**LOST BRIDGE VILLAGE COMMUNITYASSOCIATION, INC.**
**12477 Lodge Drive, Garfield, AR 72732**
**Board of Trustees Regular Meeting**
**August 10, 2015 6:00 P.M.**

| | | |
|---|---|---|
| **Trustees Present:** | Jon Testut | Steve Bray |
| | Ellen Rinard | Ken Buchheit |
| | Melvin Schoonover | John Wilson |

**Trustees Absent:** Randy Haley (will arrive late, per Jon)

**Visitor(s) in attendance:** Hugh & Frances Wagner, Brian Bostian, Gene Buescher, Peggy Webster, Pete Sams.

The Meeting was called to order by President Jon Testut at 6:00 p.m.

**Approval of Agenda as presented:**

| | | | |
|---|---|---|---|
| M/S/C | Ken Buchheit | John Wilson | Unanimous |

**The Minutes of July 13, 2015 were approved as written.**

| | | | |
|---|---|---|---|
| M/S/C | John Wilson | Melvin Schoonover | Unanimous |

**Member/Visitor Comments:**

**Gene Buescher from Survey One –** Mr. Buescher stated he has surveyed in the village for some 20 years. There are gaps between subdivisions, which he wasn't aware of initially. He passed around an example of a "gap between subdivisions" between Moulder Hollow and Country Club and said he has, in error, surveyed over the gap. He did a survey in 1997 that surveyed through the gap.

Ellen explained to the Board what this "gap" pertains to. The Schaffners are purchasing property that abuts the gap and are asking for an easement to build (a driveway) across it.

Gene has found sewer man holes in places in the gap. The gap is not 30' wide along the whole way; it's only 2 feet in some places.

Ken met with the Assessor from Benton County. The County has found the filed plats showing the "gap" and will update their GIS mapping program.

As far as liability, Gene stated he, as the surveyor, would be liable for a bad survey, not the Village.

John Wislon feels the survey for Schaffners needs to be accurate in terms of the gap, and then give the Schaffners the Easement.

Gene indicated he doesn't know if the gap is LBVCA property, and made reference to a second gap area is on block 2 of Country Club, a very wide gap, on Ridgeview. Gene will resurvey the Schaffners' property so the survey does not cross into the gap. The Board gave Gene confirmation that LBVCA owns all common property in the village via the transfer of everything from Dale Crain/LBV, Inc. to LBVCA, Inc.

**FINANCIALS - Ellen Rinard, Treasurer:** Ellen reported overall cash on hand at end of July was $139,078.65:

| | |
|---|---|
| Money Market | $65,514.25 |

| | |
|---|---|
| Checking | $33,448.89 |
| Capital Improvement | $12,577.29 |
| Contingency MM Fund | $27,538.22 |

Most items are within budget with a few exceptions. With 58.33% of the budget year gone (7 months), the figures for each account are as follows:

Maintenance overall at 51.7%

Over budget on shop supplies, maintenance building water, snow plowing and contract misc.
Under budget on other items makes overall budget fall within budget

Rec Center overall at 58.2%

Over budget on 4th of July, but offset by $2028.72 in donations, making ~$1000 profit (donations show up in a different account)

General/Admin overall at 62%

Over budget on collection agency fees, accounting and audit, insurance and some un-budgeted items (computer hardware/software).
Collection agency efforts however, have resulted in surpassing our budgeted assessment income

Community Building overall at 59%

Supplies running slightly over budget but only by $70

Roads overall at 25%

Under budget - perhaps discussion to consider moving snow plowing to this category?

Neighborhood Watch at 0

No budget

Capital Improvements

No budget, but expenses show at $8581 - offset by insurance payments for hail damage and pool lightning strike

Social Committee at 0

No budget

Overall expenditures at 51.7%, which is lower than budgeted amount of 58.33%.

We might consider moving snow removal from Maintenance to Roads or budget more for Maintenance.

With efforts by Ozark Collections we have collected a few hundred.

Motion was made to approve the July Treasurer's report:

M/S/C John Wilson Ken Buchheit Unanimous

**OFFICER REPORTS:**

**President, Jon Testut** –

Ballots:
First up is the Assessment increase campaign. Many thanks go to the major efforts of Marty, Melvin, Ellen, Jason, Pat, Hugh & Frances(Wagner),who printed, folded, stuffed, and stamped 800 plus ballots. And ahead of schedule. They are ready to be posted Wednesday, August 12 (except the board members' ballots which I put in your mailboxes). We can stand down and relax a bit, although the hard part is the waiting (until Oct

19). This doesn't mean that we can't continue to support the campaign through phone calls and personal contacts. (It ain't over 'til it's over.)

Thank you for all for the efforts you have made to bring this assessment increase proposal to our members once again. I believe we have made a strong case for the increase, and we can only hope that the community has heard our reasoning and will support our efforts.

Roads and Maintenance –
This Thursday represents one month since we hired Brian Bostian as our new Maintenance man. As per or agreement, during the 30 day probationary period he received training for two weeks as to the duties and responsibilities of the job. He is very enthusiastic and takes personal pride in all that he does. I have had several compliments on his work. As you know he is a resident of the Village and is dedicated to providing his best efforts in service to his friends and neighbors. In fact, he has pledged to donate an additional 5 hours per week to ease the financial expenditures on road and maintenance budget.

The Burn Pile –
Recently I have begun the background work needed to potentially reopen the burn pile, closed, as you all know, in June of last year. This was the result of a complaint by a local Village resident, living near the burn pile, who has, by the way, since moved to Florida. I have found two defensible positions to the state ADEQ Reg 18 that oversees air quality control. And in addition, a Village resident has come forward with a third line of defense that we may be able to pursue as well. I feel confident that we will succeed on at least one of these fronts, but I want to get my ducks in a row before I announce the particulars. Of course, out lawyer will be consulted before we move forward.

Website (www.lbvca.com) –
15,000 hits this year. Facebook page (Lost Bridge Village Life) looking really good thanks to Ken and Denise Magnuson. Steve has taken over the pilot's page with an extensive FAQ sections for our airport including Maps. Thanks to all who help and visit.

**Vice President, Steve Bray –** Nothing to report, but a reminder to board members to be sure to use the funds that have been donated to the various areas.

**TA Reports**:

**ACC, Jon Testut, TA** – Jon reported on the ACC's most recent meeting, on August 3rd:

- Bill Bailie of 11601 Gainer, construction debris & deck. Neighbor's complaint of incomplete painting, and debris left over from garage addition. Contacted home owner and painting was completed, and (complaining) neighbor assisted in debris cleanup. Remaining issue of non-permitted/non-conforming deck has been forwarded to Benton County for investigation.

- Dean Adair 10466 Cedar Forest Drive applied for permit to build 24x30 workshop with electric only. Approved.

- Gene Sparks of 11892 White Oak has purchased a metal carport; needs clarification regarding BS&P. (Detached Garages and Accessory Buildings are permitted, but are not encouraged, and if approved, must match the residence in appearance. The type of windows, type and texture of siding, paint colors and roofing materials are to match the residence as closely as possible.

- Ron Schauff, new construction on Black Oak. Board has previously issued waiver on lot size. Applicant needs side yard setback reduction due to neighbor's encroachment. Application approved.

- Dan Shockley 11792 White Oak Drive -- Side walkway/deck expansion. Permit approved

- New house construction at 21281 Black Oak Drive, with no apparent garage or carport. Owner Timothy Crawford. ACC suggested two options: either go before the board to present his case, or consider a carport as a cheaper solution. No response.

Board Actions required:

Melvin Hain owns a mobile home at 11711 Hickory Drive, a property that's been cited for covenant violations. Wants to replace existing mobile home with a new mobile home. Prohibited by Covenants. Board action required.

Christy Wimer at 11743 Dogwood requests for garage on adjoining lot with apartment above. After discussion consensus was a guest room is permissible but an apartment is NOT. (See recommendation below for clarification in BS&P.) Board action required. (See below:)

**Addition to BP&S Page 4:** Detached Garages, Carports, Outbuildings and Building Additions

Add after first paragraph:

Guest Room/Office/Studio, and similar use premises with a bathroom over detached garages on the same lot or adjoining lot are permitted, but Garage Apartments are not, as noted in the Covenants. An apartment is defined by the addition of a kitchen with cooking and/or food storage facilities (i.e.: refrigerator), substantially allowing for personal living quarters. This effectively would be in violation of the Covenants' definition for single family residence.

Board discussion: Steve pointed out the above wording creates a hole suggesting that "living quarters attached to a garage must meet ACC requirements for a house with attached garage". If the garage-cum-apartment is on the lot next door and if it meets the requirements for a house with a garage it is then like having 2 houses next to each other.

Jon stated the ACC would like to prohibit garage apartments, meaning with kitchen and cooking facilities.

Motion made to accept wording as provided above.

M/S/C John Wilson Ellen Rinard Unanimous

**Airstrip, Steve Bray & Melvin Schoonover, TAs –**
Pilot Parking: So far, no additional requests for pilot parking have been received.

Runway Cracks and Pilot Donations: So far there have been 3 "crack parties". The Southern 1/3 of the runway has had the cracks filled. The pilot community (and a few non-pilot volunteers) have continued to step up to the challenge. It is obvious the entire runway will not be completed by the Sept 12 Fly-In, so we will be switching our efforts to the North end and begin working towards the middle so that the crack filling will be evident to all the attendees at the Fly-In.

2015 Fly-In: As determined at the work session, Jon will be ordering reusable "LBVCA Event Staff" vests for use at the fly-in and elsewhere. Other than Steve, we'll have at least 1 pilot volunteering to work crowd control.

The southern third of the runway has been crack filled. The pilots and other volunteers will hopefully work on the north end before the fall.

**Community Building, Melvin Schoonover, TAs** – Melvin reported that gutters have been replaced on the Community Building, a toilet in lower level has been repaired, and fire extinguishers have been updated. Also, plans are underway to paint the inside and outside of building this fall (Oct/Nov).

**Covenant Review, Randy Haley, TA** – Nothing to report.

**Legal & Insurance, John Wilson, TA –** Nothing to report.

**Library, Ellen Rinard, TA –**
Pat Testut has confirmed rearranging and reorganizing are complete. She has posted new signs telling people where the items are now.

**Parks & Recreation, Steve Bray, TA –**
Pool: All is well with the pool in terms of day to day operation. The policy of no diapers in the pool continues to be controversial among parents.

Charlie Norris will fill in for Bill so Bill can have 4 days off in the 27th thru 30th of August to attend his 50th high school reunion.

**Political, All Trustees** – Nothing to report.

**Property & Marketing, Ken Buchheit, TA –**
Properties:
With Randy's help, I have again visited many of the properties that Lost Bridge has listed for sale. We feel that some price adjustments should be considered. Rather than include the details here, I intend to send a separate list later. There are a few that need review by someone with assessment skills and experience. I hope that most of the board will find a few minutes to look at these when a list is completed.

As you know, there is an issue of a small strip of land separating property lines between some lots in Moulder Hollow III and Country Club Addition. To eliminate any question as to its existence, I visited Benton County Assessor's and Mapping departments. It *had* been overlooked or somehow omitted, but will appear on their maps soon.

Marketing:
We are in the process of compiling a list of all adjoining property owners who might be interested in any of the lots we have in inventory. A while ago, I spoke with Debby Maule as to what she had done, to avoid any problems. She had made a good effort, and we will continue. We are also searching for any current or retired real estate professionals that live in the area. Our hopes are that the LBV website and Facebook page could offer a platform that an expert could utilize. We would appreciate any suggestions in that area.

Supplement:
Great news for the board – an apology from ME. After careful review, I learned that each and all of our Covenant amendments have followed the law with precision. The wording can be confusing, but there are no errors that I (we) can find. At this time, it appears that we no longer have time / scheduling constraints as we had in the past. Jon is correct, the Amendments Supersede Prior Documents, and have no delay, required or implied. I offer my sincere apologies for the confusion.

**Roads and Maintenance, Randy Haley & Jon Testut, TA** –

- New Maintenance man hired -- Brian Bostian -- excellent performance of duties and responsibilities.
- Purchased hammers for ditch bank mower. Hydraulic valving needs repair/ replacement.
- Started rebuilding double action sickle bar mower (AGMAX). Intend to sell.
- Working with County to repair severe ditch problem on White Oak/Dogwood intersection (Dean Pride).
- Patch truck in village.
- Started refurbishing old Maintenance shed.

- Honeysuckle graveled and leveled as requested. Randy graded it himself with his own equipment.

S**ecurity Patrol, Ellen Rinard, TA –**
On July 19, there was a break-in attempt on White Oak; per email, there were four people involved (three guys and 1 girl … possibly teenagers or early 20's). One person waited in car and the other three attempted to break-in. Vehicle was 4-door boxy car with white license plate.

Marie and Charlie Norris did call the sheriff's office. I contacted Capt. Lynn Hahn and asked for more patrols, specifically in that area.

**Social, Ellen Rinard, TA** –
Next social event is the Fly In on September 12th. Pete Sams has volunteered his grill and manpower, but help is needed for food serving and cooking. I have one volunteer lined up (a new neighbor on Country Club).

Ted Tidwell is committed with his Second Wind Band; need to give him feedback on where he'll be performing. Suggest planning meeting in conjunction with our next work session.

Jon stated that Robert Dodd has donated a charcoal grill which is being stored in the maintenance shed. Also, NEBCO is willing to share its pop-up tents if needed. Steve confirmed we'll need to move picnic tables, etc., from the Rec Center up to the maintenance building area.

At next board work session Ellen would like assignments made as to who can do what at the Fly In.

**Tech Support, Jon Testut and Steve Bray, TAs** –
Remote Access: Remote login is now very usable since the internet speed at the office has been upgraded. Steve stated he has also have upgraded his personal internet and the result is a very usable experience. CenturyLink was able (with a few glitches) to upgrade him from 1.5mbps down, 0.25 mbps up to 25mbps down, 2mbps up with a REDUCTION in my monthly bill. My speed tests have been averaging 23 down, 1.8 up. It does require a new modem and some additional wiring in the house.

New Access Database: Marty has continued to identify additional desired features, which have added. Once the election ballots go out, she will do a final round of testing and hopefully the cut over should happen shortly thereafter.

QuickBooks Upgrade: We have obtained a subscription to QuickBooks Online Pro 2015. While Marty continues to use the desktop version data is being copied to the online version for configuration and testing. More to report next month.

**Water & Sewer Liaison, Melvin Schoonover, TA** – W&S is continuing to upgrade the man holes. Someone approached the water board asking them to use their assessment vote to vote in favor of the assessment increase. The water board chose not to comment.

**Old Business (Status Update):**
- Assessment increase ballot mailing/village signage – See the President's report above.
- Airport signage – new signs "Active Runway – Use Caution. No unauthorized motor vehicles".
- Request Board approval for replacement of mobile home 11711 Hickory Drive (Melvin Hain) – Jon passed out a draft of a letter to the Hains. If Board approves of the letter Jon will finalize and send the letter.

  Motion was made to accept the decision to deny Mr. Hain's request to replace his mobile home with another mobile home:

M/S/C Steve Ken Not unanimous
Votes: Steve – Yes, Ken – Yes, John Wilson – Abstain, Melvin – yes, Ellen – Yes. Motion carries with majority of board.

- Delinquent Accounts/Foreclosures – This pertained to John's effort to create a procedure for collections, which has been done. Jon had a question as to whether or not the Board created a Resolution – Yes, in June, per John W.

Motion was made to accept the Assessment Collection Procedures as documented by John Wilson:

| | | | |
|---|---|---|---|
| M/S/C | John Wilson | Ken Buchheit | Unanimous |

- Request Board approval for Metal Carport at 11892 White Oak – Gene Sparks – He has not yet contacted the ACC and is not in attendance tonight.

Motion was made to table this topic for next meeting:

| | | | |
|---|---|---|---|
| M/S/C | Ken Buchheit | Ellen Rinard | Unanimous |

- LBV Fall Clean-Up – David Myers had previously stated that he would volunteer to head up the clean-up effort on October 4th. Jon pointed out that Benton County is doing theirs on October 10th. It was decided LBV would hold their Fall Clean-Up on October 8th-10th, to coincide with Benton County's. Jon will talk with David Myers and will also ask him about arranging for a paper shredding company to provide shredding services at LBV's clean up.

Randy Haley arrived at 7:10pm.

Randy reported that the home owner in PMR who received a covenant violation letter is working with Randy to cure the default.

**Tabled Items from Previous Meeting**

- Procedure for Enforcement of Covenants and refurbishing targeted properties – John Wilson and Randy will be working together on this but are not ready to present at this time. This item table until next meeting.

**New Business:**

- Garden at 127 & Lodge Drive entrance – Peggy Webster – Peggy stated that there has been some concern among villagers that the Crape Myrtle tree in the entrance garden may grow and block the entrance sign. Peggy is asking on behalf of the volunteers that the Board back the garden volunteers up in not cutting down the tree, but allow them to keep it trimmed. Peggy also mentioned there's an issue on the Dogwood switchback of overgrown trees and shrubs. Peggy will work with Brian Bostian about having it trimmed. Peggy also pointed out that the Corps has been walking along the shoreline looking at property indicating that the corps property directly across from the Park area is parkland, and that they're cracking down on rules and regulations as to what property owners can do on shoreline Corps property. Anyone who has put in lights or steps from their property down to the water on Corps property will have to be removed or has picked up sticks or weed whacked on Corps property will be fined. Melvin suggests that he has contacts at the Corps and he can find out specifics.
- Use of Community Building Hall – Melvin Schoonover – Melvin handed out current guidelines for use of the Village Hall. Melvin pointed out the organizations listed who can use the Hall at no charge but out that property owners need to pay to use the Hall. Melvin feels that the people "in good standing" should be allowed to use it free 4 times a year. We could continue to charge a refundable deposit and/or "donations appreciated". Melvin will re-write the Hall document and bring it to the next meeting.
- Lot Sales and Lot Sales Procedures – Per Ellen, this had to do with what steps are necessary when an offer comes in on an LBV property. Ken pointed out that he's discovered that we have some lots in the Village that should be designated as member lots only and unbuildable. Ken will do

more research into these lots. John Wilson would like to see a point of contact for offers instead of the whole Board getting the emails. Ken will follow up with John, and will develop a set of procedures.

- Fireworks Guideline/signage – Suggestion was made to post Jon's guidelines on the website, the Facebook page, and in the newsletter just prior to the 4th of July each year. Steve would like to see "No Fireworks Allowed" signs posted at the Airstrip before the 4th of July and before New Year's Eve. Jon will draft up a sign for this.
- Rental Guidelines – Jon presented a set of guidelines that have previously been sent to the rental agencies, and intends to send out again in the near future. Ellen: defining a family is a hard thing, in terms of limiting the number of renters to fewer than 20. She suggests the owners are the ones who need to control this. Jon would agree that the owners need to be given a heads up on these situations. Steve would like to see the $4.00 per day per person section under Amenities be clarified based on the pool guidelines.
- Covenant Violations Procedures – this is a duplicate topic (see "Tabled Items" above) .
- Events and Guests – Ellen had received a comment from a person who owns a membership lot who brought a non-member guest to a social event saying a member had complained about the guest attending the event. Ellen could not find anything in the Covenants that indicates non-member cannot attend an LBV social. No action needed.
- Events Shirts/Vests – Vests for the Fly In will be purchased for workers.
- 2015 Fly In – See "Airstrip" TA report, above.
- Board Vote to Foreclose on PMR U9 364 & 365 (Ward) – Lots are in China Hollow area, per Randy. Per John W, we should ask Melva to follow her procedures and file a judgement, per the Legal Judgement Process, which she'll do at no cost to us. Marty will follow up with Melva at Ozark Collections.
- Perpetual non-exclusive easement for CCA B1 41 (Schaffner) – Ken suggests we need to prepare the easement before we vote on it. The language should include that essentially we can do anything we want with that "gap" (e.g., create a walking path which would cross that easement property).

  John would move that we grant a perpetual non-exclusive easement to cross LBVCA's Reserved A common property that adjoins CCA B1 41 and MOU S3 73 for the purposes of putting in a potential future driveway. There was further discussion on this. Ellen asked if this is complicated by the County now showing Reserved A on the GIS map. The consensus was no.

  A motion was reiterated to grant a perpetual non-exclusive easement allowing Shaffners to cross LBVCA's Reserved A Common Property that adjoins CCA B1 41 and MOU S3 73 for the purpose of putting in a future driveway to connect MOU S3 73 to CCA B1 41.

M/S/C John Wilson Ken Buchheit Unanimous

(Marty to let Schaffners know the easement has been approved, and prepare a Release of Easement document for filing with Benton County.)

- Community Center Rain Garden – Jon reported that Courtney Thomas of the Beaver Watershed Alliance indicated we might be eligible for some grant money (up to $1000) to put in a rain garden or rain gardens in the Village. A rain garden is a garden that allows excess run-off water to collect instead of washing down the hillsides and is designed to drain quickly and not allow water to stand. Melvin will contact her.

**Recognition of Visitors & Visitor Comments (5 minutes allotted)**: None

Next work session will be August 31st at 6 p.m. in the Community Building conference room.

**Motion to adjourn meeting: 8:33 PM.**

M/S/C John Wilson Ken Buchheit Unanimous

The next Board Meeting will be September 14, 2015.

Respectfully submitted by Marty Sauers, Office Manager.

| | |
|---|---|
| _____ | _____ |
| Jon Testut, President | Steve Bray, Vice President |
| _____ | _____ |
| Ellen Rinard, Secretary/Treasurer | Randy Haley |
| _____ | _____ |
| Melvin Schoonover | John Wilson |
| _____ | |
| Ken Buchheit | |