

BELLA VISTA VILLAGE LAKES JOINT ADVISORY COMMITTEE

ZOOM MEETING MINUTES August 12th, 2020

Committee Members in Attendance: Matt Champagne (Chairman), Kelly Austin, Paul Bickford (Secretary), Jason Adams, Gracie Turley, Carol Phillips, Arell Wasson, Rick Yorman

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

Management Liaisons in Attendance: Rick Echols, Trey Anson

Guests Present: None

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

Additions/deletions to the Agenda: None

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

Management Comments:

- **Tom Judson**, POA COO
 - Activity card sales have gone from approximately 8,000 to 11,000 which is a 36% increase
 - Guest passes have gone from approximately 3,000 to 5,000 which is at least a 66% increase
 - Boat registrations have increased by 800 which is about a 16% increase.
 - Across the board, it's hard to say whether these increases are do to Covid-19 or the 2020 Plan or both
 - It's the time for me to give my once-a-year training I give each year to the seven Joint Advisory Committees (JAC). *View the training materials with Tom via the website-based Lakes JAC August 2020 meeting video*
 - **Yorman:** Regarding the Activity Cards sales going from 8,000 to 11,000 ... was this caused by the 2020 Plan rule changes that caused members to purchase an activity card? **Judson:** Activity Card purchases weren't required before, and I think the positive change is due to the increase in value added via the 2020 Plan

- **Rick Echols**, Lakes, Parks and Fisheries
 - July 6, there were 838 contacts made and 800 people were removed that shouldn't have been on POA property
 - 168 lake ranger boating hours. I gave the rangers a goal of at least 60 hours a week, as a group, on the water. Prior to the new goal, about 45 hours, as a group, were spent on the lakes. However, at the end of the first week the rangers spent 82 hours on our lakes which was a significant increase
 - The Kids Fishing event held August 7th at the Metfield pond was a partial success (because of rain); however, those that participated did have a good time, and caught some big catfish. I asked this committee to approve another such event for August 14th to allow those who were "rained out" to participate. 550 catfish were supplied by the AGFC which was 250 more than anticipated. Also, the average fish weighed 2-1/2 lbs. which was 1-1/2 more than

- anticipated.
- **Brandenburg:** What was the age range of the youngsters you allowed to fish?
Echols: age 3 to 15 years of age. **Brandenburg:** What will happen to the dinky Metfield pond if a few hundred of those fish aren't removed? **Echols:** I suggest we consider holding more fishing events throughout the year during times when the golf course is closed for maintenance
 - We gave a "Celebrating Success" award, usually only awarded to POA employees, to a member of the Bella Vista Fly Tyer's club.
 - **Phil Ward** substantially modified large plastic containers for lake's fishing cleaning stations that significantly improved the containment and management of fish cleaning waste. Also, Phil has been a leader over the past 10 years, along with other club members, in the construction and distribution of fish habitats for our lakes.
 - Aquatic weed control continues Lomond and should be under control in the next few weeks.
 - **Champagne:** What is the usage on the lake this year as compared to last?
Echols: That's a hard question to answer: you can have more registrations but not necessarily more usage; however, my gut feeling the usage is way up over last year
 - **Yorman:** Of the 800 people removed from POA property, how do they respond? **Echols:** They know they aren't supposed to be here; therefore, most are cooperative
 - **Wasson:** I assume the great majority removed from POA property are located on land i.e., not lakes. **Echols:** Yes, but we do remove violators from the lakes. **Wasson:** Do Rangers encounter much resistance? **Echols:** Generally, no. Our policy is to not approach a boat unless it doesn't display a registration sticker
 - **Adams:** Inflatable kayaks aren't required to register; therefore, don't display a "sticker". **Echols:** Correct. As the number of these boats increases this committee may want to consider this issue. **Champagne:** As I recall, the issue was raised last year, but it was considered too late in the year to make rule changes.
- **Anson:** As of July 22nd, with respect to **Yorman's** question on traffic, we have experienced a 38% increase in pontoon boat rentals and 175% increase in lake use fees; therefore, these number might represent similar use percentage increases on other lakes. **Adams:** How are kayak rentals? **Anson:** we are at a "wash" on kayak rentals.

Old Business:

- Members of the Lakes Committee volunteered 10 hours since the June meeting?
- **Champagne:** Do we have report from the subcommittee on boat size regulation etc.?
- **Yorman:** I distributed to each of you today documentation the subcommittee has assembled for discussion that should help us make an informed decision on the boat size and speed limits regulations to purpose to the Board. (see detail report below)

- Bella Vista lakes are small with four of them “no wake” i.e., no recreational water sports. Demographics of POA members have tended to self-regulate away from large and powerful boats.
- Of the six limits considered, the subcommittee focused on one it felt would have a beneficial ancillary moderating effect on the others: boat length of 26’.
 - Presently, seven members with powered boats are registered near 26’
 - Four within the 25’ range
 - Two at 26’
 - One over 28’
- Considered Input from other POA communities, Industry Regulators, and local vendors
 - Canyon Lake, CA, and Viking Lake Missouri
 - Water Sports Industry Association, and the Coast Guard
 - Bella Vista Marine, and Arrowhead Marine
- Considered Legal Implications
 - As covered in the July ’20 lake JAC meeting minutes, the subcommittee recommends using the “grandfather-in boat clause” which Doug McCash said is less likely to be challenged in court; however, if it was it would probably lose.
- Subcommittee’s Two Recommendations
 - Lake Regulations #7 ADD - “Motorized boats 26’ or longer are prohibited on all POA Lakes. Any motorized boats registered with the POA as of December 31st, 2020 that is 26’ or longer will be allowed to continue to renew registration until the boat is sold or removed from POA Lakes.
 - After a discussion, **Bickford** made a motion to approve the above purposed regulation. Motion passed.
 - Watercraft Regulations #1 ADD - “Maximum speed limit on Lake Ann, Lake Windsor and Lake Loch Lomond is 35 MPH during day time and 25 MPH at night.”
 - After a discussion, the topic was tabled for future consideration due to the additional requirements to convert recommended boat speed limits to law enforced boat speed limits. (see July ’20 lake JAC minutes)
- **Champagne:** Many thanks for all the work the subcommittee is has and is doing.
 - *Please see the POA website Lakes JAC video to view more detail comments from meeting participants.*

New Business:

- **Champagne:** I sent a list of 2021 Budget items (unchanged from 2020) to everyone to review. Rick, are there capital budget items to which you recommend we give top priority? **Echols:** at least two lake dam roads that seriously need repaving: Brittany and Windsor.
- **POA Board Member Liaison Comments:** None

- **Open Forum:**

- **Champagne: Questions From:**

- **Chris and Nancy Rose:** About a public Kayak launching ramp at the Marina.
Anson: It was approved in last year's budget but retracted for this year because of Covis-19. Budget for it will be reconsidered in the next budget cycle
 - **Ellen and Gary Creakbaum:**
 - 1. At the July meeting, there was discussion of "grandfathering" boats longer than a certain size, if the sub-committee decides to set a boat size limit.
Why is grandfathering being considered now when many members have brought up doing this with wake boats and have always been told it is not possible to grandfather?
 - **Wasson:** I'll get back with Ellen and Gary about this question/concern
 - 2. At the July meeting, there was mention of a 2020 Plan. I called the POA and asked where I could get a copy and was told there is no such thing. Is there or is there not a 2020 Plan?
 - **Judson:** Thousands of copies were printed. I'll reach out to Ellen and see if I can help
 - 3. On Sunday, July 19th at 2:25PM, I sent a text message to the Lake Rangers and received no response. This is the first time this year I have sent a concern. Should I have received a response to a text or must I call? The concern was a boat we felt was operating too close to shore.
 - **Echols:** It's best to call 479-855-5067 to receive the fastest service response
 - 4. Has the re-peat wake boat test been scheduled or completed?
 - **Echols:** We are working now with the lakes JAC to schedule and perform the 2nd wake boat wave generation test
 - 5. Is there data to show weather causes more shore line damage than boats?
 - **Yorman:** The results I'm aware of are published in a summary by the Water Sports Industry Association (WSIA)
 - **Phillips:** There are reports available online for the effects of weather on vertical structures like docks and sea and lake walls
 - 6. The buoys placed at the boat ramps for judging 200 ft. are of little or no use to those who live on the lake and never go to a ramp. Since we live close to the dam, could buoy(s) be placed near our dock to help boats gauge 200 ft.?
 - **Echols:** This topic was considered last year and, yes, we can place a 200 ft marker buoy in front of their house ... but not every house
 - 7. Is there a sub-committee tasked with keeping up with new technology in water craft?
 - **Champagne:** No subcommittee; however, most if not all committee members are knowledgeable about the watercraft industry in general and are active with the use of some, and offer their time and energy to research ongoing changes that can affect our lake use community

There is a new water toy! It's called a Hydrofoil Surfboard. My husband is pretty sure he saw one on Lake Windsor. Might not be a problem, but it is something else new! While you are at it, look into mini jet boats too (MiniJet, Inc.).

- **Wasson/Anson:** It's a powered (trolling motor gadget) paddle/wake board with a hydrofoil beneath

Champagne: We will now view three videos submitted by Bill Ginger of recreational watercraft violations occurring on Lomond Tiree.

- Call 479-855-5067 for fastest service response

- **Lake Announcements and next meeting:**
- The next Lakes' JAC meeting will occur at 2 pm on Wednesday, September 9, 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 3:25pm
Respectively Submitted, Paul Bickford, Secretary

Bella Vista Lakes Joint Advisory Committee – 2020
Updated as of August 12th, 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 and to keep damage to shoreline structure to a minimum

Kelly Austin, Rick Yorman and Arell Wasson

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 skis 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.

Results of registration review for boats near or over 26':

RegExpiry	MakeOfVehicle	Type	Length	Color	Horsepower
12/31/2020 0:00	SYLVAN	PONTOON	25' 3"	METAL	115
12/31/2020 0:00	SUNTRACKER	PONTOON	25' 4"	TAN	150
12/31/2020 0:00	REGENCY	PONTOON	25'04"	BLACK	150
12/31/2020 0:00	SUN TRACKER	FISHING	25'07"	WHT/GREEN	50
12/31/2020 0:00	SWEETWATER	PONTOON	26'	MAROON/WHITE	115
12/31/2020 0:00	Peinert	Rowing	26'	Gray	None
12/31/2020 0:00	STARCRAFT	PONTOON	28'	RED	80

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.
 - Grandfathered boats larger than 24' to current owners

- Water Sports industry Association (WSIA) input
 - 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)

- Local Boat Marine input
 - Bella Vista Marine – Spoke with Mark who owns the store and used to live on Loch Lomond. He recognized the issue and said most of the boats he sells are in the 22' to 25" range. He thought a 26" maximum would be OK. He does know of one boat at the "Lodge" on Lomond is a 30'
 - Arrowhead Marine – Spoke with Bryan Simmons - Offered that no one in his business would recommend we limit boat. They sell a variety of boats in Bella Vista and typically sells speed boats and pontoons in the 22' to 25' range.

- Recreational Carrying Capacity of Lakes
 - Subcommittee looked at some studies about carrying capacity. Based on studies from Lake Beaver, Indiana Lakes, New York Lake George and standards established by Ohio, Wisconsin and Vermont the recreational carrying capacity for motorboats ranges from 10 to 20 acres (average 15 acres) of usable lake surface for each boat. These standards are based on what is considered safe and not overcrowded. For example: Lake Windsor is 220 total acres. Usable acres = Total acres minus no wake zones & area 200 feet along shoreline.

- Lake Windsor Recommended Boat Density: 220 acres - 70 (estimated unusable acres) divided by 15 acres per boat = 10 motorboats on the lake at one time.
- This isn't something that can be reasonably controlled but is good information to know.

- Legal Implications

- We may consider two methods of rule implementation 1) enact a rule that has an implementation date in the future, or 2) enact a rule that grandfathers' boats above the limit. POA Legal staff recommends a rule with a future implantation date.
- Any new rules should be reasonable and have a rational basis for the rule. Our basis for considering the 26' length limit is based on:
 - The Coast guard distinction of 26' as a change in rules required for boat equipment
 - The Water Sports Industry Association recognition that in general, recreation boats are 26' and less
 - The bigger the boat the bigger the displacement and thus it becomes more destructive to shoreline structure and makes bigger waves.

- Conclusions

- The subcommittee recommends the Bella Vista POA adopt the following rule changes:
 - Lake Regulations #7 ADD - "Motorized boats 26' or longer are prohibited on all POA Lakes. Any motorized boats registered with the POA as of December 31st, 2020 that is 26' or longer will be allowed to continue to renew registration until the boat is sold or removed from POA Lakes.
 - Watercraft Regulations #1 ADD - "Maximum speed limit on Lake Ann, Lake Windsor and Lake Loch Lomond is 35 MPH during day time and 25 MPH at night."

2021 Lakes JAC – Capital Budget Recommendations

Must Do's (critical to maintain the Bella Vista Lakes)

1. Maintain an annual budget to maintain all lakes with a balanced mineral enhancement program when and where needed
2. Maximize enforcement of boundaries for water skiing and wake boarding on all wake lakes through continued presence of Lake Rangers and the use of information releases through lake bulletin boards, Lake Updates, press releases, etc.
3. Continue trout stocking program in Lake Brittany
4. Continue fish breeding programs in golf course ponds etc.
5. Continue fish stocking programs in all lakes (is there a need to do more?)
6. Replace on POA truck and one POA boat this year.
7. Fund part time internship program for college students majoring in Fish Biology or related field to help with Summer projects
8. Replace, repair or maintain all POA maintained docks and existing boat launches on an as needed basis
 1. Rayburn - boat ramp in need of maintenance/repair
 2. Treat all docks with perma-seal to ensure to protect docks long term
9. Provided needed maintenance on all POA Parks and facilities
10. Put up additional signage in strategic locations on all wake lakes reminding users of the rules pertaining to skiing, tubing, and wake boarding etc.
11. Resurface/pave the drives and parking lots at the lake areas:
 1. Resurface black top on all POA Lake Dams as needed and when budget permits
 2. Resurface parking and drives - priority is Brittany Dam, and Rayburn
 3. Windsor all pavement needs replacing
12. Consider adding additional parking as needed at Lake Avalon to accommodate increased usage of the beach/swimming area.

Nice to Do's (needed to improve the Bella Vista Lakes)

1. Enclose all POA port-a-potties within lake visibility with a semi-permanent structure (much like city of Bentonville does – see picture)



1. Improve launch access on main Lake Windsor ramp. Pretty tight to pull in and back boat into water.
2. Guard rail with boulders on the backside of Lake Brittany Dam