrated. The list will contain the Members' names and addresses but will not contain email addresses or phone numbers. Such information will never be sold to a third party.

VII. ATTORNEY-CLIENT RELATIONSHIP

l. The Association will follow the normal practice of attorney-client privilege with its General Counsel and with outside counsel. This includes written and oral advice and opinions rendered to the Association, Management, its staff, and the Board, which shall be confidential unless released by the Association at its discretion. Directors shall be considered part of the client body and shall have confidential access to such advice and opinions.

VIII. ENFORCEMENT

l. If any member of the Association staff, Management, or the Board violates the provisions of this policy, the Board shall commence any applicable process to discipline such person.

Policy 2.07

Original

III. USE OF ASSOCIATION FACILITIES BY CANDIDATES FOR POLITICAL/ELECTED OFFICE

1. Any Member may rent an Association facility for purposes of holding a political event.
2. No political signs, posters, or other forms of conspicuous campaign materials may be affixed to or placed upon Common Property such as buildings, parking lots, playgrounds, lake facilities, parks, golf courses, or roadside entrances to facilities that are on Association property. Unattended vehicles which are identified with political signs or other campaign material (except bumper stickers) may not be parked on Common Property. All political signs must comply with the current zoning ordinance of the City of Bella Vista, Arkansas, as amended.

The Association shall not be responsible for the monitoring or removal of any campaign material in violation of this policy.

Revised

III. POLITICAL SIGNS AND USE OF ASSOCIATION FACILITIES

1. The Association will remain neutral with regards to local, state, and national politics. The Association will not endorse political candidates or ballot measures.
2. Any Member may rent an Association facility for purposes of holding a political event. The Association is prohibited from donating the use of facilities for political purposes. Such events must be paid in full in advance.
3. Political signs are permitted on Association Common Property at only one location. The single location is the Common Property off Bella Vista Way, just north of Sugar Creek Shopping Center (Parcel 16-79398-000). Provided the signs comply with all local and state ordinances and requirements, such signs are permitted at this location. Any signs which have not been removed 48 hours following the conclusion of the election will be removed by Association staff. Signs which have been removed will be held at the Association's corporate offices, located at 98 Clubhouse Drive, for a period of seven days, at which time they will be disposed of.
4. Aside from Parcel 16-79398-000, political signs are prohibited on all Association Common Property. Disallowed signs on Common Property will be removed by Association staff. Signs which have been removed will be held at the Association's

corporate offices, located at 98 Clubhouse Drive, for a period of seven days, at which time they will be disposed of.

5. Given the size of the Association and the 500 plus miles of roads in Bella Vista, the Association shall not be responsible for the monitoring or removal of any campaign material in violation of this policy.
6. For this policy, any reference to signs includes any political signs and any campaign material, to be determined solely by the Association.
7. Political campaigning on Common Property is prohibited.

June 15, 2006 P 3.08
March 16, 2017
November 15, 2018
September 24, 2020
March 25, 2021
March 23, 2023

REQUEST FOR THE USE OF COMMON PROPERTY

PURPOSE:

To set forth the policy of the Association regarding requests for the use of Common Property for leach fields or the traversing of Common Property for a septic system

I. GENERAL

Common Properties are those properties reserved and intended to be devoted to the common use and enjoyment of all Members and their guests. Therefore, the granting of the exclusive use of Common Property for the benefit of a single or limited number of Members is a significant event.

The decision to license use of Common Property is reserved to the Board whose decision is final. Due to the emergency nature of requests related to the failure of septic systems, the Board delegates permission granting authority to Management in those circumstances, subject to the guidelines provided in this policy.

This policy in no way affects the authority or responsibility of the ACC, City of Bella Vista, or the Arkansas Department of Health in managing the building permit and inspection process.

Members and builders are reminded that the decision to install a septic system in ground of questionable soil morphology or on a lot too small for the home may cause serious and expensive consequences. In all cases the responsibility for any problems remains with the Member and the builder. The Member and builder are required to follow the process and documentation plan set forth by the Association to support a request involving Common Property.

For existing homes where the septic system has failed, the Board or Management may grant permission to use Common Property for a leach field or for the traversing of Common Property to connect two lots, with the home located on one lot and the leach field located on the other lot. For new home construction, the Board or Management may grant permission for the traversing of Common Property to connect two lots, with the home located on one lot and the leach field located on the other lot. For new home construction, the use of Common Property for a leach field is prohibited. Trees on Common Property should be removed as a last resort when installing a leach field or traversing Common Property. Management may only grant permission for the use of Common Property for a septic system when the request fully complies with this policy. Management must inform the Board at the next regular Board meeting of any requests which have been granted. Requests for the use of Common Property for a septic system which are rejected by Management, may be appealed to the Board.

All requests for use of Common Property, whether for a septic system or for non-septic issues, will be addressed to the Bella Vista Maintenance and Construction Division who will receive all documents and

verify all necessary information. The Association will provide an application form along with all documentation requirements.

The decision of the Board is final. No action of the Board or Management shall be deemed to set a precedent. Each act of the Board or Management shall be decided upon its own merits and in accordance with the circumstances of the situation.

A reasonable fee may be charged for licensing the use of Common Property.

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All requests for use of Common Property, whether for a septic system or for non-septic issues, will be addressed to the Bella Vista Maintenance and Construction Division who will receive all documents and

verify all necessary information ~~before Management makes a recommendation to the Board~~. The Association will provide an application form along with all documentation requirements.

~~The information and recommendation will be given to the Board at the first available regular Board meeting after all the information has been gathered and verified by Management. The Board will take appropriate action at the following Board meeting.~~ The decision of the Board is final. No action of the Board or Management shall be deemed to set a precedent. Each act of the Board or Management shall be decided upon its own merits and in accordance with the circumstances of the situation.

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