

**BELLA VISTA VILLAGE PROPERTY OWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING - (REGULAR SESSION)  
DECEMBER 17, 2020 6:00 p.m. BOARD ROOM AT THE COUNTRY CLUB**

**BOARD MEMBERS PRESENT:** Chairperson David Brandenburg, Vice-Chairperson Mary Sinkus, and Directors Teah Bidwell and David Whelchel.

**BOARD MEMBERS PRESENT VIA ZOOM:** Directors Mike Abb, Sandy Fosdick, Jerry Hover, and Jan Simms.

**BOARD MEMBERS ABSENT:** Director Jerre Barron, Jr.

**BOARD MEMBER PROXY:** Chairperson Brandenburg held Director Barron's stipulated proxy.

**OTHERS PRESENT:** Chief Operating Officer Tom Judson, General Counsel Doug McCash, Treasurer Stacie Higgins, and Corporate Secretary Tammie Loyd, Director of Recreation & Wellness Joan Glubczynski, four 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**

There were no changes or additions to the agenda.

**IV. CELEBRATING SUCCESS**

Chairperson Brandenburg applauded all POA employees for their outstanding efforts to produce a solid financial year during this challenging time and continue to adapt and provide safe measures for our membership to enjoy our amenities. He also thanked the membership for their willingness to adapt to our current environment and wished everyone a Merry Christmas, Happy Holidays, and Happy New Year.

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

Chairperson Brandenburg called for a motion to approve the minutes from the November 19, 2020, Regular Session Board Meeting. Vice-Chair Sinkus motioned to approve the Board of Directors Regular Session Board Meeting minutes. Director Whelchel seconded. There was no discussion. The motion passed unanimously.

Chairperson Brandenburg called for a motion to approve the minutes from the December 10, 2020, Working Session Board Meeting. Director Bidwell 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**

The Recreation JAC meeting for December was canceled. The next meeting is Wednesday, January 11<sup>th</sup> at 2:00 p.m. in the Boardroom at the Country Club and via Zoom.

The Golf JAC meeting for December was canceled. The next meeting is Wednesday, January 13<sup>th</sup> at 8:30 a.m. in the Boardroom at the Country Club and via Zoom.

Mr. Judson stated the Lakes JAC spent a significant amount of time reviewing their efforts over the past two years. For a full report of their meeting, please visit our web page, <https://bellavistapoa.com/governance/committees/>.

## **VII. FINANCIAL REPORT**

Controller Stacie Higgins presented the preliminary financial reports. Once the financials are complete, they will be available on our website at <https://bellavistapoa.com/governance/financials/>.

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

a) Mr. Jack Bartlett wrote a letter regarding the relationship between the US Constitution, the Bill of Rights, and the Bella Vista POA.

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

a) Chairperson Brandenburg responded to Mr. Bartlett, stating that multiple emails and letters sent to the Board have addressed this issue repeatedly and his questions have been answered thoroughly.

## **NEW BUSINESS**

### **X. THREE BID WAIVER REQUEST (BOARD VOTE)**

Mr. Judson stated our Recreation team is already working on the 2021 Capital projects to ensure they are completed on time to avoid any disruption for our members. The Kingsdale Pool Capital Project was able to secure two bids after contacting five companies in total. Three of the companies stated they would not bid due to the expertise necessary for the project. The Recreation Team has recommended we select the low bid submitted by ASP & Color Surface, Inc. We request a waiver of the three-bid policy.

Director Whelchel motioned to grant a waiver for the three-bid policy for the Kingsdale Pool Renovation Project. While five companies were asked to submit a bid, only two companies ended up submitting a bid. Management is recommending we select the lower of the two bids submitted. Director Bidwell seconded. There was no discussion. The motion passed unanimously.

**XI. PROPOSED CHANGES TO BYLAWS, ARTICLE V, SECTION 2 – BOARD OF DIRECTORS: NOMINATION AND ELECTION OF MEMBERS (FIRST OF TWO REQUIRED READINGS) (BOARD VOTE)**

Mr. Judson stated the proposed changes to Bylaws, Article V, Section 2, as recommended by the Rules and Regulations Committee, clarifies instances when more than three vacancies on the Board of Directors must be filled.

Director Bidwell motioned to approve the changes made to Bylaws, Article V, Section 2, as noted. This is the first of two required readings. Vice-Chair Sinkus seconded. After discussion, the motion passed unanimously.

**XII. PROPOSED TRAIL ENHANCEMENT ON EAST SIDE AND PROPOSED TRANSFER OF LAND TO THE POA (TWO SEPARATE BOARD VOTES)**

Mr. Judson presented the proposed improvements to The Back 40 trails and the proposed transfer of land to the POA. The PowerPoint presentation can be found on our webpage at [www.bellavistapoa.com/governance/board-of-directors](http://www.bellavistapoa.com/governance/board-of-directors).

Vice-Chair Sinkus motioned to approve the Third Amendment to the Limited Terminable License Agreement, with the understanding there will be no increase in costs to the POA for a period of at least three years. The City of Bella Vista will also have to approve this Amendment. Director Whelchel seconded. After discussion, the motion passed 6 to 3, with Directors Barron, Fosdick, and Hover opposing.

Vice-Chair Sinkus motioned to accept the transfer of land from Gordon Hollow Holding LLC (ARKMO South parcel) and A & 12<sup>th</sup> Street LLC (Huntley parcel) to the POA, with the understanding there will be no increase in costs to the POA for a period of at least three years. Director Bidwell seconded. After discussion, the motion passed 7 to 2 with Directors Fosdick and Hover opposing.

**XIII. ANNOUNCEMENTS**

- a. **Board Candidate Informational Meeting** – Wednesday, January 6<sup>th</sup>, at 4:00 p.m. in the Boardroom at the Country Club and via Zoom.
- b. **Recreation Joint Advisory Committee Meeting** – Monday, January 11<sup>th</sup>, at 4:00 p.m. via Zoom.
- c. **Golf Joint Advisory Committee Meeting** – Wednesday, January 13<sup>th</sup> at 8:30 a.m. in the Boardroom at the Country Club and via Zoom.
- d. **Lakes Joint Advisory Committee Meeting** – Wednesday, January 13<sup>th</sup>, at 2:00 p.m. in the Boardroom at the Country Club.
- e. **Board of Directors GM Meeting** – Thursday, January 14<sup>th</sup>, at 4:00 p.m. in the Boardroom at the Country Club. **(CLOSED MEETING)**
- d. **Board of Directors Work Session** – Thursday, January 21<sup>st</sup>, at 9:00 a.m. in the Boardroom at the Country Club.

- f. **Board of Directors Regular Session/Board Candidate Lottery Drawing** – Thursday, January 28<sup>th</sup>, at 6:00 p.m. in the Boardroom at the Country Club.

**XIV. ADJOURNMENT**

Chairperson Brandenburg adjourned the meeting at 7:21 p.m.

Submitted:

Approved:

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Tammie Loyd, Corporate Secretary

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David Brandenburg, Board Chairperson