BELLA VISTA
PROPERTY OWNERS ASSOCIATION

Rules & Regulations Committee
Monday, October 06, 2025, 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 14th meeting.
III. Policies Under Review
    i Lake Violation Fee
        i. Policy 3.03 - *Common Property –Lakes*
        ii. Policy 1.04 - *Joint Advisory Committees*
    ii Policy 1.01 - *Member Access to Association Information*
    iii Policy 1.03.4 - *Charitable Giving Committee*
IV. Open Forum – Comments are limited to three minutes per property owner.
V. Response to Open Forum
VI. Next Meeting Date – TBD – as needed.
VII. Adjournment

BELLA VISTA PROPERTY OWNERS ASSOCIATION
RULES AND REGULATIONS COMMITTEE MEETING
AUGUST 14, 2025, AT 1:30 P.M.
BOARDROOM AT THE COUNTRY CLUB AND LIVESTREAM

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

COMMITTEE MEMBERS ABSENT: None

PROXY: None

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

To view the meeting and presentation, please use the link provided.
https://www.youtube.com/watch?v=NsxzRze-5hs&pp=0gcJCckJAYcqIYzv

I. Approval of July 10th Minutes

Director Lukotch made a motion approving July 10th minutes. Director Hendren seconded. The motion passed unanimously in favor, 4 to 0.

II. Reviewing a few policies from 2020, no changes were suggested.

III. Policy Under Review

a. Policy 5.03 - *Guest Policies*

Mr. Judson noted this is the third viewing of proposed changes to Policy 5.03 – *Guest Policies*. To view the proposed changes, please visit the Rules and Regulations August meeting Video. https://www.youtube.com/watch?v=NsxzRze-5hs&pp=0gcJCckJAYcqIYzv

IV. Open Forum

None

V. Response to Open Forum

None

The next Rules and Regulations Committee will be scheduled as needed.

VI. Adjournment

Committee Chair Portillo adjourned the meeting at 1:45 p.m.

August 16, 2007
February 16, 2017
February 23, 2023
March 28, 2024

COMMON PROPERTY – LAKES

PURPOSE:

To provide for the regulation and management of the Bella Vista lakes and serve the diverse interests of Members to include boating, fishing, swimming, and other approved water sports in compliance with federal, state, and local laws and regulations.

I. AUTHORITY

The authority for this policy is the Declaration, Protective Covenants, and Bylaws of the Association. The Association also has the responsibility to comply with any additional laws or regulations imposed by federal, state, or local governmental agencies.

II. GENERAL REGULATIONS

All lake use regulations regarding boating, skiing, swimming, and fishing are contained in the *Bella Vista Fishing, Boating, and Water Regulations Booklet*.

III. SPECIFIC REGULATIONS

Personal watercraft are prohibited on all POA lakes, unless otherwise stated as being allowed. Personal watercraft means a vessel less than sixteen feet (16') in length propelled by a water jet pump or other machinery as its primary source of motor propulsion and which is designed to be operated by a person sitting, standing, or kneeling thereon rather than being operated by a person sitting or standing inside the vessel.

Seaplanes are prohibited on Bella Vista lakes.

Any watercraft constructed to provide permanent sleeping facilities, constructed with a permanently enclosed kitchen for food preparation, or with bath or toilet facilities, are prohibited on Bella Vista lakes.

Motorized watercraft measuring 26 feet in length or longer (Class II boats), are prohibited on all POA Lakes. Any motorized watercraft registered with the POA as of December 31, 2020, that is 26 feet in length or longer will be allowed to continue to renew their annual registration until the watercraft is sold, provided the POA annual registration never lapses.

IV. NUTRIENT ADDITIONS

If nutrients are added to Bella Vista lakes, such nutrients must meet state and federal regulations for use on waterways and may only be added to the lakes by Association personnel.

V. LAKE MAINTENANCE AND MANAGEMENT

The Association will maintain the lakes on an on-going basis. In so doing, the Association will rely on the experience, advice, and recommendations of its staff in the Lakes and Fisheries Department.

VI. ENFORCEMENT

The lake rangers are responsible for enforcing Association rules, regulations, and lake use policy. State and local law enforcement are responsible for enforcing the Arkansas Game and Fish Commission regulations as well as the Arkansas Criminal Code.

The Association has the authority to impose a Boating Violation Fee for infractions on Common Property. The Member is obligated to pay the Boating Violation Fee at the renewal of their Annual Boat Registration, or earlier. For instances where a guest or a short-term renter commits an infraction, the Member will be obligated to pay the Boating Violation Fee prior to the issuance of any additional guest passes. Severe infractions or repeated infractions may result in a Boating Violation Fee and/or suspension of Member privileges. Details regarding the Boating Violation Fee and infractions are included in the *Bella Vista Fishing, Boating, and Water Regulations Booklet*. Funds collected by the Association from the Boating Violation Fee shall be used exclusively to improve the quality of the lakes.

October 18, 2007
May 12, 2011
April 21, 2016
July 21, 2016
January 19, 2017
October 26, 2017
November 15, 2018
April 23, 2020
October 22, 2020
January 26, 2023

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 from the committee, a Member, 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 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. No employee of the Association may be selected to serve on a JAC that is in their area of employment.

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 schedule monthly. 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 they will be notified of the outcome by the Corporate Secretary by mail or email.

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.

April 21, 2016 P 1.03.4
January 19, 2017
September 24, 2020
January 26, 2023
October 24, 2024

CHARITABLE GIVING COMMITTEE

PURPOSE:

It is the purpose of the Charitable Giving Committee to evaluate grant applications to determine which nonprofit organizations will most effectively use the funds to directly impact Bella Vista residents in a positive manner.

I. COMMITTEE ORGANIZATION

1. The Board of Directors will appoint at least three Members to the Charitable Giving Committee. Members of the Charitable Giving Committee will serve three-year terms.

2. The committee will select its chairperson each year.

3. The Chief Executive Officer will serve as an ex-officio member of the committee without voting rights.

4. Minutes of the meetings will be taken by the Corporate Secretary and once approved by the committee, will be posted to the Association's website.

5. In accordance with Policy 1.01 -*Member Access to Association Information,* the meetings of the Charitable Giving Committee will be closed to the Members.

II. CHARITABLE ORGANIZATIONS' ELIGIBILITY FOR GRANTS

To be eligible to receive a grant from the Charitable Giving Committee, each organization must meet all the following criteria:

1. The requesting organization must be a duly organized, validly existing, nonprofit organization in good standing.

2. ~~The nonprofit organization must have an office located in Bella Vista.~~ The nonprofit organization must have a direct and positive impact upon the residents of Bella Vista, demonstrated through the grant application process. ~~Nonprofit organizations either partially or wholly serving Northwest Arkansas, Benton County, or McDonald Country (MO) do not qualify.~~

3. The nonprofit organization must be able to provide the Charitable Giving Committee with a copy of their IRS Letter of Determination to demonstrate their 501(c)(3) status.

4. The nonprofit organization must utilize any funds awarded by the Charitable Giving Committee for its own purposes and cannot donate, re-grant, or re-gift the funds to another organization.

5. The nonprofit organization may not be a political or religious organization.

6. To qualify for a grant, the nonprofit organization must comply with all the above criteria, both by the wording of the policy and by the spirit of the policy.

~~6.~~7. While an organization may meet all the above criteria, this does not guarantee the organization will be selected by the Charitable Giving Committee to receive a grant. The Charitable Giving Committee has the discretion to approve or deny grant applications based upon their assessment of the merits of the applications received.

III. GRANT APPLICATION PROCESS

1. Through the approval of the annual budget, the Board of Directors will allocate funds for the Charitable Giving Committee to distribute through grants. The Board ~~is under~~has no obligation to allocate any funds. Additionally, the Board has the authority to reduce or eliminate the funds at any time.

2. Each May, notices will be posted in the Association's newsletter soliciting grant applications. The Association is under no obligation to specifically notify potential grant recipients. It is solely the responsibility of the nonprofit organization to ensure their grant application is submitted by the deadline.

3. Grant requests must be received by the last day of June.

4. In July or August, the Charitable Giving Committee will evaluate those grant applications that were submitted by the deadline. The Charitable Giving Committee will evaluate each grant application to determine if the nonprofit organization meets the eligibility criteria and will reject those which fail to meet the criteria.

5. The Charitable Giving Committee will rank the grant applications based upon which of the applications are most worthy in accomplishing the goal of using the funds to have a direct and positive impact upon the residents of Bella Vista.

6. The Charitable Giving Committee will formalize their grant recommendations and submit them to the Board of Directors by at least the last day of August.

7. The Board of Directors will review and discuss the recommendations at a Work Session Meeting and, if approved, will vote to approve the recommendations at a Regular Meeting. The Board of Directors reserves the sole authority to approve, modify, or reject any recommendation from the Charitable Giving Committee.

8. Once approved by the Board of Directors, Management will issue the grants in a timely manner.

IV. ADDITIONAL NOTES

1. Any member of the Charitable Giving Committee or Board of Directors, who also serves on the board of an organization requesting a grant, must recuse themselves from any discussion or decision regarding the grant application from the applying organization.

2. Grants are limited to no more than $10,000 per nonprofit organization annually.

3. Grant requests may be for capital projects or to offset administrative expenses.

4. The Charitable Giving Committee is encouraged to award funds that will have the greatest positive impact upon the Member.