



Rules & Regulations Committee  
January 7, 2021 at 6:00 p.m. in the  
Boardroom at Country Club and via  
Zoom

Agenda

- I. Call to Order
- II. Approval of Minutes
  - a. December 1, 2020
- III. Policy 8.03 Process and Documentation Required to Support a Request for the Use of Common Property as a Result of a Septic System Leach Field Failure.
- IV. Open Forum – Comments are limited to three minutes per property owner.
- V. Response to Open Forum
- VI. New Business
- VII. Next Meeting Date
- VIII. Adjournment

**BELLA VISTA PROPERTY OWNERS ASSOCIATION  
RULES AND REGULATIONS COMMITTEE MEETING  
DECEMBER 1, 2020 AT 4:00 P.M.  
VIA ZOOM**

**COMMITTEE MEMBERS PRESENT:** Teah Bidwell, Mary Sinkus, Mike Abb, and Jerre Barron, Jr.

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** David Brandenburg, Tom Judson, and Tammie Loyd

**I. Call to Order**

Committee Chairperson, Teah Bidwell called the meeting to order at 4:00 p.m.

**II. Approval of Minutes**

Committee Chair Bidwell called for a motion to approve the September 21, 2020 Rules and Regulations Committee Minutes. Director Barron motioned to approve the September 21, 2020 Rules and Regulations Committee Minutes as presented. Director Abb seconded. There was no discussion. The motion passed unanimously.

**III. Review of Bylaws, Article V, Section 2 – Board of Directors: Nomination and Election of Members**

Mr. Judson explained the changes to Bylaws, Article V, Section 2. Chairperson Bidwell called for a consensus to recommend the changes to Bylaws, Article V, Section 2 to the Board of Directors. All members of the committee recommended the changes, as noted, to Bylaws, Article V, Section 2 to be moved to the Board of Directors for approval.

**IV. Open Forum**

There were no member comments.

**V. New Business**

There was no new business

**VI. Next Rules & Regulations Committee Meeting**

No meeting has been set at this time.

**VII. Adjournment**

Committee Chair Bidwell adjourned the meeting at 4:08 p.m.



From: Tom Judson, COO  
To: Rules & Regulations Committee  
Date: December 23, 2020  
Subject: Proposed changes to Policy 8.03

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In late 2016, the Department of Health started to enforce their septic rules more stringently. As a result of this change, it effectively took the amount of land required to build a 3-bedroom home in Bella Vista from .25 acres to .33 acres, depending upon soil conditions. Because of this change, hundreds if not thousands of undersized, unimproved lots in Bella Vista may no longer support a septic system for a home.

We contacted BBB Septic Systems, Buchannan Septic Services, and the Health Department to find out more about the situation. In speaking with these individuals, a typical septic system costs approximately \$8,000. An alternative septic system may be used on some undersized lots, but such septic systems cost approximately \$20,000 to \$30,000. The added cost of the alternative septic systems may be cost prohibitive.

Policy 8.03 (Process and documentation required to support a request for the use of Common Property as a result of a septic system leach field failure) has been in place since 2006. This Policy has been used to allow property owners to utilize Common Property for a septic system, but only in the event of failure of an existing septic system. Management is

proposing several changes to Policy 8.03 which would give greater latitude in the use of Common Property for septic systems that have failed and for new construction. While this proposed change in policy is not a solution for all undersized lots in Bella Vista, it will give the Board greater flexibility to utilize Common Property to make some of the undersized lots buildable.

A fee of \$75 to \$200 is recommended to use Common Property for either new construction or as a result of a system failure. See the proposed changes to Policy 8.03 which are attached.

June 15, 2006

P 8.03

March 16, 2017

November 15, 2018

September 24, 2020

**PROCESS AND DOCUMENTATION REQUIRED TO SUPPORT A REQUEST FOR THE USE OF COMMON PROPERTY AS A RESULT OF A SEPTIC SYSTEM LEACH FIELD FAILURE**

**PURPOSE:**

To set forth the policy of the Association ~~with regard to~~ regarding requests for the use of Common Property as a septic system leach field.

**I. GENERAL**

Common Properties are those properties reserved and intended to be devoted to the common use and enjoyment of all Members and their guests. Therefore, the granting of the exclusive use of Common Property for the benefit of a single or limited number of Members is a significant event.

The decision to license use of Common Property is reserved to the Board whose decision is final.

This policy in no way affects the authority or responsibility of the ACC's, City of Bella Vista, or the Health Department ~~authority and responsibility for~~ in managing the building permit and inspection process.

Members and builders are reminded that the decision to install a septic system in ground of questionable soil morphology or on a lot too small for the home may cause serious and expensive consequences. In all cases the responsibility for any problems remains with the Member and the builder. The Member and builder are required to follow the ~~attached~~ process and documentation plan set forth by the Association to support a request of assistance involving Common Property.

All requests for use of Common Property will be addressed to the Bella Vista Maintenance and Construction Division who will receive all documents and verify all necessary information before ~~the~~ Management makes a recommendation to the Board. The Association will provide an application form along with all documentation requirements.

The information and recommendation will be given to the Board at the first available Board meeting after all the information has been gathered and verified by Management. The Board will take appropriate action at the following Board meeting.

A reasonable fee may be charged for licensing the use of Common Property.