

BELLA VISTA VILLAGE LAKES JOINT ADVISORY COMMITTEE

MEETING MINUTES June 10, 2020

Committee Members in Attendance: Matt Champagne (Chairman), Kelly Austin, (vice Chairman), Marvin Macedo, Rick Yorman, Paul Bickford (Secretary), Jason Adams, Gracie Turley

Bella Vista POA Board Liaisons in Attendance: Tammie Loyd, David Brandenburg, Jerre Barron, Mary Sinkus, Sandy Fosdick

Management Liaisons in Attendance: Rick Echols, Trey Anson, John Urquhart

Guests Present: Carol Phillips, Arell Wasson, Ross Gerner

Call to Order: Matt Champagne called the meeting to order at 2:00 pm with seven committee members present

Additions/deletions to the Agenda: None

Approval of the Minutes of Previous Meeting: The minutes of the May 2020 Lakes JAC meeting were approved as submitted

Management Comments:

- **Tom Judson**, POA COO
 - Presently 1,300 activity cards which is a large increase over the prior year, and this increase is attributed primarily to the 2020 plan
 - Beginning Monday June 15th, our teams will begin complying with the AR phase-2 of the Covis-19 recovery plan

- **Rick Echols**, Lakes, Parks and Fisheries
 - Beavers: There has probably always been a population of them on Lohman. Unfortunately, they prefer to attack ornamental trees. When necessary, we prefer to remove them using legally acceptable methods e.g., someone with a trapper's license.
 - Beavers are active in the restored portion of the Tanyard Creek area; however, since mostly tree stems are removed the tree usually survive
 - Construction plans for the Loch Lohman Granton fish cleaning station are moving forward with the help of matching funds provided by the Bella Vista Fly Flyers Club.
 - Unfortunately, upon considering building a covered platform, the costs escalated significantly; therefore, the fishing cleansing station will be very similar to ones located on other community lakes.
 - Plans are to build it on an extension of the "easy docks"
 - Boat registrations are *significantly* up, as is lake use! Two things I believe account for this:
 - The almost 50% decrease in boat registrations fee built into the 2020 plan
 - Covis-19 pandemic social distancing and other health safety guidelines and how our lakes and other amenities can accommodate adjustments to them
 - A personnel slot opened in the Lakes and Parks department; therefore, we hired a fisheries student who is helping within his specialty, as well as grounds,

- and other activities
- **Lake rangers:** have scanned our seven lakes for watercraft without 2020 registration stickers, and completed calling and requesting owners to register and/or attach 2020 registration stickers to their watercraft
- New signage at the Stonykirk ramp. In the process of extending parking and designating a construction area and will reclaim land from the adjacent Forrest. Completion of this project should keep most members happy
- Replacing two Kayak storage racks on Lake Winsor: One at Pontoon Park and the other at London Landing
- **Lake Brittany fatality on Sunday June, 7th** , but no detail information available. **Judson:** Mayor Christie and Chief Graves both complimented the Lakes and Fishers department personnel with the way they assisted the City personnel in managing this unfortunate event
- Plan more wake boat wave generation testing like done last Fall.
- Trout fishing remains good on Lake Brittany
- Will soon be stocking all community lakes with channel catfish
- Second Avalon Beach E. coli level testing completed and results are expected to be good.
- Continue to treat weeds and algae on Lohman weekly, and have done Lake Avalon twice. Efforts to clean the algae from the beach will continue
- **Wasson:** Echols: was there an accident on Winsor this past weekend? **Echols:** I didn't hear of one.
- **Sinkus:** Regarding lake ranger handling of a suspected wake boat rule violator on Lohman: **Echols:** yes, the member boat in violation was chased and stopped by Lake rangers. The driver became belligerent and the ranger said "if he didn't comply with the rules" he would be escorted from the lake. Also, I will soon give the member violator a call
- **Turley:** I received comments from folks about the much more noticeable presence of Lake Rangers. **Bickford:** Yes, the most ever presence on Lake Rayburn

Old Business:

- Members of the Lakes Committee volunteered 10 hours since the May meeting
- **Yorman:** The subcommittee chairman to consider the regulation of boat size, horsepower, dimensions, capabilities, and number on POA lakes.
 - Committee members are: Rick Yorman, Kelly Austin, Arell Wasson
 - Considering the actions of two other POA communities:
 - Canyon Lake, CA has placed restrictions on watercraft components
 - Successfully implemented the use of a "grandfather clause"
 - Viking Lake, Missouri has placed limited restrictions of watercraft components, but no "grandfather clause" enacted
 - Successfully reached out to the Water Sports Industry Association (WSIA)
 - Reaching out to the Arkansas rep for the "National Association of State Boating Law Administrators (NASBLA). (No response yet)
 - To Do List:
 - Reach out to local marine distributors for input
 - Reach out to the Coast Guard Auxiliary
 - Make recommendations to the Lakes JAC

- **Judson:** Regarding Attorney Doug Cash's comments on the use of a "grandfather" clause: To use Doug's words: "that the rules are not arbitrary and capricious". We must use a logical and reasonable means to invoke such a clause.
 - Further, if the Board approved the use of a "grandfather" clause, and it was challenged in court, it would probably lose
 - Doug prefers a rule that states something like this: Boats/watercraft with restricted/forbidden components are banned by a future date, and not use a "grandfather" clause.
- **Gerner:** As stated, safety is our primary goal. I'm a big boat owner on Lohman who pulls skiers, tubers, etc. and feel, particularly with the significant increase in watercraft use and traffic, there is a need to enforce/educate the counter clockwise watercraft navigation flow rule around the non-wake lakes i.e., consider prohibiting cross lake watercraft navigation.
- **Bickford:** Yes, safety is our primary goal; however, I feel the "Goal" should be expanded and include "and help reduce damage to lake front properties".
Gerner: I can understand that to a degree; however, when I took ownership/responsibility of my lake front property, to me it included the funds to repair damage due to weather and waves produced by watercraft sports
- **Yorman:** The recent high winds events produced far more damage to lake front properties than all our wake boats waves will ever do
- **Wasson:** In support of lake safety, Canyon Lake, CA developed maps showing a zone for kayaking, canoeing, swimming, etc., and a zone for powered watercraft sports with appropriate speed limits for both.
 - **Echols:** we have created these zone maps and they are now posted at Loch Lomond, and will be posted on Winsor and Ann ASAP
- **Judson:** This subcommittee's recommendations for the 2021 season need to reach the Board for approval in November; therefore, the JAC needs to approve them in October. **Yorman:** Thanks for this reminder. I think we can make this deadline.
- **Adams:** About restricting/prohibiting cross boat wave navigation: this rule would severely impact kayak navigation. **Gerner:** I would agree with you. When I made that statement, I was referencing a power boat perspective. Hopefully, with the posting at all our non-wake lakes of the water sports/activities zone maps Rick Echols mentioned earlier, this will help much with all safety aspects
- *Please review the POA website video and the subcommittee's June 1st meeting summary shown below for more detail comments from each participant*
- **Champagne:** Rules and Regulations Committee (R&R) decision regarding fishing tournaments participation by non-members, or non-member guests i.e., unaffiliated contestant
 - **Judson:** Policy changes require two votes by the Board. R&R has made a change to policy 3.04 (regarding guests) and it has passed the first Board vote. If it passes the upcoming second vote, the decision to permit unaffiliated guests/constants to tournament fish will be made by the Lakes JAC on a per event basis

New Business:

- **Champagne:** Lake Rayburn and Lake Ann drawdown decisions. A contractor I talked to said he knew of at least 6 docks that were unable to be repaired on Ann because of the overnight lake refilling that occurred the last time the lake was lowered.

- **Echols:** Also consider that reducing Ann's lake level two years in a row may anger some residents because of lack of lake use during winter months. All our lakes have at least 6 docks/properties that need repair
 - I start meetings with interested lake residents in late July to answer questions about lake drawdown procedures planned for November. This should provide ample time for property owners to locate contractors to perform needed repairs
- **Champagne:** I see both sides of the issue. From your comments Rick, you prefer to wait another year to drawdown Ann? **Echols:** I don't have a strong opinion one way or another
 - **Austin:** Can we consider lowering Ann for a shorter time period?
Echols: it might be possible
- **Champagne:** Any other comments related to lake drawdowns?
- **Bickford:** I make a motion that Lake Rayburn be lowered this Fall to allow property repairs. Motion passed.
- **Champagne:** The decision to drawdown lake Ann will be deferred to the July meeting
- **Bickford:** How does the watershed of Rayburn compare to Ann? **Urquhart:** Ann's watershed is about three times the size of Rayburn's
- **Champagne:** Three new Lake JAC members will officially join the committee next month: Arell Wasson, Carol Phillips, and Ross Gerner, and I want to thank Marvin Macedo, Harold Robinson for their contributions to the committee efforts during their service years.
 - **Macedo:** I appreciate the opportunity to serve on the JAC the past seven years and feel we made good decisions that were passed on to the Board and approved. I expect to visit future meetings, now and then, to observe all is going well
- **POA Board Member Liaison Comments:**
 - **Anson:** Dock D on the Marina was shut down during the repair of a broken anchor bracket that occurred from a high wind event June 9th
- **Open Forum: None**
- **Lake Announcements and next meeting:**
 - The next Lakes' JAC meeting will occur at 2 pm on Wednesday, July 8th, 2020
 - *Lake JAC meeting minutes and videos can be viewed, (with a simple "Ctl+left mouse click), at: <https://bellavistapoa.com/governance/committees/#lakes>*

Adjournment: The meeting adjourned at 3:00pm

Respectively Submitted, Paul Bickford, Secretary

Bella Vista Lakes Joint Advisory Committee - 2020

Subcommittee on Boat limits

Goal: to develop rules and regulations to restrict inappropriate boats on Bella Vista Lakes recognizing our most important goal is to provide Safe use of our lakes

Kelly Austin, Rick Yorman and Arell Wasson (joining committee in July 2020)

Discussion -Limitations on Boats to prevent inappropriate, unsafe or unsuitable usage on Bella Vista Lakes

- The past few years have brought a lot of discussion about placing further limits on boat in terms of displacement, usage, and size. Sometime in the past jet ski's were determined to be inappropriate and have not been allowed in Bella Vista in recent history. Bella Vista lakes are small, with four of them no wake. Demographics of POA members have tended to self-regulate away from large and powerful boats.
- Limits to consider
 - Displacement – During discussion on wake boats previously, a limit of 4,00 pounds was discussed as a limit
 - Speed Limits
 - Horsepower – What is too much
 - Length of Boat – how long is too long
 - Class of boat – can we restrict boat by class? (race boats, cigarette boats, etc.)
 - Do we allow float planes to land and take off
- Current BV Boat registration date - 2020 YTD Data

	April 30, 2020			
	# Sold MTD	\$ Amount MTD	YTD Sold	YTD Amount
ANNUAL BOAT REG - UNDER 10HP	7	215.95	28	1,112.63
ANNUAL BOAT REG - UNDER 15' 11	15	1,233.08	80	6,542.08
ANNUAL BOAT REG - 16' TO 19' 11	0	0.00	230	26,843.80
ANNUAL BOAT REG - 20' OR MORE	81	11,109.73	372	52,921.57
ANNUAL BOAT REG - NO MOTOR	494	7,765.28	2063	33,437.40
BOAT REG 16' TO 19'11" (UNDER 18')	74	6,314.76	254	22,047.36
BOAT REG 16' TO 19'11" (18' AND OVER)	60	7,772.38	195	25,321.50
NEW BOAT REG UNDER 10HP ANNUAL	143	1,592.63	331	4,366.09
NEW BOAT REG UNDER 18' ANNUAL	34	1,956.25	62	3,811.70
NEW BOAT REG 18' AND OVER ANNUAL	27	2,542.20	65	6,614.69
Total	935	40,502.26	3680	183,018.82

Our boat categories & prices changed March 1, 2020.

The top 5 categories are renewals and the bottom 5 categories are watercraft registered for the first time or falling into a new price range.

June 1 meeting - Updates from subcommittee work (Arell)

- Canyon Lake, CA (canyonlakepoa.com) is a similar Community with a Population 11,267 (2018) that has: Golf course, Equestrian Center, tennis, pool, pickle-ball & two restaurants. (Community started in 1968) City incorporated in 1990.
 - Lake 383 acres (Built in 1927)
 - POA controls lake & amenities.
 - Lake activities: boating, fishing, kayaking, canoeing,
 - paddle-boarding, sailing, waterskiing, wakeboarding & windsurfing.
 - All boats & unpowered equipment must be registered.
 - Speed limit defined on lake map: around shore 5 MPH, middle of lake 35 mph.
 - Length regulation: No boats permitted over 21' 6" long. Grandfather clause: any boat registered as of Oct. 7, 2014 that exceeds 21' 6" will be allowed to register boat until sold or removed, provided the boat ownership is not transferred to another person in the community.
 - Use of Wake enhanced devices only allowed in one small are of lake.
 - All Of this information is out of the Rules & Regulations section of the website.
 - They did successfully use a grandfather clause
- Viking Lake Missouri
 - Lake Viking is a Private Lake Community located in NorthWest Missouri that is 630 acres
 - WATERCRAFT SIZE AND MOTOR SIZE:
 - a) Boat & pontoon maximum: 24'
 - b) Motor cannot exceed manufacturer recommendation.
 - c) No prop driven watercraft with two engine power sources will be allowed, except for pontoons or any other using a smaller motor for trolling purposes.
- Water Sports industry Association (WSIA) input (Rick)
 - Discussed our situation with Larry Meddock, Executive Director of the WSIA. The following notes are from that discussion:
 - The industry, in general, considers recreational boats to be less than 26'
 - The Coast Guard has established rules for boats and based on their length and boats 26' and longer have additional rules
 - Limiting Displacement and/or Horsepower would not be recommended and likely not practical
 - Establishing a rule boats to be less than 26' would allow almost all recreational boat to operate in Bella Vista
 - For sport operators, max speed for ski is 36 mph, max for barefoot ski is 42mph
 - Larry suggested I **reach out to the Arkansas rep for National Association of State Boating Law Administrators (NASBLA)** and talk to the Arkansas rep, Stephanie Weatherington (No response yet)
- **To do list**
 - **Reach out to local Marine distributors for input**
 - **Reach out to Coast Guard auxiliary**
 - **Make Recommendation to Lakes JAC**