BELLA VISTA
PROPERTY OWNERS ASSOCIATION

Rules & Regulations Committee
Tuesday, September 8, 2026, at 1:30 p.m.

Boardroom and Livestream
98 Clubhouse Drive, Bella Vista

Agenda

I. Call to Order
II. Approval of minutes from the August 13th meeting.
III. Policies Under review
    i *First reading of two required readings*
        i. Policy 4.02 – *Penalizing a Member*
        ii. Policy 4.02.1 - *Appeal Procedure*
    ii *Second Reading of two required readings.*
        i. Policy 1.04- *Joint Advisory Committee*
        ii. *Change in Bylaws*

IV. Open Forum – Comments are limited to three minutes per property owner.
V. Response to Open Forum
VI. Next Meeting Date – As needed
VII. Adjournment

POA Rules and Regulations Committee

Committee Minutes | August 13

98 Clubhouse Drive

Livestream

COMMITTEE MEMBERS PRESENT: Committee Chair Portillo, Director Hendren, Director Coughlin and Director Armstrong

COMMITTEE MEMBERS ABSENT: None

PROXY: None

OTHERS PRESENT: Chief Executive Officer Tom Judson, General Counsel Doug McCash, and Corporate Secretary Jessica McCrary

Rules and Regulations Meeting Video – livestreamed

https://youtu.be/D33U44EVH3I

I. Call to Order

II. Approval of July 9th Minutes

Director Coughlin made a motion approving July 9th minutes. Director Armstrong seconded. The motion passed unanimously in favor, 4 to 0.

III. Policies Under Review *(First reading of two required readings)*

a. Policy 1.04 – *Joint Advisory Committee*
b. Policy 4.02 – *Penalizing a Member*
c. Policy 4.02.1 – *Appeal Procedure*
d. Change in Bylaws – *regarding Appeal Procedure*

Mr. Judson presented the suggested policy changes listed above. To view the discussion and details, please use the video link provided of the Rules and Regulations August meeting.
https://youtu.be/D33U44EVH3I

The committee discussed to move forward Policy 1.04 – Joint Advisory Committee and the change in the Bylaws to the Board for review and vote.
Policy 4.02 – Penalizing a Member and Policy 4.02.1 -Appeal Procedure have additional adjustments to be made and these policies will be brought back to the September 8th R&R meeting for review.

Director Armstrong made a motion approving the suggested changes to *Policy 1.04 – Joint Advisory Committee* and the change in Bylaws and to move forward to the POA Board of Directors to vote upon the first reading. Director Hendren seconded. The motion passed unanimously in favor, 4 to 0.

IV. Open Forum & Response to Open Forum

None

The next Rules and Regulations Committee – Tuesday, September 8th at 1:30 pm.

V. Adjournment

Committee Chair Portillo adjourned the meeting at 2:07 p.m.

September 18, 2014 P 4.01
February 16, 2017
February 23, 2023

MEMBER CONDUCT

PURPOSE:

To provide for the manner in which individuals shall treat Members, guests, visitors, and staff of the Association.

I. IN GENERAL

Bella Vista is a haven for families seeking peace, tranquility, natural beauty, and exceptional recreational opportunities. To preserve that environment, the general rule to follow is the Golden Rule – behave toward others as you would want them to behave toward you.

Every Member and guest shall treat all other Members, guests, visitors, and the staff of the Association with courtesy and respect. Insulting, lewd, vulgar, impolite, or harassing conduct, language, and behavior are expressly prohibited.

Every Member and guest shall treat the physical properties of the Association and other Members with due care and respect and shall not knowingly cause damage to any of them.

In all matters involving safety of persons or property, or during emergencies, every Member and guest shall obey the instructions of responsible members of the staff of the Association.

Every Member and guest shall follow and comply with all Association Policies and Bylaws.

Harassing conduct contrary to this requirement will subject the person(s) to suspension of membership privileges in accordance with Article VIII, Section 3(C) of the Declaration and Article IV, Section 2(E) of the Bylaws.

Every Member shall inform their guests of all provisions of this Member Conduct Policy.

August 16, 2007 P 4.02
February 16, 2017
September 24, 2020
March 23, 2023

~~PENALIZING A~~ SUSPENSION OF MEMBERSHIP PRIVILEGES

PURPOSE:

To provide for the enforcement of Association Rules and Regulations.

I. IN GENERAL

It shall be the policy of the Association that, prior to a final suspension of the enjoyment of the rights of any Member, otherwise known as membership privileges, for any infringement of its rules and regulations and violations of the Declaration or Protective Covenants, the Board will allow the Member the right of appeal to the Board and the Member shall be notified in writing of such right of appeal**.** Article VIII, Section 3(c) of the Declaration, Article IV, Section 2(E) of the Bylaws. The Board authorizes the Chief Executive Officer or their designee to temporarily suspend membership privileges until the Member has been notified in writing of their right of appeal.

Examples of circumstances that can lead to the suspension of membership privileges include, but are not limited to:

1. The Member's assessment payment is ninety days past due on any lot owned.

2. The Member owns property which has been determined by the Architectural Control Committee (ACC) to be in violation of the Declaration, Protective Covenants, or Association rules and regulations or Policies.

3. The Member is delinquent for any payments due to the Association.

4. The Member violates Association R~~r~~ules and ~~r~~Regulations or Policies.

II. SUSPENSION OF MEMBERSHIP PRIVILEGES

1. The Chief Executive Officer shall inform the Member by letter of the rule, regulation, or policy which the Member violated, the action taken, and the right of the Member to appeal the decision to the Board. If an email address is available, the Chief Executive Officer, or their designee, shall send a copy of the letter by email to the Member. Additionally, the letter shall be sent by certified mail. If a phone number is available, the Chief Executive Officer, or their designee, shall call the Member to inform them of their suspension.

2. The Member shall have five (5) days after receiving notice of the charges to respond to them ~~charges~~ in writing or to request an appeal before the Board. If the Member is notified by email and/or phone, the date the email is sent or the date the call is made will be considered the date of notification. Otherwise, the date the certified letter is received by the Member will be considered the date of notification. The Chief Executive Officer, or their designee, will make every reasonable effort to contact the Member in a

timely manner. If an appeal is requested, the Board~~Chief Executive Officer~~ will do their best to schedule a hearing ~~with the Board~~ as soon as reasonably possible. If no appeal is made, the decision of the Chief Executive Officer shall be final.

3. If the Member requests an appeal before the Board, the Board shall set a hearing to take place during an Executive Session at~~of~~ the next Board meeting. During the Executive Session, the Board shall, unless the Board requests additional information regarding the incident, make its ruling as to what punishments, if any, will be given to the Member, and inform the Member in writing of said punishment, including a letter of reprimand or suspension of membership privileges up to a maximum of thirty (30) days.

4. The Chief Executive Officer shall maintain a file of all such infringements and letters of final decision.

III. GUEST OR DEPENDENT ACTIONS ARE MEMBER'S RESPONSIBILITY

Guest actions and dependent actions' are the responsibility of the Member sponsor. Penalties will be against the Member to the same extent as if the Member had committed the violation.

IV. TENANT ACTIONS ARE THE LANDLORD'S RESPONSIBILITY

Tenant actions are the responsibility of the respective Member landlord. Penalties will be against the Member to the same extent as if the Member had committed the violation.

September 18, 2008 P 4.02.1
February 16, 2017
March 23, 2023

APPEAL PROCEDURE

PURPOSE:

To describe the procedure to be used by the Board on those occasions when a Member appeals to the Board a suspension of membership privileges in accordance with Policy 4.02.

I. PROCESS

1. The Board will set a hearing date and time during an Executive Session at which a quorum of Directors must be present. The Board ~~Chief Executive Officer~~ will do their best to schedule a hearing as soon as reasonably possible.

2. The Chief Executive Officer shall notify the appellant (the Member appealing the decision) of the date, time, and location of the hearing.

3. The appellant may~~shall~~ provide a basis for the appeal in writing to the Board at least two~~five~~ (2~~5~~) days before the hearing date. ~~If written documentation is not received, as required, the appeal is deemed dismissed and a final affirmative decision is handed down in favor of the Association.~~

4. The Chief Executive Officer shall provide written documentation to the Board in support of their decision at least two~~five~~ (2~~5~~) days prior to the hearing date. In most cases, the written documentation from the Chief Executive Officer will be limited to the suspension letter referenced in Policy 4.02, Section II.1.

5. Each party will be provided a copy of all documentation provided by the opposing party upon receipt by the Board.

6. Neither party is allowed to contact the opposing party's potential witnesses at any time, in any manner, or for any reason.

7. If the appellant cannot attend the scheduled hearing, then the hearing will be conducted based upon the written correspondence on the date scheduled.

8. The Corporate Secretary shall record the proceeding and issue minutes to the Board after transcription.

II. CONDUCT OF HEARING

1. The hearing and decision-making shall be conducted in Executive Session. The Board Chairperson shall preside and may vote regarding the decision. A quorum must be present.

2. At the hearing, each side will be given thirty (30) minutes (including rebuttal time) to present its case.

3. Each side can present up to three speakers.

4. The appellant presents first, followed by the Association.

5. No cross examination of witnesses is allowed by the other party, and the regular courtroom rules of evidence and procedure do not apply to this proceeding. If any of the witnesses are employees of the Association, the employees are ~~is~~ not required to attend the appeal hearing, and a member of the Human Resources department may speak on behalf of the employees. If the witnesses are not employees, but they are unwilling to attend the appeal, the witnesses can designate anyone to speak on their behalf, including the Chief Executive Officer or other Association staff members.

6. At the end of the presentations, the appellant may use whatever time is remaining, of their thirty (30) minutes, to rebut the Association.

7. Following that, the Association may use whatever time is remaining, of their thirty (30) minutes, to rebut the appellant.

8. Following the presentations and rebuttals, the Board is free to ask questions of both parties.

9. Both parties shall limit their replies to answering the questions presented.

III. DECISION

1. After the question-and-answer period, both parties shall be informed that a written decision will be issued, normally within ten (10) calendar days.

2. Both parties will be excused, and the Board will discuss the appeal during the~~a~~ continuation of the Executive Session.

3. A majority vote of those Board members present for the appeal are required to accept or deny an appeal.

4. The Board Chairperson will record the decision of the Board, the reasons for the decision, any corrective actions that need to be taken, etc.

5. The Board decision is final and binding on all concerned. It shall be communicated to the appellant and the Association in writing by the Board Chairperson.

IV. OTHER

The appellant may, in writing, waive the right to an in-person hearing as described above. In that event, the Board will consider the appeal based only on the written documentation and will render its decision as outlined above.

JOINT ADVISORY COMMITTEES

PURPOSE:

To provide for the creation, functioning, and delineation of areas of responsibility for Joint Advisory Committees (JACs).

I. JOINT ADVISORY COMMITTEE DUTIES

It is the duty of each committee to discuss, analyze and propose solutions for problems and opportunities within its area of concern and to make recommendations to Management or the Board. The committees have no authority on their own. Matters for study may originate with the committee, a Member, or be suggested by Management, the Board, or the Board liaisons. Issues for study that may be outside of a JAC's normal area of concern must first be approved by the Board or Chief Executive Officer.

The JACs also serve as a sounding board for Members to express their concerns and suggestions, some of which may result in studies and recommendations.

II. APPOINTMENT OF COMMITTEE MEMBERS

1. Prospective committee members must indicate their interest to serve on a Joint Advisory Committee to the Corporate Secretary. The Corporate Secretary will ask the prospective committee member to fill out an application which will include a questionnaire with the following questions:

   a. What were two reasons that made you want to apply to serve on a Joint Advisory Committee?
   b. What makes you a good fit to serve on a Joint Advisory Committee?
   c. Identify how your experience might assist the Joint Advisory Committee in their efforts to enhance the lives of our Members?

2. The Corporate Secretary will forward the completed application from a prospective committee member to the respective committee Chair, committee Vice Chair, and the Chair of the Board of Directors. The committee Chair will meet with the applicant either by phone or in person to conduct a brief interview. The respective committee Chair, committee Vice Chair, and the Chair of the Board of Directors have the sole authority to either forward the application onto the respective committee or to reject an application, by majority vote.

3. For those applications which have been forwarded to a JAC committee, the committee Chair will invite the applicant to attend a committee meeting so that committee members can briefly interview the applicant. Following the meeting, the committee Chair will solicit an email vote from the committee members to decide if the applicant will be nominated to join the committee. Once the email vote by the committee has been finalized, the committee Chair will then forward the nomination to the Board for final approval. The Board has the sole authority to approve or deny the nomination with a simple majority

vote of the Board. It is the responsibility of the committee Chair to inform all applicants in a timely manner of the approval or rejection of their application.

4. Each committee member must be a Member in Good Standing.

5. The number of members on each of the JACs, shall be determined by the chairperson of each committee, in consultation with the Board Chairperson.

6. Appointments and re-appointments to the committees are to be made by at least the month of June, with terms beginning July 1st, and each term being three (3) years. If a committee member cannot complete the three (3) year term of service, the committee will follow the process outlined above in Section II.1. to appoint a replacement member. If the initial term for a new committee member begins before July 1st due to the new committee member replacing a member who was unable to serve a full term, the partial first year will count as a full year of service. By counting the partial first year as a full year of service, this will ensure that all terms conclude on June 30th of their respective third year.

7. Effective July 1, 2027, Joint Advisory Committee members may not serve more than six (6) consecutive years on a committee, without taking a break of at least 12-months. Once a committee member has taken a 12-month break, they are eligible to serve up to six (6) additional consecutive years, and the cycle repeats at that point. The limitation of not serving more than six (6) consecutive years does apply to committee members serving prior to July 1, 2027 (there is no grandfather rule). This six (6) consecutive year restriction is limited to serving on the same Joint Advisory Committee. If interested, a Member could apply for and continue to serve the community on another Joint Advisory Committee, if properly appointed.

8~~7~~. No employee of the Association may be selected to serve on a JAC that is in their area of employment.

9~~8~~. A Member may not serve on more than one JAC at a time.

III. LIAISONS

1. The Chief Executive Officer shall appoint a non-voting Association employee(s) to act as a liaison to each JAC. Liaisons shall provide current information to the committee concerning their division and be available for advice on matters of administration, operation, and planning.

2. The Board Chairperson shall appoint at least two (2) non-voting liaisons from the Board to each JAC. Liaisons shall provide current information concerning Association matters to the committee and be available for advice on matters of concern to the Board. They shall report to the Board concerning the work of the JAC.

IV. COMMITTEE OPERATIONS

1. Each committee will meet on a regular monthly schedule. Exceptions may be made if agreed upon by a majority vote of the committee. The Board Chairperson, committee chairperson or the Chief Executive Officer may call a special meeting as needed.

2. At the first scheduled meeting in July of each year, the committee shall select a chairperson, vice chairperson, and secretary from its membership, who will serve in that capacity for a 12-month term. In

the case of a mid-term opening, the committee shall appoint a replacement by a simple majority vote of the committee.

3. In order for the committee to conduct business, a quorum must be present (excluding proxies) at the meeting. A quorum is defined as a majority of appointed committee members, excluding liaison members. Committee members may, at their option, choose to provide a written, general or stipulated, proxy to another committee member to exercise their vote(s) in their absence.

4. Within ten (10) days of each JAC meeting, the committee shall provide a draft of the meeting minutes to the committee members for review and approval. Once approved, the minutes will be submitted in electronic format to the Corporate Secretary. The Corporate Secretary will ensure the approved minutes are posted to the Association's website within three (3) business days of receipt.

5. In accordance with Policy 1.01, JAC meetings shall be open to all Members. Sub-committee meetings developing recommendations for the full committee may be closed to the Membership.

6. The use of Association staff or other resources by a JAC may occur only with the prior approval of the Chief Executive Officer and Board Chairperson.

7. Each JAC shall provide an opportunity at each regular meeting for Members to express their concerns or suggestions. The committee chairperson has the option and may elect to limit Member input to not more than three (3) minutes.

8. Emails and email addresses collected or obtained from the Association by a JAC member are to be used exclusively for committee business only.

V. ORIENTATION

1. Each new committee member will be encouraged to attend an annual orientation for new members presented by the Chief Executive Officer. This presentation will include a general overall orientation of the budget process, the purpose of the JACs, and the role committee members play.

VI. REMOVAL OF COMMITTEE MEMBERS

1. Cause for removal shall include but not be limited to the following actions of a committee member:

a. Unexcused absence from four (4) regularly scheduled meetings within a twelve (12) month period.
b. Failure to follow appropriate Association policies and procedures.
c. Conduct detrimental to the committee or the Association.

2. Initiating action for removal of a committee member shall come from a majority vote of the committee. Initiating action for removal of a committee member may also be made by the Chief Executive Officer or the Board Chairperson.

a. The committee chairperson, Chief Executive Officer, or Board Chairperson shall prepare, in writing, a statement clearly identifying the offending action(s). A copy of the statement shall be provided to the committee member in question.
b. Written rebuttal of such statement(s) may be offered to the Chief Executive Officer or the Board Chairperson by the member in question or other members of the committee.
c. In a closed session, the Chief Executive Officer, the Board, and the committee chairperson, if

appropriate, shall consider the statement for cause and discuss whether removal is warranted and should be considered by the Board.

3. The Board may remove for cause any committee member by a two-thirds vote of all Directors.

VII. COMMITTEE RESPONSIBILITIES

1. Golf Committee
The committee provides advice and recommendations regarding all facets of the golfing operations and facilities to the Board and Management. Each committee member is assigned a golf course for maintenance review monthly. If possible, on an annual basis, the committee will meet with a U.S.G.A. representative for a review of Association golf courses. The committee forwards any policy recommendations to the Board for consideration after interfacing with the Chief Executive Officer and Director of Golf.

2. Lakes Committee
The committee advises the Board and Management on matters pertaining to the recreational use of the lakes in Bella Vista. Responsibilities include observing and making recommendations concerning present and future uses of the lakes. The committee will also review all aspects concerning the lakes, including the ramps, docks, marinas, cleaning stations and seawalls. The committee will not review the beaches or the parks adjacent to the lakes, since these amenities are the responsibility of the Recreation Committee.

3. Recreation Committee
The committee assists in developing, updating and making recommendations to the Board and Management on all facets of the operation of recreational activities, trails and amenities operated by the Association. This pertains to all recreation activities other than Golf and Lakes but does include beaches and parks adjacent to the lakes. The committee observes maintenance conditions of facilities and evaluates the current facilities' needs. They also help plan for the future needs of Members in view of the changing demographics of the Association. Recommending activities to create an interest and participation in all phases of recreation is another area of this committee's responsibility.

VIII. LAKE VIOLATIONS COMMITTEE

The Lake Violations Committee is considered a sub-committee of the Lakes Joint Advisory Committee. The Lake Violations Committee will be comprised of the Lakes Committee Chair, Vice Chair, and one additional member from the Lakes Committee. The Lakes Committee will vote each July to determine the third member of the Lake Violations Committee.

The purpose of the Lake Violations Committee is to provide Members a forum to appeal Boating Violation Fees that have been imposed by the Association due to a violation of boating regulations. Decisions made by the Lake Violations Committee may not be appealed to the Lakes Committee or to the Board of Directors.

Members seeking to appeal a Boating Violation Fee, must contact the POA's Corporate Secretary to schedule an appeal hearing (corporatesecretary@bvvpoa.com). At the appeal hearing, the Member will have no more than 20 minutes to present their case. The Member is welcome to bring witnesses or evidence to substantiate their appeal, but they are still limited to the above-mentioned 20 minutes. The Lake Violations Committee has the right to question the Member, witnesses, Lake Rangers, or other individuals who would assist them in making a reasonable and just decision. Once the Member has completed their appeal, they will be asked to leave the meeting, and the Corporate Secretary will notify the Member of the outcome by mail or email. Appeal hearings are closed to the Membership.

The Lake Violations Committee has the authority to keep the Boating Violation Fee in place, reduce the Fee, or eliminate the Fee completely.

Appeals for the suspension of Member privileges do not fall under the authority of the Lake Violations Committee. Such appeals must be directed to the Board of Directors in accordance with Policies 4.01, 4.02, and 4.02.1.

BELLA VISTA
PROPERTY OWNERS ASSOCIATION

From: Tom Judson, CEO

To: Bella Vista POA Board of Directors

Date: August 11, 2026

Subject: Change to Bylaws

Bylaws, Article IV, Section 2, E. The Board shall have the power to:

E. Suspend some or all of the rights and privileges of any Member or guest, including the right of a Member to vote, who is in default of or who refuses to pay any annual or special assessment or any service or use charge or any admission or other fee which has been properly levied, or who has violated any published rule, regulation or resolution adopted by the Board as provided above, or any state or federal law. However, suspension for nonpayment of any assessment or charge can only be for the period during which the assessment or charge remains unpaid and suspension for violation of a rule, regulation, or resolution cannot be for a period exceeding thirty (30) days. ~~No suspension as mentioned above shall take effect until the Member in question has been extended the right to appeal in accordance with Policy 4.02.1 – Appeal Procedure.~~ When the Member is informed of their suspension, they must also be informed of their right to appeal in accordance with Policy 4.02.1. If an immediate and urgent need arises, a Member can be prohibited from accessing Association amenities by Association staff, provided the Member is formally notified of their suspension and their right to appeal in a timely manner.