

## BELLA VISTA VILLAGE LAKES JOINT ADVISORY COMMITTEE

### Boardroom & ZOOM Meeting Minutes December 9<sup>th</sup>, 2020

**Committee Members in Attendance:** Matt Champagne (Chairman), Ross Gerner (Vice 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, Sandy Fosdick

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

**Guests Present:** None

**Call to Order:** Matt Champagne called the meeting to order at 2:00 pm with 9 committee members present

**Additions/deletions to the Agenda:** None

**Approval of the Minutes of Previous Meeting:** The minutes of the October 2020 Lakes JAC meeting were approved as submitted. No November meeting.

#### Management Comments:

- **Tom Judson**, POA COO
  - At November's Board meeting the 2021 budget was approved. We feel the budget is sufficient to keep our lakes a quality amenity as they now are and have been. **Turley:** Does this mean some of the "nice to have" items will be done? **Judson:** which items are you referring to? **Champagne:** I believe the items Grace is referring to is the repaving of roads (big budget items) across several lake dams. **Echols:** The only one we were able to repave is lake Brittany's which has been on every JAC committee members list for years. **Judson:** Unfortunately, we weren't able fit into the 2021 budget road repaving over lake Windsor and Rayburn's dam. Fish stocking the lakes needed to be done. **Echols:** We've had to cut back on lake catfish stocking in recent years because of budget concerns and needed to catch up, and the good price for fish this year helped; therefore,
    1. Lake Ann received about 2600 channel catfish
    2. Avalon received 1500
    3. Brittany about 1000
    4. Lomond over 11,000
    5. Norwood 1000
    6. Rayburn 1000
    7. Windsor little over 5000
  - **Echols:** We anticipate a big increase next year in the price for grass carp, which is purchased in the Spring; therefore, purchased them this year. Lock Lomond, with all the weed problems, received 2000 and all other lakes received a smaller number.
  - **Judson:** Back to the Budget topic: A good practice for POA budget consideration is to spend depreciation in capital projects, and for us this is \$1,800,000. In 2019 and 20 we had to manage the Trafalgar Road/stump dump fire disaster etc.; therefore, only spent an average of 25% of depreciation ... for 2021 we can spend 50% i.e., that's the good news; but unfortunately, unable to

spend 100% of depreciation, the bad news, and allocate funds needed to repave roads over Windsor and Rayburn dams

- **Rick Echols**, Lakes, Parks and Fisheries

- Re-stocked trout in Lake Brittany and another one is planned for soon
- Chris Fuller is managing the inspection of all dams. A outside inspection company has been hired to inspect the two high hazard dams. These inspections should be complete by year's end. **Bickford**: Which dams are considered high hazard? **Echols**: Lomond's and Ann's.
  - It has to do with the hazards down-stream in the event of a dam failure, not the dams themselves. Our insurance company requires an outside contractor to perform the high hazard dam inspections
- This morning (12/13/20), the issue of banning limb line and jug fishing from our lakes was again brought up by **Dave Routon**, (see September meeting minutes) and requests an Open Forum session devoted to this topic; as a result, I suggest we:
  - Convene the Open Forum at the February '21 meeting to provide ample time to spread the announcement to those interested
  - Allow time to consider all the complex implications i.e.,
    - The POA could petition for a specific global change with the City
    - The POA could petition the City for a blanket ordinance that would allow the POA to set rules for the lakes
- The lake Rayburn drawdown has hit a snag. The control valve we planned to use is covered with 10 feet of silt; therefore, we are afraid if it was opened, it couldn't be closed; therefore:
  - We are implementing our contingency plan to use 8" water department pipes to siphon water over and around the side of the dam
  - We should be able to start lake lowering mid-next week (about 12/16/20) once we receive a needed part
  - Whatever time we have lost on the front end we will make up on the back up to April 1<sup>st</sup>
- Lake Ann sink hole was discovered and reported by trail users and is about 8 to 10 feet deep with water flowing through it. We lowered the lake a foot to attempt to determine the source of the flowing water.
  - Good news, the water was flowing from the spillway overflow
  - The same issue occurred 15 years ago and we received that much life from that fix
  - Terracon engineering has been hired to evaluate the situation and we will evaluate their long-term recommendations
- **Yorman**: What was the water flow source? **Echols**: upon lowering the lake below the overflow level the water flow through the sink hole stopped i.e., *the flow wasn't from a hole in the dam.*
- **Judson**: The POA website contains the latest up-to-date info on the Lake Ann sink hole event and status
- Lake ranger contacts for October are 1656 with 123 non-members removed from POA property. 135 contacts by boat with rangers spending 37 hours on the water.
- Ranger contacts for November are 1708 with 77 non-members removed. 130 contacts were made by boat with rangers spending 61 hours on the water
- In 2019, 1535 non-members were removed from POA property
- In 2020 through November, 4130 non-members were removed (270% increase)

- which shows we are holding up our end of the bargain on the 2020 Plan
  - **John Urquhart** added hard copy comments to the recently completed Wake Boat Wave study which can be viewed via:  
<https://www.youtube.com/watch?v=mdX8xVuiKMs&feature=youtu.be>
  - **Gerner:** Regarding how non-members are removed from POA property: we now have a great new Bella Vista “app” available ... is there a way we can offer non-members in violation a way to become valid guests “on the spot”? This would not only increase revenue but also take the friction out, and make a better experience for everybody.
    - **Judson:** The Board made a commitment to the membership with the 2020 Plan that certain amenities, particularly the lakes, would only be available to members and their guests; as a result, the POA isn’t permitted to issue guest passes with the POA as sponsor i.e., no guest passes issued “on the spot” by a POA employee.
      - This was a practice in the past which did produce some revenue; however, to honor the Boards commitment to the membership, this practice is now stopped, and reserved only for special occasions e.g., approved fund-raising events
    - **Phillips:** Many members who supported the 2020 Plan felt the increase in amenity assessments would cover losses in revenue via “on the spot” issuance of guest passes
    - **Yorman:** During recent LJAC subcommittee work, **Wasson** discovered a study by the Corp of Engineers on the “carrying capacity” (boat population density) of Beaver lake, and we came to realize the need to apply it to our lakes.
      - As we know, recreational and fishing activity has increased substantially on our small lakes in recent years and likely to continue to increase; therefore, their usage must be controlled.
      - It’s paramount our lakes be reserved *only* for community members use. Remember: they’re the ones who pay to keep them maintained in the best possible condition. For a family to enjoy Bella Vista lakes, buy a home and become a member of the POA
- **Old Business:**
  - Lakes Committee members volunteered at least 40 hours since the October meeting working of an acceptable version of the Lake JAC Action Summary Report to post on the POA website
- **New Business:**
  - **Champagne:** **Chris Fuller** will present the Lakes “Water Quality” video which can be viewed via the following link:  
[https://drive.google.com/file/d/1ofk9k0KF57mrCAs\\_eDhq4LflPggqKSEX/view?usp=sharing](https://drive.google.com/file/d/1ofk9k0KF57mrCAs_eDhq4LflPggqKSEX/view?usp=sharing)
  - Question: Is it harmful to the lakes ecology to dump leaves into them? **Fuller:** In general, no; however, it’s against management policy. **Judson:** Yes, it’s against management policy!
  - **Champagne:** We are ready to consider voting to approve the “Summary of Results of Recent Studies, Activities, and Conclusions, by the Lakes JAC” document (**see below**)
  - **Yorman:** Committee members have received an advanced copy of the document to review. It is a compilation of important items the Committee has considered over the past 2+ years.
    - Arell Wasson, Paul Bickford and myself have attempted to summarized the important work that has been done, and make it easily and

permanently available for reference by present and future Committee members, as well as present and future member lake property owners by posting it in the Lakes JAC folder on the POA Website

- **Yorman:** I make a motion the Committee approve the above presented report. **Bickford:** seconded the motion. **Champagne:** sufficient ayes for approval. All opposed: none; therefore, the motion passed
- **Turley:** Can we make this useful LJAC summary document more visible? Can we place in the wake boat registration material?  
**Champagne:** We struggle now with getting members to read all the regulations etc. now. **Judson:** Yes, we've learned that providing too much information on a topic increases the tendency for much of it to be ignored e.g., Of the email messages we send out, only 40% are read (which is above the average for this business); however, 60% are never opened! The Board represents a community of 32,000 members, yet sometimes maybe only 10 will attend a Board meeting!
  - We keep POA management and committee documents long term; therefore, I think the best place to keep this "Summary" document in a place where it can be easily and permanently referenceable is on the Lakes JAC folder on the POA website via the link: [Committees » Bella Vista Property Owners Association \(bellavistapoa.com\)](#)

• **POA Board Member Liaison Comments:** None

• **Open Forum:** None

**Lake Announcements and next meeting:**

- The next Lakes' JAC meeting will occur at 2 pm on Wednesday, January 13, 2021
- *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 3:10pm

Respectively Submitted, Paul Bickford, Secretary

December 2020

Summary of Results of Recent Studies, Activities, and Conclusions, by the Lakes JAC

**Preface:** Over the past 2+ years (2017 thru 2020) Bella Vista lake use has increased exponentially which is evident by large increases in many types of watercraft registrations, therefore, raised the concern for consideration of additional lake use safety measures, and for causes of lake shore property damage.

The Lakes Joint Advisory Committee (JAC) has listened to several concerned large lake property owners who are rightly concerned about these issues. The committee has dealt with them in a responsible, and timely manner; therefore, they will only be dealt with again if strong compelling reasons are presented.

**Objective:** Post on the POA Website for future reference to help reduce *redundant* Lake JAC considerations of lake use safety and presumed sources of lake shore property damage by present or future property owners

**Safety First:** The Lakes JAC considers lake safety use top priority; therefore, we asked the Board to approve the following new rules:

4. All watercraft are encouraged to follow a counterclockwise rotation when traversing the lakes, whether the watercraft is towing a skier or not. Similar to the rules of the road, watercraft should travel on the righthand side of the lake to avoid a head-on collision.

Change “traversing” to “cruising”. Thought this wording was better

9. Motorized watercraft measuring 26 feet in length or longer, are prohibited on all POA Lakes, including the three wake lakes. Any motorized watercraft registered with the POA as of December 31, 2020 that are 26 feet in length or longer will be allowed to continue to renew their annual registration until the watercraft is sold, provided the POA annual registration never lapses.

Remove “including the three wake lakes” This rule involves all lakes and we thought this was redundant.

9. On Lake Ann, Lake Windsor, and Loch Lomond, watercraft that stop and have individuals swimming by the watercraft are encouraged to take advantage of the no-wake sections of the lakes. Swimming is discouraged in the section of the lake where water skiing and the towing of individuals is allowed, even when the swimming takes place close to a stopped watercraft.

Add “swimming is still allowed near docks or inside of the 100 ft from shore rule” to the end of the paragraph. People might misinterpret the rule to think they cannot swim near docks when people are skiing, tubing, or water surfing etc.

10. When a watercraft is towing a person or persons, the watercraft must turn left when retrieving the person or persons after they have fallen into the water. Watercraft must follow at a safe distance when following a watercraft that is towing a person or persons. Persons being towed can fall unexpectedly. Therefore, observe caution by maintaining a safe distance of at least 150 feet from the watercraft in front of you.

Replace “150 feet” with “200 feet”

## **Addressing Wake Boat Wave Issues:**

Bella Vista's three large lake property owners have expressed concerns at Lakes JAC meetings, and to POA management, about shore and structure damage and Safety issues caused by waves generated by the less than 10 (currently) registered wake boats and associated skiers, surfers, and tubers etc.; as a result, the Board has approved the following Lakes JAC recommended boating navigation rules, aids, enforcement, and maximum boat size that's supported by the LJAC

### **New Rules**

- Identify wake boats and all boats with water ballast at the time of registration
- Recommend wake boats (all boats with ballast) be issued a separate sticker indicating that the boat can produce a wake
- Require members registering wake boats (boats with ballast) to watch POA or other industry produced safety video
- Incorporate the new 200 ft from docks and shore rule based upon the industry recommendation for water skiers or tubers as well as any water sport with someone behind the boat. (Maintain 100 ft from shore rules for all other boats operating normally.)
- Require that the wake be thrown toward the center of the lake.
- Ski, tubing, and wake boarder boats are required to operate in a counterclockwise rotation

### **Buoy's**

- Consider placing a 200' marker buoy off ramps at ski lakes to demonstrate distance required for wake boats, skiers, and tubers.
- Modify existing buoys to better depict what is required (no wake, no ski, danger zones) consider large colored panels and larger words on the buoys.

### **Enforcement**

- Increase ranger training and briefings so that rangers become the authority on wake boat issues and safety concerns
- Increase enforcement at key times throughout the year.

### **Signage**

- Develop color coded maps depicting the water activities that are prohibited in certain areas of the lakes.
- Clearly designate no wake areas, no ski, tube, or wake surfing or boarding, and all activity areas with a color-coded map of each area clearly depicted for each of the wake lakes (Loch Lomond, Windsor, and Ann)

### **Limited Large Boat Size**

- Motorized watercraft measuring 26 feet in length or longer, are prohibited on all POA lakes, including the three wake lakes. Any motorized watercraft registered with the POA as of December 31, 2020 that 26 feet in length or longer will be allowed to continue to renew their annual registration until the watercraft is sold, provided the POA annual registration never laps

## Summarized Concerns of Lake Property Owners

- Upon reviewing concerns presented at Lakes JAC meetings by lake property owners over the past 2+years regarding wake boat use:
  - 11 of the 16 seemed concerned about large waves over-restricting recreational boating activities and wake boat use, than damage to their property
  - 5 of the 16 seemed to strongly support removing or applying more restrictive rules to wake boat use to improve safety and prevent lake shore property damage

## Lake Shore Property Damage Factors:

- Some Lake Property owners express other factors for the cause of lake shore property damage; however:
  1. Shore property damage and decay results from a complex interaction of:
    - a. Weather events
    - b. Forces due to steep property grades to lake walls and structures
    - c. Lack of timely maintenance to aging structures
    - d. Poor lake wall and dock construction
      - i. *Since there are no existing dock and lake wall construction standards that are enforced by the ACC, City or POA implies likely reasons for lake shore structure's untimely decay and repair needs*

## Conclusions Summary:

- The **Water Sports Industry association** (WSIA) provided a study that says boat wakes are not likely to be the most significant energy along shore lines and weather likely causes significant damage to sea walls
- We have strengthened rules to reduce lake shore structure wave impact and enhance safety
- We have implemented better rules to limit the size of waves
- More lake rangers are improving compliance of rules. We have improved
- education with pamphlets, posters, buoys, etc.
- We need to provide areas for recreational boats and the three large lakes have enough room to host recreational boats (wake boats, cruise boats, pontoons, etc.)
- Most of our lakes are no wake, and large ones also have no wake branches providing people who choose to live or play in a more tranquil area plenty of lake area.
- The Lakes and Fisheries Division personnel and Lakes JAC members teamed up in 2019 and 2020 to study wake boat wave generation of a boat following the boating rules for each year (view the recent Wake Boat Wave Study video at <https://www.youtube.com/watch?v=mdX8xVuiKMs&feature=youtu.be>).
- ***As a result, the Lakes JAC has concluded:*** "Waves from Wake and all other boats respectful of Bella Vista POA Boating Regulations pose an acceptable threat to lake shore property/structures, and to the safety of other lake recreation".