

**BELLA VISTA VILLAGE PROPERTY OWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING - (REGULAR SESSION)  
SEPTEMBER 24, 2020 6:00 p.m. BOARD ROOM AT THE COUNTRY CLUB**

**BOARD MEMBERS PRESENT:** Chairperson David Brandenburg, Directors Mike Abb, Jerre Barron, Jr., Sandy Fosdick, and Jerry Hover.

**BOARD MEMBERS PRESENT VIA ZOOM:** Vice Chairperson Mary Sinkus, Directors, Teah Bidwell, and Jan Simms.

**BOARD MEMBERS ABSENT:** Director David Whelchel.

**BOARD MEMBER PROXY:** Chairperson Brandenburg held Director Whelchel's unstipulated proxy, and Chairperson Brandenburg held Director Simms stipulated proxy in the event her internet connection failed.

**OTHERS PRESENT:** Chief Operating Officer Tom Judson, General Counsel Doug McCash, Treasurer Stacie Higgins, and Corporate Secretary Tammie Loyd, twenty members, and five 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**

There were no changes or additions to the agenda.

**IV. CELEBRATING SUCCESS**

Mr. McCash and Paul Gomez presented Gary Davis with a Celebrating Success Award for his outstanding customer service. Mr. Davis encountered a new golfer who appeared a bit nervous with the golf check-in process. Mr. Davis recognized her anxiety, took her under his wing and helped her navigate the process so she could enjoy her time on the course.

Mr. McCash and Bruce Fleming presented Mike Murray for his outstanding contribution to his job and the POA. Mr. Murray continually goes above and beyond to make the Country Club as beautiful as possible. Mr. Murray also took on the daunting task of cleaning up around the dumpster area.

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

Chairperson Brandenburg called for a motion to approve the minutes from the August 27, 2020, Regular Session Board Meeting. Vice-Chair Sinkus motioned to approve the Board of Directors Regular Session Board Meeting minutes. Director Barron seconded. There was no discussion. The motion passed unanimously.

Chairperson Brandenburg called for a motion to approve the minutes from the September 17, 2020, Working Session Board Meeting. Director Barron 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**

Lakes JAC Member, Kelly Austin stated that the lakes are experiencing increased activity.

Boat registrations are up, as well as boater activity. Lake Rayburn is scheduled to be drawn down this winter, volunteers are helping to keep staff informed when fish cleaning stations are in need of cleaning, and the Lakes Committee has conducted the second phase of the Wake Boat testing and are analyzing the results.

Recreation JAC Chair, Chris Stockman reviewed the Amenity Reports that can be found on the POA's website, [www.bellavistapoa.com/governance/committees](http://www.bellavistapoa.com/governance/committees).

Mr. Judson spoke on behalf of the Golf JAC. He stated that many hanging branches and limbs are being trimmed and taken down at our golf courses, the waterfall on Highlands #9 green has been completed with special thanks to Mark Deihl and Friends of the Highlands, golf rounds continue to be up, and a special plaque will be placed on Country Club golf course honoring Jake Grasmick for his years of hard work and dedication.

## **VII. FINANCIAL REPORT**

Stacie Higgins reported on the August 2020 financials. The financial reports are located at <https://bellavistapoa.com/governance/financials/>.

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

- a) CJ Barwick, Cheviot Place, spoke in favor of allowing Branchwood disc golf open to the public since it was designed and created by many members, and non-members. The disc golf culture has a culture of encouraging accessibility to the masses with little to no expense.
- b) Johnny Schraeder, Dinsmoore Lane, spoke in favor of keeping Branchwood disc golf open to the public. Members and non-member volunteers have put in countless hours of upkeep and maintenance on the Branchwood disc golf course.
- c) Hank Ott De Vries, May Circle, spoke on behalf of members who wish to keep POA Lakes and Parks access for members and their guests only.
- d) Jose Mendoza, Queensferry Place, spoke in favor of keeping Branchwood disc golf open to the public.
- e) Steve McKee, Tiree Place, spoke regarding his opposition to the changes to Bylaws, Article III.
- f) Tommy Freytag, Pamona Drive, spoke regarding a social media poll of property owners who oppose the changes to Bylaws, Article III.

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

- a) Mr. Judson responded to the three property owners that spoke in favor of keeping Branchwood disc golf course open to the public. He stated the Board would discuss this issue later on in the meeting, and he expressed gratitude to those volunteers that provided countless hours towards the creation and maintenance of the disc golf course at Branchwood.
- b) Mr. Judson responded to Mr. Ott De Vries comments regarding the lakes. This issue will be discussed in the "Recap of Lake Ranger Activity for the year".
- c) Mr. Judson responded to the members that were against the changes to Bylaws, Article III. He stated the Board will be voting on this matter later in the meeting and he does not want to speak on their behalf. Mr. Judson indicated that legal counsel has reviewed the changes and determined the changes are well within the authority and right of the Board, and it is not a violation of The Constitution of the United States of America. When a policy is changed, it goes through a series of meetings and announcements, typically five or more public meetings. The changes to Bylaws, Article III has been posted to our webpage since August 2020.

## **NEW BUSINESS**

### **X. PRESENTATION ON THE TRAILHEAD MAP**

Mr. Judson presented the Trailhead Map, which analyzes the proposed trails and trailheads from the 2015 Master Trails Plan to what is in place as of September 2020. The Bella Vista Trailheads, 2015 to Present may be found on our website:

<https://www.youtube.com/watch?v=ICJqO6uTuHQ&feature=youtu.be>.

### **XI. RECAP OF LAKE RANGER ACTIVITY FOR THE YEAR**

Mr. Judson spoke regarding lake access from non-members. He stated our Lake Rangers are extremely busy this year. Through the end of September last year, Lake Rangers removed 1,454 non-members from our Lakes and Parks. Year-to-date through September 20<sup>th</sup> of this year, the Rangers have removed 3,885 non-members from our Lakes and Parks. The Rangers are working hard every day to fulfill the commitments of the 2020 Plan. Mr. Judson also stated the POA does not issue guest passes to any non-member, except for those guests who are a part of the Ambassador Program. These non-members, approximately two dozen couples per year, come to Bella Vista looking to relocate. Another exception would be the Kid's Fishing Derby or Kayak Demo Days, which are voted on by the Lakes Joint Advisory Committee yearly.

### **XII. FIRST READING OF BYLAWS, ARTICLE VII – ASSOCIATION OFFICERS AND MANAGEMENT: QUALIFICATIONS, POWERS, AND DUTIES (BOARD VOTE)**

Chairperson Brandenburg called for a motion regarding Bylaws, Article VII. Director Barron motioned to approve the Rules and Regulations Committee recommended changes to Bylaws, Article VII as noted in the attached document. This is the first of two required readings. Director Abb seconded. There was no discussion. The motion passed unanimously.

### **XIII. FIRST READING OF POLICY 1.04 – JOINT ADVISORY COMMITTEES (BOARD VOTE)**

Chairperson Brandenburg called for a motion regarding Policy 1.04. Director Abb motioned to approve the Rules and Regulations Committee recommended changes to Policy 1.04 as noted in the attached document. This is the first of two required readings. Director Simms seconded. There was no discussion. The motion passed unanimously.

**XIV. FIRST READING OF POLICY 2.05 – REGULATION OF COMMON PROPERTY – HUNTING (BOARD VOTE)**

Chairperson Brandenburg called for a motion regarding Policy 2.05. Director Abb motioned to approve the Rules and Regulations Committee recommended changes to Policy 2.05 as noted in the attached document. This is the first of two required readings. Director Barron seconded. There was no discussion. The motion passed unanimously.

**XV. FIRST READING OF POLICY 3.04 – GUEST POLICIES (BOARD VOTE)**

Chairperson Brandenburg called for a motion regarding Policy 3.04. Director Bidwell motioned to approve the Rules and Regulations Committee recommended changes to Policy 3.04 as noted in the attached document. This is the first of two required readings. Director Fosdick seconded. After discussion, the motion passed 6 to 3, with Vice-Chair Sinkus, and Directors Abb and Bidwell opposing.

**XVI. FIRST READING OF POLICY 9.04 – BOARD ELECTION AND POLITICAL CANDIDATES/USE OF FACILITIES (BOARD VOTE)**

Chairperson Brandenburg called for a motion regarding Policy 9.04. Director Abb motioned to approve the Rules and Regulations Committee recommended changes to Policy 9.04 as noted in the attached document. This is the first of two required readings. Director Bidwell seconded. After discussion, the motion passed 7 to 2, with Directors Fosdick and Hover opposing.

**XVII. SECOND READING OF BYLAWS, ARTICLE III – BOARD OF DIRECTORS: QUALIFICATIONS, NUMBER, TERM OF OFFICE, GOVERNING POWER, REMOVAL, AND VACANCIES (BOARD VOTE)**

Chairperson Brandenburg reviewed the changes to Bylaws, Article III. Director Barron motioned to approve the Rules and Regulations Committee recommended changes to Bylaws, Article III, as noted in the attached document. This is the second of two required readings. Vice-Chair Sinkus seconded. After discussion, the motion passed 6 to 3, with Directors Bidwell, Fosdick, and Hover opposing.

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

Chairperson Brandenburg called for a motion regarding Policy 1.03. Director Abb motioned to approve the recommended changes to Policy 1.03 as noted in the attached document. This is the second of two required readings. Director Bidwell seconded. There was no discussion. The motion passed 8 to 1, with Directors Hover opposing.

**XIX. SECOND READING OF 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 (BOARD VOTE)**

Chairperson Brandenburg called for a motion regarding 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 in which the word "Guideline" or "Guidelines" has been removed from each Policy. This is the second of two required readings. Director Bidwell 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 second of two required readings. Director Barron seconded. There was no discussion. The motion passed unanimously.

**XX. SECOND READING OF POLICIES 1.03.6, 7.04, 8.15, AND 9.01 (BOARD VOTE)**

Chairperson Brandenburg called for a motion regarding Policies 1.03.6, 7.04, 8.15, and 9.01, in which the word "Guideline," or "Guidelines" has been removed from each policy and has been replaced with either "Rules," "Objectives," or "Procedure." This is the second of two required readings. Vice-Chair Sinkus 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 second of two required readings. Director Bidwell seconded. There was no discussion. The motion passed unanimously.

**XXI. SECOND READING OF POLICY 9.03 - VOLUNTEERISM (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 second of two required readings. Director Abb 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 second of two required readings. Director Fosdick seconded. There was no discussion. The motion passed unanimously.

**XXII. ANNOUNCEMENTS:**

- a. **Board of Directors GM Meeting** – Tuesday, October 6<sup>th</sup>, at 4:00 p.m. in the Boardroom at the Country Club. **(NOTE DATE CHANGE) (CLOSED MEETING)**
- b. **Board of Directors Work Session** – Thursday, October 15<sup>th</sup>, at 9:00 a.m. in the Boardroom at the Country Club.
- c. **Board of Directors Regular Session** – Thursday, October 22<sup>nd</sup> at 6:00 p.m. in the Boardroom at the Country Club.
- d. **Board of Directors GM Meeting** – Thursday, November 5<sup>th</sup>, at 4:00 p.m. in the Boardroom at the Country Club. **(NOTE DATE CHANGE) (CLOSED MEETING)**
- e. **Board of Directors Work Session** – Community Budget Presentation – Thursday, November 12<sup>th</sup>, at 6:00 p.m. in the Boardroom at the Country Club. **(NOTE DATE AND TIME CHANGE)**
- f. **Board of Directors Regular Session** – Thursday, November 19<sup>th</sup>, at 6:00 p.m. in the Boardroom at the Country Club. **(NOTE DATE CHANGE)**

- g. **Board of Directors GM Meeting** – Thursday, December 3rd, at 4:00 p.m. in the Boardroom at the Country Club. **(NOTE DATE CHANGE) (CLOSED MEETING)**
- h. **Board of Directors Work Session** – Thursday, December 10<sup>th</sup>, at 9:00 a.m. in the Boardroom at the Country Club. **(NOTE DATE CHANGE)**
- i. **Board of Directors Regular Session** – Thursday, December 17<sup>th</sup>, at 6:00 p.m. in the Boardroom at the Country Club. **(NOTE DATE CHANGE)**

**XXIII. ADJOURNMENT**

Chairperson Brandenburg adjourned the meeting at 7:41 p.m.

Submitted:

Approved:

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Tammie Loyd, Corporate Secretary

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David Brandenburg, Board Chairperson