

REGULAR MEETING OF THE  
HOT SPRINGS VILLAGE  
PROPERTY OWNERS' ASSOCIATION  
BOARD OF DIRECTORS  
9:00 A.M., WED., NOVEMBER 14, 2007  
OUACHITA BUILDING

A regular meeting of the Hot Springs Village Property Owners' Association Board of Directors was held at 9:00 a.m., Wednesday, November 14, 2007 at the Ouachita Building.

Board members attending were: President Dick Breckon, Vice President Bob Shoemaker, Jeff Atkins, Paul Day, Teri Jackson, Bill Linam and Mike Misch.

Attending from staff were: General Manager Dave Johnston, Treasurer Wayne Copeland, Attorney Don Schnipper, Asst. to the General Manager Linda Mayhood, Director of Public Safety Laroy Cornett, Director of Public Works David Whitlow, Director of Recreation Larry Koonse, Director of Golf John Paul, Director of Planning and Inspections Steve White and Secretary Suzette Tadlock. Absent: Stacy Hoover.

Also attending were: Frank Leeming, Village Voice and Jeff Smith, Sentinel Record.

Approximately 8 people were in the audience.

Call to order: President Breckon called the meeting to order at 9:00 a.m.

Prayer/Pledge: Vice President Bob Shoemaker gave the prayer and President Breckon led the pledge of allegiance.

Guests: None.

Order of Business: The order of business was amended by moving the hearing to after the break.

Minutes/Notes: The October 17, 2007 regular meeting minutes were approved as submitted. The November 7, 2007 work session notes were approved as amended.

President's Comments: President Breckon reported on the Friends of the Village Annual Meeting with John Cooper III as guest speaker.

Board Comments: President Breckon called on Board members for their comments.

Gen. Mgr./Dept. Report: Dave Johnston responded to questions relative to the written General Manager's Report (see attached). Discussion followed with regard to the Police Report and status of Police officer recruitment. President Breckon asked Chief Cornett to give a history on crime statistics compared to previous years. It was suggested that the heading "terroristic threats" should be changed.

Treasurer's Report: Wayne Copeland gave the Treasurer's Report (see attached). Discussion followed.

Standing Com. Reports: President Breckon called on standing committee representatives for their reports.

Com. Minutes Recvd. The following standing committee minutes were received and & Filed: filed: Golf 10-11-07; Governmental Affairs 10-5-07; Lake & Water Mgt. 10-10-07, 11-6-07; Natural Resources 11-5-07; Public Works 10-18-07; Recreation 10-8-07; Research & Special Projects 10-8-07, 10-22-07; Trails 10-16-07.

Architectural Control Com. Minutes Received: 10-18-07, 11-1-07.

Audience Questions: President Breckon called for questions from the audience.

A property owner in Segovia Courts asked if the proposed ordinance relative to exterior maintenance would help get needed repairs to the exterior of townhouses such as a cracked driveway. Dave Johnston advised that Article XII, Section 1. of the Declaration speaks to exterior maintenance and advised the property owner to register a complaint with Planning and Inspections.

#### UNFINISHED BUSINESS:

2008 Annual Budget: Director Misch MOVED that the 2008 fee schedule including the ones on the described changes of the recommended fee schedule be passed (see action report attached). V.P. Shoemaker SECONDED the motion. Discussion followed. The motion was unanimously APPROVED.

Director Misch MOVED to adopt the annual operating and capital budget for 2008. Director Jackson SECONDED the motion. The motion was unanimously APPROVED.

#### NEW BUSINESS:

DeSoto Blvd. Master Plan Study: Director Linam MOVED to approve the proposal from Traffic Engineering Consultants to develop a DeSoto Blvd. Master Plan to assist the POA in future capital planning. Director Misch SECONDED the motion. Discussion followed. It was suggested that Dave Johnston write John Cooper III advising of this study as a way of encouraging his interest in the East Gate Issue. The motion was unanimously APPROVED.

Committee Appts.: Director Day MOVED to select T.J. Smith to fill a vacancy on the Recreation Committee for a three year term. V.P. Shoemaker SECONDED the motion. The motion was unanimously APPROVED.

Director Misch MOVED the appointment of Wilbur Smithers to the Research and Special Projects Committee for a three year term. V.P. Shoemaker SECONDED the motion. The motion was unanimously APPROVED.

2008 Board Mtg. Schedule: V.P. Shoemaker MOVED to adopt the attached Board meeting schedule for 2008. Director Linam SECONDED the motion. The motion was unanimously APPROVED.

2008 Golf Tourn. Director Jackson MOVED to approved the attached 2008 Golf Tournament Schedule. V.P. Shoemaker SECONDED the motion. The motion was unanimously APPROVED.

Ambulance Service: Director Misch advised this is a series of six motions and deals with some subjects that are in the process of being resolved.

Director Misch MOVED a motion to approve an agreement between CMAI and the POA relative to the transfer of responsibility from CMAI to the POA for providing ambulance service in Hot Springs Village. V.P. Shoemaker SECONDED the motion. The motion was unanimously APPROVED.

Director Misch MOVED to approve an offer and acceptance contract for the property owned by CMAI at 114 Los Lagos Way in the amount of \$178,000 subject to the execution of the agreement between CMAI and the POA. Director Linam SECONDED the motion. Discussion followed. Mr. Johnston stated he is pursuing alternative locations to house the ambulance. The motion was unanimously APPROVED.

Director Misch MOVED to approve a new three year contract between the POA and HCAS that allows for one, two-year option to renew. Director Jackson SECONDED the motion. Discussion followed. The motion was unanimously APPROVED.

Director Misch MOVED to approve a revised lease agreement between HCAS and the POA that would add the building at 114 Los Lagos Way to the current lease agreement. Director Linam SECONDED the motion. The motion was unanimously APPROVED.

Director Misch MOVED to approve a new policy that would be placed in the POA Policy Book as Chp. Three, Article 4 entitled "Ambulance Service" that would authorize an annual fee to be placed on residential POA water bills to support at least three advance life support units at all times in the Village with the collection of such fees to be in accordance with utility bill collection procedures. Director Linam SECONDED the motion. The motion was unanimously APPROVED.

Director Misch MOVED to establish \$75.00 as an annual ambulance service fee for 2008 which will be billed every other month to residential POA utility customers. Director Jackson SECONDED the motion. The motion was unanimously APPROVED.

BREAK: The meeting was recessed for a break at 9:55 a.m. to 10:10 a.m.

HEARING: President Breckon turned the meeting over to Attorney Don Schnipper in order to hear a violation of Mr. Jimmie Carpenter for parking a 12' Carmate trailer at his residence in violation of Section 28 of the Protective Covenants which prohibits the parking of a trailer at a private residence for longer than 72 hours.

Mr. Schnipper asked POA Complaint Investigator Sam Harper to come to the table to give the history of this violation. Mr. Carpenter was asked to come to the Board table also. Mrs. Harper stated a complaint was received on Sept. 25, 2007 regarding the 12' Carmate trailer parked at 26 Dominar Way. A notice was then sent to Mr. Carpenter asking him to remove the trailer. Mr. Carpenter contacted Mrs. Harper and stated he was using this trailer as his golf cart trailer. The trailer is a fully enclosed factory built aluminum trailer.

Mr. Carpenter stated he has had this trailer at his home since the middle of December, 2006. He and his wife use it to store the golf cart and transport it back and forth to the course four or five times per week. Mr. Carpenter stated his concern that there is no written definition of a golf cart trailer and if you are going to have a policy it needs to be defined. Mr. Carpenter stated he thought his trailer was as much a golf cart trailer as any other in the Village. Mr. Carpenter stated the POA Golf Publication comes the closest to a definition which states in part "All private golf carts over 1,749 lbs. are restricted to golf paths only. Golf carts over 2,500 lbs. are excluded from operating on any Village golf course." Mr. Carpenter advised he had contacted a couple of trailer manufacturers to get the definition of a golf cart trailer and he couldn't find one. He asked for a definition of a golf cart trailer from the POA Board and whether the violation was the trailer or the violation of the 72 hour time limit. Mr. Carpenter advised the trailer is parked either on his driveway or on gravel beside the driveway for periods of time longer than 72 hours. Mr. Carpenter stated he lives on Hole #7 of Balboa golf course and that the trailer would be visible to the golf course if it were moved to the back of his property. Mr. Carpenter stated he also has a smoker located to the rear of his property.

Discussion was held among the Board as to a definition of a golf cart trailer. President Breckon asked if there was a motion from the Board. Hearing no motion, the complaint was dismissed. The question was asked as to what would happen to the other existing golf cart trailers in the Village that might not conform to our definition.

President Breckon charged the General Manager, Director of Golf and the ACC to come up with a recommendation to the Board as to what is a reasonable definition of a golf cart trailer and to recommend whether grandfathering of existing trailers would be appropriate.

The hearing adjourned at 10:20 a.m.

County Ordinances: Director Misch MOVED to direct that a written request be submitted to the Saline County Judge and Quorum Court to enact an ordinance regulating noise similar to the ordinance already enacted in Garland County. Director Day SECONDED the motion. Director Misch advised of a change in Section D. of the ordinance i.e. Cross out “The Hot Springs Village Police Department” and insert “Any law enforcement officer duly certified in the State of Arkansas.” Discussion followed. Mr. Johnston discussed a noise ordinance that refers to decibels. The motion was unanimously APPROVED.

Director Misch discussed minor modifications to the ordinance relative to Exterior Maintenance of Property i.e. language in Section C and D be changed to “Any law enforcement officer duly certified in the State of Arkansas” instead of “officers of the “Hot Springs Village Police Department and Sheriff’s Deputies” and a change in the definition of undeveloped property to include “any lot or portion thereof”.

Director Misch MOVED to direct a written request be submitted to the Garland and Saline County Judges and Quorum Courts to enact an ordinance relative to property maintenance. Director Day SECONDED the motion. Discussion followed. The need to develop guidelines for the implementing of these ordinances once they are passed was discussed.

Following discussion, the motion CARRIED with Directors Misch, Day, Shoemaker, Jackson and Linam voting in favor and Director Atkins abstaining.

Capital Expenditure: Director Jackson MOVED to approve 2008 expenditure of \$694,031.73 for fertilizers, fungicides, soil amendments, herbicides and insecticides for the golf courses. V.P. Shoemaker SECONDED the motion. Discussion followed. The motion was unanimously APPROVED.

Questions: President Breckon called on the audience for questions.

Adjournment: The meeting adjourned at 10:45 a.m.

---

President

---

Secretary