

**BELLA VISTA VILLAGE PROPERTY OWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING - (REGULAR SESSION)
FEBRUARY 27, 2020 6:00 p.m. RIORDAN HALL**

BOARD MEMBERS PRESENT: Vice-Chairperson David Brandenburg, Directors Jim Abrahamson, Jerre Barron, Jr., Teah Bidwell, Jerry Hover, David Whelchel, Steve McKee, and Mary Sinkus.

BOARD MEMBERS ABSENT: Chairperson Ruth Hatcher

BOARD MEMBER PROXY: Vice-Chairperson Brandenburg held Chairperson Hatcher's stipulated proxy.

OTHERS PRESENT: Chief Operating Officer Tom Judson, Treasurer and Director of Finance and Administration Dwain Mitchell, General Counsel Doug McCash, Corporate Secretary Tammie Loyd, seventy-one members, and four media representatives.

I. CALL TO ORDER

Vice-Chairperson Brandenburg called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. 2020 BOARD CANDIDATE ELECTION ANNOUNCEMENT

Vice Chairperson Brandenburg stated the Election Committee had notified the Board that 2020 Board Candidate, Nancy Bunting, voluntarily withdrew her name from the ballot.

IV. APPROVAL OF MINUTES (BOARD VOTE)

Vice-Chairperson Brandenburg called for a motion to approve the minutes from January 23, 2020, Regular Session Board Meeting. Director Abrahamson motioned to approve the minutes. Director McKee seconded. There was no discussion. The motion passed unanimously.

Vice-Chairperson Brandenburg called for a motion to approve the minutes from February 20, 2020, Regular Session Board Meeting. Director Sinkus motioned to approve the minutes. Director Abrahamson seconded. There was no discussion. The motion passed unanimously.

V. JOINT ADVISORY COMMITTEE REPORTS

- a) Lakes – Matt Champagne spoke on behalf of the committee and reported their position on the wake boat proposal. He stated the goal of the committee was to provide recommendations that were actionable, reasonable, and legal. The committee worked hard, looking at the input from all members before submitting their proposal. Mr. Champagne also reported the drawdown at Lake Ann is going well, and Kayak Demo Days and the Kids Fishing Derby are approved events that will take place again this year.

- b) Recreation – Gary Griffin spoke on behalf of the committee and reported the facilities were looking good, and he had a chance to meet some of the new Board Candidates. He encouraged all candidates to join the Recreation Joint Advisory Committee’s monthly meeting to learn more about Recreation.
- c) Golf – Jason Loyd spoke on behalf of the committee and reported that while golf rounds were down in 2019, January 2020 golf rounds were up over last year. Charlie Teal attended the February Golf JAC meeting to share news about the June APT event. Mr. Loyd also stated the 9-holes at Berksdale North is set to open April 1st, and the Golf Joint Advisory Committee was currently seeking new members.
- d) Community Involvement – No report.

VI. FINANCIAL REPORT BY DWAIN MITCHELL, TREASURER

Mr. Judson reported on the January 2020 financials. The financial reports are located at <https://bellavistapoa.com/governance/financials/>.

VII. OPEN FORUM – PROPERTY OWNER COMMENTS LIMITED TO 3 MINUTES

- a) Property Owner John Kennett spoke regarding the physical aspect of bicycling. It is an excellent activity, that is low impact and a great exercise. He also volunteers his time to help with maintenance on the trails as well.
- b) Property Owner Jan Marie Myers spoke regarding the Blowing Springs/Metfield Connector. Her most significant concern is the trees along Euston Road, behind her house. The trees provide privacy and a noise barrier from the road.
- c) Property Owner Mike spoke regarding Pickleball courts in Bella Vista. New nets have been ordered, but the courts need to be resurfaced.
- d) Property Owner Brent Stinespring spoke regarding the support for the Metfield Connector. The topography, connectivity, and usability of the trail would be a great service to the community.
- e) Property Owner Rogers Scoles spoke regarding the maintenance at Berksdale and the possibility of a 12-hole course.
- f) Property Owner Bill Ginger spoke regarding the need for boats traveling above five mph should be required to be 200 feet from shore in the Tiree Channel.

VIII. RESPONSE TO OPEN FORUM

- a) Mr. Judson stated that select open forum items would be addressed directly after Open Forum is closed. Mr. Judson replied to the property owner’s concerns regarding privacy and noise with the Metfield Connector. He noted that if she is still concerned after the trees have been removed near the Connector to contact him directly. He will provide the appropriate contact to see what accommodations can be made regarding the replacement of trees and shrubbery.
- b) Mr. Judson stated that the cuts made to the budget regarding Pickleball, Archery, and the Small Dog Park were challenging to make, and those items will be the first items the Board would consider if the budget allows.
- c) Mr. Judson stated that while Berksdale will be minimally maintained, Mr. Ihms will do his best to ensure the members do not notice much of a difference.
- d) Mr. Judson stated the wake boat regulations would remain an ongoing issue. The Lakes JAC committed to review the rules and regulations for our lakes on an ongoing basis.

- e) Vice-Chair Brandenburg stated that after additional research, he found the lots sold in the Flash Sale did not devalue unimproved lots and did not cause a loss of real estate taxes to the City. These lots will be excluded from the reappraisal of the unimproved lots in Bella Vista. Currently, the county has a minimum value on all unimproved lots of \$3,000. The reappraisal in Bella Vista is scheduled for 2021.

OLD BUSINESS

NEW BUSINESS

IX. PROPOSED 2020 REVISED BUDGETS. (BOARD VOTE)

Mr. Judson presented the 2020 Revised Budget. The presentation is located at <https://bellavistapoa.com/wp-content/uploads/2020/02/02272020-RS-Board-Meeting-Presentation.pdf>. Director Abrahamson made a motion to approve the 2020 Revised Operating, Capital, and Simple Cashflow Budgets, replacing the “Fail” budgets, which were approved in November. Director Barron seconded the motion. There was no discussion. The motion passed 8-1, with Director McKee opposing.

X. PROPOSED 2020 AMENITY FEE SCHEDULE. (BOARD VOTE)

Mr. Judson explained the 2020 Annual Fee Schedule and the 2020 Plan Marketing Material. The Marketing Material committed to honoring its fees through the end of 2022. Management made the recommendation to accept the fees in the 2020 Plan Marketing Material for a full three years.

Director Whelchel motioned to adopt the revised 2020 Amenities Fee Schedule. Director Abrahamson seconded. There was no discussion. The motion passed unanimously.

XI. PROPOSAL TO KEEP THE 2020 PLAN FEES IN PLACE THROUGH FEBRUARY 28, 2023. (BOARD VOTE)

Director Sinkus motioned that no changes be made to the 2020 Plan Fee Schedule through February 28, 2023. The 2020 Plan Fee Schedule was part of the assessment campaign marketing material. Director Barron seconded. After discussion, the motion passed unanimously.

XII. TRAIL AGREEMENTS:

Mr. Judson presented the Blowing Springs Connector Trail Agreement, E-Bicycle Provision Amendment, Blowing Springs Connector Landings, and Back 40 and Little Sugar Trailheads Agreement. The presentation is located at <https://bellavistapoa.com/wp-content/uploads/2020/02/02272020-RS-Board-Meeting-Presentation.pdf>.

a. BLOWING SPRINGS CONNECTOR – LIMITED TERMINABLE LICENSE AGREEMENT. (BOARD VOTE)

Director Abrahamson made a motion to approve the proposed Limited Terminable License Agreement for the Blowing Springs Connector. Director Sinkus seconded.

After discussion, Director Hover motioned to amend the original motion to make it ADA applicable. Due to lack of a second, the amendment died. After discussion regarding the original motion, Director McKee motioned to postpone the Blowing Springs Limited Terminable License Agreement indefinitely until all questions and concerns are fully answered. Director Hover seconded. After discussion, the motion to postpone failed with a 3-6 vote, with Chairperson Hatcher, Vice-Chair Brandenburg, Directors Abrahamson, Barron, Sinkus, and Whelchel opposing.

Vice-Chair Brandenburg called for a vote to consider the original motion to approve the proposed Limited Terminable License Agreement for the Blowing Springs Connector. After discussion, the motion passed 7-2, with Directors Hover and McKee opposing.

b. BLOWING SPRINGS CONNECTOR E-BICYCLE PROVISION – FIRST AMENDMENT TO THE LIMITED TERMINABLE LICENSE AGREEMENT. (BOARD VOTE)

Director Sinkus made a motion to approve the First Amendment to the Limited Terminable License Agreement, which has to do with the Blowing Springs Connector and Class I E-bicycles. Director Abrahamson seconded. After discussion, the motion passed unanimously.

c. BLOWING SPRINGS CONNECTOR LANDING DECISION. (BOARD VOTE)

Vice-Chair Brandenburg reviewed the information received from the Connector architects and called for a motion to require the installation of landings every 30 feet when the grade is higher than 5% and less than 8.3%. No motion was made.

d. BACK 40 & LITTLE SUGAR TRAILHEADS – SECOND AMENDMENT TO THE LIMITED TERMINABLE LICENSE AGREEMENT. (BOARD VOTE)

Mr. Judson stated the locations listed in the Trailheads Agreement pertain to the sites that are designated as POA property. The specific areas for trailheads are outlined in red within the entire parcel, and no additional maintenance funds are committed to maintaining. Director Abrahamson made a motion to approve the trailheads as listed in Exhibit A. Director Bidwell seconded the motion. After discussion, the motion passed 7-2, with Directors Hover and McKee opposing.

XIII. AMENDMENT TO POLICY 1.00 – ADDING THE TERM “ACTIVITY CARD.” SECOND OF TWO REQUIRED READINGS. (BOARD VOTE)

Director Whelchel motioned to approve the proposed changes to Policy 1.00, which will incorporate the term “Activity Card” into our policies. This reading is the second of two required readings. Director McKee seconded. There was no discussion. The motion passed unanimously.

**XIV. PROPOSED NEW WAKE BOAT REGULATION – FIRST OF TWO READINGS.
(BOARD VOTE)**

Mr. Judson presented the background regarding the wake boat regulations recommendations. The presentation is located at <https://bellavistapoa.com/wp-content/uploads/2020/02/02272020-RS-Board-Meeting-Presentation.pdf>. Director Bidwell motioned to amend the Boating Regulations to incorporate the language developed for the regulation of wake boats. This includes items 3, 4, 5 and 6 under the Boating Rules and Regulations of the Fishing, Boating and Water Sports Regulations brochure. This reading is the first of two readings. Director Barron seconded the motion. After discussion, the motion passed 7-1-1 with Director McKee opposing and Director Sinkus abstaining.

XV. VOTE REGARDING THE CONTINUATION OF THE COMMUNITY INVOLVEMENT JOINT ADVISORY COMMITTEE. (BOARD VOTE)

Mr. Judson stated the Community Involvement Committee has struggled to get volunteers to join the committee, and the Committee members have expressed concern regarding the viability of the committee. The Community Involvement Committee has created a lasting legacy by originating the annual Charity Coat Drive and Fireflies & Tailgates. Management will take over the administration of these two events. Director Barron motioned to disband the Community Involvement Committee effective immediately. Furthermore, the Rules & Regulations Committee is directed to prepare modifications to the governing documents to remove the Community Involvement Committee. Director Whelchel seconded. After discussion, Director Hover motioned to amend the original motion to include disbanding the Super Committee in the same motion. Director Abrahamson seconded. After discussion, the amended motion passed unanimously.

XVI. ANNOUNCEMENTS

- a. **Coffee & Questions** – Tuesday, March 10th, at 10:00 a.m. at Metfield Clubhouse.
- b. **Board of Directors GM Meeting** – Thursday, March 12th, at 4:30 p.m. in the Boardroom at the Country Club.
- c. **Meet the Candidates Night** – Tuesday, March 17th, at 6:00 p.m. at Riordan Hall.
- d. **Board of Directors Work Session** – Thursday, March 19th, at 9:00 a.m. in the Boardroom at the Country Club.
- e. **Board of Directors Regular Session** – Thursday, March 26th, at 6:00 p.m. in the Boardroom at the Country Club.

XVII. ADJOURNMENT

Vice-Chairperson Brandenburg called for a motion to adjourn the meeting. Director Whelchel motioned. Director McKee seconded. After reading the Announcements, the motion passed unanimously. The meeting adjourned at 8:21 p.m.

Submitted:

Approved:

Tammie Loyd, Corporate Secretary

David Brandenburg, Board Vice-Chairperson