

**BELLA VISTA VILLAGE PROPERTY OWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING - (REGULAR SESSION)  
AUGUST 27, 2020 6:00 p.m. BOARD ROOM AT THE COUNTRY CLUB**

**BOARD MEMBERS PRESENT:** Chairperson David Brandenburg, Vice-Chairperson Mary Sinkus, Directors Mike Abb, Jerre Barron, Jr., Teah Bidwell, Sandy Fosdick, Jerry Hover, and David Whelchel.

**BOARD MEMBERS PRESENT VIA ZOOM:** Director Jan Simms.

**BOARD MEMBERS ABSENT:** None.

**BOARD MEMBER PROXY:** None.

**OTHERS PRESENT:** Chief Operating Officer Tom Judson, General Counsel Doug McCash, Treasurer Stacie Higgins, and Corporate Secretary Tammie Loyd, ten members, and four media representatives.

**I. CALL TO ORDER**

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

**II. PLEDGE OF ALLEGIANCE**

**III. CHANGES OR ADDITIONS TO THE AGENDA**

Mr. Judson announced that the Board Packets will now be available on the POA's website before each televised meeting.

Chairperson Brandenburg announced there would be one addition to the agenda, which will be placed at the end of this evening's agenda.

**IV. CELEBRATING SUCCESS**

Mr. Judson showed a video of Phil Ward receiving the Celebrating Success for his outstanding contributions. Mr. Ward is not an employee but is extremely deserving of this award.

Joan Glubczynski presented the Celebrating Success award to Bernie Purser for outstanding dedication to the POA, even though she has stepped into a part-time position to allow her to live her best life outside the POA.

**V. APPROVAL OF MINUTES (BOARD VOTE)**

Chairperson Brandenburg called for a motion to approve the minutes from the July 23, 2020, Regular Session Board Meeting. Director Barron motioned to approve the Board of Directors Regular Meeting minutes. Vice-Chair Sinkus seconded. There was no discussion. The motion passed unanimously.

Chairperson Brandenburg called for a motion to approve the minutes from the August 20, 2020, Working Session Board Meeting. Director Abb motioned to approve the Board of Directors Working Session minutes. Vice-Chair Sinkus seconded. There was no discussion. The motion passed unanimously.

## **VI. JOINT ADVISORY COMMITTEE REPORTS**

Mr. Judson encouraged members to review the extensive minutes provided in the Board Packet for the Lakes, Recreation, and Golf Joint Advisory Committees. Copies of the minutes from each of the committees are also available on the POA's website.

## **VII. FINANCIAL REPORT**

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

## **VIII. OPEN FORUM – PROPERTY OWNER COMMENTS LIMITED TO 3 MINUTES**

- a) Mr. Robert Schmid, Pamona Drive, spoke regarding the golf course maintenance crew and how hard they work on the course and the noise of the fans on the green outside his home.
- b) Mr. John Goodman, Hanworth Lane, spoke regarding how the Board fills vacancies on the Board and who videos Board Meetings.
- c) Mr. Jim Parsons, Duvall Lane, spoke regarding his comments last month regarding shutting off water for non-payment of assessments.
- d) Mr. Ken Fink, Portsmouth Lane, spoke in favor of the Board's consideration of additional pickleball courts. Mr. Fink was speaking on behalf of a large contingent of members in favor of more pickleball courts.
- e) Mr. Dan Dunn, Rath Drive, spoke in favor of the Board's consideration of additional pickleball courts.
- f) Chairperson Brandenburg read a letter from property owner Jack Bartlett regarding the change of number of guests a Dependent Cardholder can have.
- g) Chairperson Brandenburg read a letter from property owner Tommy Freytag regarding the Rules & Regulations Meeting and Board Work Session Meeting on Bylaws, Article III.

## **IX. RESPONSE TO OPEN FORUM**

- a) Mr. Judson introduced Mr. Schmid to Keith Ihms, Director of Golf Course Maintenance, who was sitting in the Welcome Center.
- b) Mr. Judson stated, in response to Mr. Bartlett's email, that the limitation on the number of guests of dependents was directly related to the gathering of teens on our dams. Many times, there would be 30 or more guests. The Lakes JAC recommended the policy change to address many property owner's complaints regarding noise and destruction of property.
- c) Mr. Judson stated, in response to Mr. Freytag's email, he encourages all members to watch the videos of the Rules and Regulations Committee to understand better the reasoning behind the changes to Bylaws, Article III.

- d) Mr. Judson stated, in response to Mr. Goodman's comments, Director Abb was appointed according to our policies, and our videos will be unedited, live-streamed, and available to our membership.
- e) In response to Mr. Parsons' comments, Mr. Judson stated that Policy 3.09 was adopted by the Board in March 2011 and has proven to be effective. Our collections team works compassionately with our membership to facilitate a solution for delinquent accounts.

## **OLD BUSINESS**

## **NEW BUSINESS**

### **X. PICKLEBALL COURT – CAPITAL PROPOSAL (BOARD VOTE)**

Mr. Judson explained that management is proposing four additional pickleball courts at the cost of \$61,000, with the construction of the base of the courts be completed in 2020 at a cost of \$34,000. The remaining work will be completed in 2021, with \$27,000 of the total expense hitting in 2021. Director Barron made a motion to authorize Management to move forward with a capital project to build additional pickleball courts at a total cost of \$61,000, with \$34,000 being expended in 2020 and \$27,000 being expended in 2021. Director Whelchel seconded. After discussion, the motion passed unanimously.

### **XI. TRIPLEX GREENS MOWER – CAPITAL PROPOSAL (BOARD VOTE)**

Chairperson Brandenburg stated that in December, the POA has an opportunity to purchase two of their Triplex Greens Mowers that are coming off lease. These Triplexes are in good working order and will continue to be in service for as many as ten more years. In order to purchase them, the Board would need to approve a total capital expenditure of \$25,267.73, to be expended in December. Director Whelchel motioned to approve \$25,267.73 for the capital purchase of two Triplex Greens Mowers that are coming off of lease in December of this year. Director Barron seconded. There was no discussion. The motion passed unanimously.

### **XII. CHELSEA/ARTHUR TRAILHEAD PROPOSAL (BOARD VOTE)**

Mr. Judson stated that three additional trailheads were under consideration by the Trailblazers for development; only one is on POA property (West of Arthur Road on Chelsea). The Trailblazers would cover 100% of the cost of construction, and the POA would see no increase in the maintenance costs that have already been agreed to. Director Abb motioned to authorize the execution of an agreement to develop a trailhead at Chelsea and Arthur, at no additional expense to the POA. Director Bidwell seconded. After discussion, the motion passed 6 to 2, with Directors Fosdick and Hover opposing.

### **2021 BUDGET TIMELINE (BOARD VOTE)**

Mr. Judson presented the 2021 Budget Calendar timeline. There will be three budgets prepared, the Capital, Operating, and Financial Budget. Vice-Chair Sinkus motioned to approve the 2021 Budget Calendar as presented. Director Whelchel seconded. There was no discussion. The motion passed unanimously.

**XIII. BYLAWS, ARTICLE III – BOARD OF DIRECTORS: QUALIFICATIONS, NUMBER, TERM OF OFFICE, GOVERNING POWER, REMOVAL, AND VACANCIES – FIRST OF TWO REQUIRED READINGS (BOARD VOTE)**

Chairperson Brandenburg reviewed the changes to Bylaws, Article III. Director Whelchel motioned to approve the Rules and Regulations Committee recommended changes to Bylaws, Article III, as noted in the attached document. This is the first of two required readings. Vice-Chair Sinkus seconded. After discussion, Director Bidwell motioned to amend the motion by deleting the sentence “A Director who has been removed from the Board of Directors for cause is prohibited from serving on or running for the Board of Directors for a period of three years.” Director Fosdick seconded. After discussion, the amendment to Bylaws, Article III failed by a vote of 3 to 6, with Chairperson Brandenburg, Vice-Chair Sinkus, and Directors Abb, Barron, Simms, and Whelchel opposing. The original motion passed by a vote of 6 to 3, with Directors Bidwell, Fosdick, and Hover opposing.

**XIV. POLICY 1.03 – GUIDELINES FOR ASSOCIATION COMMITTEES, AND POLICY 1.07 – BOARD MEETINGS – SECOND OF TWO REQUIRED READINGS (BOARD VOTE)**

Chairperson Brandenburg reviewed the changes to Policy 1.03 and Policy 1.07. This is the second of two required readings for both policies.

Director Whelchel motioned to approve the Rules and Regulations Committee recommended changes to Policy 1.03, as noted in the attached document. This is the second of the two required readings. Director Abb seconded. After discussion, the motion passed 6 to 3, with Directors Bidwell, Fosdick, and Hover opposing.

Vice-Chair Sinkus motioned to approve the Rules and Regulations Committee recommended changes to Policy 1.07, as noted in the attached document. This is the second of the two required readings. Director Whelchel seconded. After discussion, the motion passed 7 to 2, with Directors Fosdick and Hover opposing.

**XV. POLICY 1.03.2 – ELECTION COMMITTEE – SECOND OF TWO REQUIRED READINGS (BOARD VOTE)**

Chairperson Brandenburg stated the Board voted on changes to nine policies or bylaws during their April Regular Session Board meeting. Of the nine amended policies or bylaws under consideration, eight were for a second reading, and one was for a first reading. Policy 1.03.2 is now being brought for the second of two required readings. Director Bidwell motioned to approve the changes made to Policy 1.03.2. This is the second and final reading. Director Whelchel seconded. There was no discussion. The motion passed unanimously.

**XVI. FIRST READING OF ADDITIONAL CHANGES TO POLICY 1.03 – GUIDELINES FOR ASSOCIATION COMMITTEES (BOARD VOTE)**

Mr. Judson stated the Rules and Regulations Committee recommended the additional changes to Policy 1.03. The proposed changes were substantial enough to require a first of two required readings. Director Bidwell motioned to approve the

recommended changes to Policy 1.03, as noted in the attached document. This is the first of two required readings. Vice-Chair Sinkus seconded. After discussion, the motion passed 7 to 2, with Directors Fosdick and Hover opposing.

**XVII. POLICIES 1.08, 3.01, 3.09, 6.02, 7.05, 8.02, 8.03, 8.03.1, 8.03.2, 8.04, 8.06, 8.08, 8.09, 8.10, 8.11, 8.13, AND 10.01 – FIRST OF TWO REQUIRED READINGS (BOARD VOTE)**

Mr. Judson stated the Rules and Regulations Committee recommended the attached changes to Policies 1.08, 3.01, 3.09, 6.02, 7.05, 8.02, 8.03, 8.03.1, 8.03.2, 8.04, 8.06, 8.08, 8.09, 8.10, 8.11, 8.13, and 10.01. The word “Guideline” or “Guidelines” has been removed from each Policy. This is the first of two required readings. Director Whelchel motioned to approve the Rules and Regulations Committee recommended changes to Policies 1.08, 3.01, 3.09, 6.02, 7.05, 8.02, 8.03, 8.03.1, 8.03.2, 8.04, 8.06, 8.08, 8.10, 8.11, 8.13, and 10.01 as noted in the attached documents. This is the first of two required readings. Director Barron seconded. There was no discussion. The motion passed unanimously.

**XVIII. POLICIES 1.03.6, 7.04, 8.15, AND 9.01 – FIRST OF TWO REQUIRED READINGS (BOARD VOTE)**

Mr. Judson stated the Rules and Regulations Committee recommended the attached changes to Policies 1.03.6, 7.04, 8.15, and 9.01. The word “Guideline,” or “Guidelines” has been removed from each policy and has been replaced with either “Rules,” “Objectives,” or “Procedure.” This is the first of two required readings. Director Bidwell motioned to approve the Rules and Regulations Committee recommended changes to Policies 1.03.6, 7.04, 8.15, 8.16, and 9.01, as noted in the attached documents. This is the first of two required readings. Vice-Chair Sinkus seconded. There was no discussion. The motion passed unanimously.

**XIX. FIRST READING OF POLICY 9.03 (BOARD VOTE)**

Chairperson Brandenburg stated the Rules and Regulations Committee and the Board of Directors recommended the attached changes to Policy 9.03. The word “Guidelines” has been removed and replaced with “Procedure.” “Community Involvement” has also been removed from the policy. This is the first of two required readings. Director Hover motioned to approve the Board of Directors and Rules and Regulations Committee recommended changes to Policy 9.03, as noted in the attached document. This is the first of two required readings. Director Fosdick seconded. There was no discussion. The motion passed unanimously.

**XX. CHARITABLE GIVING COMMITTEE GRANTS**

Mr. Judson stated the Charitable Giving Committee met and reviewed all grant applicants. They are recommending the Bella Vista Recycling Foundation receive \$7,500, the Bella Vista Library Foundation receive \$6,500, the Bella Vista Animal Shelter receive \$6,000, Oasis receive \$2,000, the Bella Vista Foundation receive \$1,000, the Bella Vista Cemetery receive \$1,000, Bella Vista Quilt Guild receive \$500, and the NWA Women’s Chorus receive \$500 for a total of \$25,000 in donations. Vice-Chair Sinkus motioned to approve the recommendations from the Charitable Giving Committee. Director Whelchel seconded. There was no discussion. The motion passed unanimously.

**XXI. ANNOUNCEMENTS:**

- a. Rules and Regulations Committee Meeting** – Tuesday, September 1<sup>st</sup> at 4:00 p.m. in the Boardroom at the Country Club.
- b. Board of Directors GM Meeting** – Thursday, September 10<sup>th</sup>, at 4:00 p.m. in the Boardroom at the Country Club. **(CLOSED MEETING)**
- c. Board of Directors Work Session** – Thursday, September 17<sup>th</sup>, at 9:00 a.m. in the Boardroom at the Country Club.
- d. Board of Directors Regular Session** – Thursday, September 24<sup>th</sup>, at 6:00 p.m. in the Boardroom at the Country Club.

**XXII. ADJOURNMENT**

Chairperson Brandenburg adjourned the meeting at 7:45 p.m.

Submitted:

Approved:

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Tammie Loyd, Corporate Secretary

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David Brandenburg, Board Chairperson