

**LOST BRIDGE VILLAGE COMMUNITY ASSOCIATION, INC.**  
**12477 Lodge Drive, Garfield, AR 72732**  
**Board of Trustees Regular Meeting**  
**February 08, 2016 6:00 P.M.**

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

**Trustees Absent:**      Randy Haley

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

**Approval of Agenda as presented:**

M/S/C              Steve Bray              Ken Buchheit                      Unanimous

**The Minutes of January 11, 2016 were approved as written.**

M/S/C              John Wilson              Steve Bray                      Unanimous

**Visitor(s) in attendance:** Kate O’Donnell (property owner), Phil Williamson (property owner), Marshall Watson and Michael Durez (both of Benton County Office of Public Safety)

Marshall Watson, Benton County Administrator of Public Safety, was recognized and invited to speak regarding the Communications Tower by the LBVCA Tennis Courts.

- The County signed a 99-year lease with the POA to put up the tower site where it is now. The original was 50’ tall. In 2007, Marshall came before the Board to discuss increasing the height to 75’. The tower will not support as much communications equipment as the County would like. The elevation at this site is excellent but the tower height is not and shadowing is created. The tower supports NEBCO, NEBCO-EMS and the Sheriff’s department. The County would like to ask board about the opportunity to put up a new tower and create a new agreement with LBVCA.

Plan A: Benton County has consulted with the company that supports the BC Communications group. What they’d really like to put up is a 150’ monopole; a free stander. This would allow for all RF equipment, microwave infrastructure and support to cell carriers. Current tower is 75’ high. Marshall says current one is not very visually appealing. They propose moving their location a few feet because current site is too close to the tennis courts. The area near the tree on the hillside edge would be a better location. They’d put up a building (example shown), with security for the generator, a pad and a fence. County Assessor’s database shows the proposed area is within LBVCA property lines. The shed would be like a 10 x 10 or 20 x 20 shed. The old would be hauled away, including the slab if LBVCA desires it to be removed. If LBVCA has use for the slab it could be left. Steve Bray expressed enthusiasm for having the “buzzard roost” moved farther from the tennis courts. Would need to do dirt work and do some backfill on the new site, including some type of coring and pouring a foundation. The pad would be lodged as close as possible to the tower, and the slab/base would depend on whether they can core for the slab or would need to go out wider. If need to core it, the pillar for a core is about 30 feet deep. If can only go 5 feet deep then the base would need to be 20-30 wide. Fenced area would be 30 x 30, roughly, including the building, tower, everything. This will have to go through an FAA survey, FCC survey, historic survey, tribal survey, etc., before construction can be started. The tower is rated for 110mph winds.

Questions were asked:

John Wilson asked: Was there any financial consideration in the last lease? Answer: No.  
Question: Does the current site have cell capability? Answer: No. Question: Would the new one have that capability? Answer: Possibly, if a carrier decides they like the site. RF is different from the cellular industry. (RF is direct line of site.)

Ellen asked: Is there a power line running to the current site? Answer: Yes. Question: Would it need to be upgraded for the new tower? Answer: No, most likely not. The power would remain underground.

Steve asked: Who owns the power pole? Answer: Benton County.

John asked: Who would get the revenue from leasing the tower for cellular? Answer: That would depend on the lease set out with LBVCA.

Plan is for the site to support 2 cell carriers, however, current lease with POA does not allow for sublease. If the new lease allows for that it's not a given that Benton County would set that up with carriers. The county is not trying to turn this into a half million dollar project; what's on the table now is nowhere near the cost to put a "fake pine tree" for aesthetics. Options: Skyscrapers often paint the tower blue to match the sky; Fayetteville painted theirs brown towards the lower half and blue for the upper half.

Ellen: What if the tower fell during a tornado? Answer: If it falls one way, it hits nothing. If it falls another it would land on the tennis courts. County's insurance would cover it. It would not reach The Lodge if it fell in that direction.

Benton County would have a lien search conducted and audit the ownership of the property, and do a survey.

Visitor Phil Williamson asked: Will the new base be at a lower elevation than the current one? Answer: Yes, by approximately 5 feet. Tonight is just a preliminary discussion.

The current site is the highest point in Benton County.

Melvin asked: What is time frame for all pieces? Answer: A year, if an agreement can be reached. The geo, tech work, etc., would be completed by the end of the year.

Jon asked: Could the old shed be left there or would it need to be removed so it doesn't interfere with the new equipment? Answer: The tower has some value as it could be repurposed. The shed does not have much value. (Jon and Ken each commented that the shed could be used for storage.) Once the new site is operational the old one would be removed.

John W asked: How would we go forward with a profit-sharing plan relative to cellular companies? Answer: The initial agreement should probably not specify that as it's an unknown. John threw out 50/50 split and Marshall said that would be acceptable for sure, but John said that was just a tossed out number, not a negotiation.

John W: Does the County generally seek assistance from cell carriers for new towers? Answer: This will be the only tower the County owns; they lease the others.

Jon asked: Time frame for our end? Answer: The sooner the planning stage can start the better.  
Jon: We'll need at least 2 weeks to consider. Marshall: No problem. The county attorney can come up with some options if we're interested in going forward.

Jon: There is no signage on the current tower. Is that intentional? Answer: A sign can be put up indicating ownership with phone, etc.

John W: What might monthly rental be on a cell carrier? Answer: Possibly \$1200 a month but Marshall doesn't really know. Benton County pays \$350-400 for sites they lease.

Marshall and Michael Durez left the meeting at 6:30pm. There was further discussion on this topic.

Jon: height of tower and potential high winds is a concern. Steve acknowledged that there would be no guy wires, so it would be free-standing.

There was some discussion about the potential use for the old shed. (Store tennis rackets, balls, ball washer, etc.)

John W asked about our process for further discussion. Jon suggested further discussion could be via email.

**FINANCIALS - Ellen Rinard, Treasurer:** Ellen reported our balance sheet for cash assets moved from \$75,232.66 at the end of the year to \$217,069.92. Last year our collections at this time were only \$60,648.82 vs \$145,592.34 this year. This is likely a function of higher assessments and the realization that late fees will be collected. But the collection amount is still only 76.63% of budget. (Budget is \$190,000 which is 90% of total assessments due). Late fees have been applied. No extraordinary expenses.

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

M/S/C            Ken Buchheit            John Wilson            Unanimous

## **OFFICER REPORTS:**

**President, Jon Testut** – Jon reported on a few topics:

### New Office Employee

Please be sure to stop in at the LBVCA office and greet Tamy Niernberger, the newest member of our team. The number of hours that the office is open is not yet as regular as we want but after a training period, we will try for 6 days per week as spring approaches.

### Annual Meeting

The annual meeting is March 12th at 2 pm. Plan on being in front of the membership with questions. Be prepared. Steve has agreed to put together the presentation for the annual meeting. Please submit materials as soon as possible so he can get the job done.

### Last Board Meeting for present Board

This is the last meeting of this current Board. In my opinion, it has been one of the best groups of community members in a long while. Many fine ideas have been brought to the table over the last twelve

months. We have accomplished much, but there is always more to do. I am looking forward to regrouping our new and existing trustees and moving onward to meet future challenges with renewed energy. And of course the common denominator of our success has been Marty, our Office Administrator. Thanks to you all for your time and energy. I may not be your next president, but I am proud to be working among such good friends and dedicated trustees.

The next board meeting will take place right after the Annual Meeting on March 12 and will primarily an organizational meeting.

**Vice President, Steve Bray** – Steve reported he is putting together the Annual Meeting PowerPoint presentation, and will need all board members' material by a week from today. Submit it in whatever format you've got: photos, slides, PowerPoint, etc. Those board members who don't submit items to Steve will be on their own for visual aids for your presentation. Committee chairpersons may make their own presentations.

Regarding trustee elections, the board had only 2 candidates for 3 slots so write-ins on the ballots will count this time around. According to the Bylaws, the top 3 vote getters of write-ins will get in, depending on number of slots available.

Steve pointed out that this is his last Board meeting and it has been his honor and privilege to serve with this Board and the 2 previous boards.

Jon asked about the Airport Manager position. Steve replied it's really just a contact person for the FAA who publishes it that way. Some questions do come in. Crack fill and airstrip maintenance would not come under the Airport Manager job; that would fall under the Airstrip trustee.

Ellen asked if Jon intentionally left off the Financial Report for the Annual Meeting from his agenda. Answer: No. Ellen will submit materials to Steve by next Monday.

### **TA Reports:**

**ACC, Jon Testut, TA** – Jon reported on the ACC's most recent meeting on February 1, 2016:

Present: George Naidl, Jim Haguewood, Rich Brundage, Wally Ake, Jon Testut

Absent: Hugh Wagner, Bob Wright

- Election of Hugh Wagner as ACC chairperson: unanimous (Board action: confirm new chair)
- Jim Haguewood filled Hugh's position as committee member when Hugh became Chair
- ACC Member resignations: Bob Wright, George Naidl
- Potential ACC members: Tom Pedano; Chuck Riggle; Sam Reynolds

### **Current ACC building projects:**

- Tim Crawford, 21281 Black Oak Drive, New house construction at with no apparent garage or carport. Hired new builder; cleaned up street (response to Violation letter sent); will change plans to add carport and resubmit.
- Bill Beavers, 21341 Ridgeview Dr. Converting deck into room, approved.

### **New inquiries:**

- Glenn Timson at 11772 White Oak, rebuilding his deck
- Hugh Fenner at 11704 Dogwood Permit to build garage on adjoin property.
- Kevin Rathert at 11864 White Oak. He would be building a garage and expanding the deck.

- James Osborn at 18312 Posy Mountain Drive, garage addition, started without ACC permission but with a BC permit. Letter sent. Agrees to comply and obtain permits. Mr. Osborn will pay our application fee.

**Airstrip, Steve Bray & Melvin Schoonover, TAs** – Nothing to report. Jon asked if Melvin would want to take over the Airstrip when Steve leaves the Board. Melvin said he will consider but he has other things he wishes to pursue on the Board.

**Community Building, Melvin Schoonover, TAs** – Melvin reported he's scheduled a volunteers work session scheduled for March 5 for planting, landscaping, cleaning windows, painting, re-caulking windows, etc. The volunteer appreciation dinner served about 52 people and the cost was less than \$2 per person. The building experienced no problems with the recent rain. Ellen asked if the cleaning crew could also clean the bugs out of the light fixtures.

**Covenant Review, Randy Haley, TA** – No report

**Legal & Insurance, John Wilson, TA** – John reported that the airport insurance is interesting. Our current airport insurance costs \$1600 and included coverage for out pickup truck and shed do not need to be covered under airport insurance, so that reduces the cost, however, the current policy excludes any "air show".

Phil W asked if pilots are expected to pay for fly in to a Fly In, other than ours. Steve replied No, not for small regional events like this.

**Library, Ellen Rinard, TA** – Ellen reported Pat (Testut) states that space is still a problem, and that Pat is considering reconfiguring placement of some shelves to fit another shelf unit in. She is planning an inventory soon, and per usual process has been culling out unpopular and duplicate items.

**Parks & Recreation, Steve Bray, TA** – Nothing to report.

**Political, All Trustees** – Jon reported that County Judge candidate Barry Moehring will be doing a meet-and-greet on Feb. 13<sup>th</sup> at 9:00 a.m. He's providing his own coffee and donuts.

**Property & Marketing, Ken Buchheit, TA** – Ken reported on the following:

Properties:

Follow up on Donations of Property: A few more lots have been offered as donations to LBVCA in lieu of Dues payments. One is still being considered, the other is of little interest to the Village unless the adjoining property owners have an interest in some exchange. Ken is trying to gather information from the neighbors. As discussed in last month's meeting, we feel it is not in our best interest to facilitate property exchanges at this point, but worth gathering info from all the property owners.

Marketing:

The good news is that some properties and homes have sold in the past several months. A few from our inventory, however, more via the local real estate companies. This is an indication that we should utilize their expertise to expedite sales. I am in discussions with the two local firms at this time.

I have produced a few large maps showing the available lots in the villages, including Deerwood and Posy Mtn. Both local realtors have copies and indicate these maps will be helpful to their business, and ours. We'll see.

I have researched some advertising options: a billboard on Hwy 62 is within reason. I will have more info next month. Steve's ad in the aviation magazine will most likely appear in the next few months also.

I met with sales at Southwest Homes and at United Built Homes (the builder currently working in Posy Mtn. Ranch). We know business is slow, but they will keep us in mind. I have been speaking with a few property owners to let them know we are working to improve the areas. I have an extensive list that I will be calling or mailing. After the Feb. 15 deadline seemed to be the appropriate time for mass contact.

Jon asked about the Facebook page status. KarolAnn Parks is helping Ken.

**Roads and Maintenance, Randy Haley & Jon Testut, TA** – Jon reported a concern has arisen from the tree trimming crew trimming trees that overhang the road when trees are on private property. There was some discussion on this issue but no determination made. Jon also reported that light snow and ice a few weeks ago prompted first use of the plow and sander. They functioned as expected. Jon suggests we purchase side extensions to increase load volume. Work continues on blocked culvert on Dogwood at the Rockwall turn (not the switchback). County has been notified. Jon suggests replacement of the culvert if we cannot clear blockage. Conferring with concrete firm to re-support above Rockwall being subject to washout of foundation. Will be advertising for new maintenance man.

**Security Patrol, Ellen Rinard, TA** – Ellen reported that a villager reported a potential security issue but after Phil investigated it turned out the high winds had damaged a window screen so no security was compromised. Phil Williamson will be covering the security portion of our annual meeting and has contacted Officer Hahn to speak again.

**Social, Ellen Rinard, TA** – Ellen reported that plans are underway for Jan Howard and some of her friends who have volunteered to host a bean/cornbread dinner after April 15th. There was also some discussion at a recent book club meeting about another Pie Social to support the library. Suggestions for future events: Don Overstreet may be willing to do a pulled pork dinner.

Regarding the Social Caller List – Ellen is stopping this. 3 callers have quit in the last month because they're tired of doing it. Maintaining the caller spreadsheet is a nightmare for everyone involved.

4<sup>th</sup> of July event: Monday is the 4<sup>th</sup>, so doing Fireworks and social on Saturday the 2<sup>nd</sup> would be the best date. Ellen has been in touch with Pete Sams regarding Hog Wild date. Hog Wild has been booked by Pete but the music provider has not been set up. Ellen will provide details on this event to the new social chair.

**Tech Support, Jon Testut and Steve Bray, TAs** – Jon reported LBV expects to purchase a new computer (budgeted item) for the LBV office to accommodate a new assistant and will return the laptop to the President's office. Also to acquire additional printer.

LBVCA.com additional email addresses: Jon to get one for Phil labeled [Security@lbvca.com](mailto:Security@lbvca.com). No other board members expressed

**Water & Sewer Liaison, Melvin Schoonover, TA** – Nothing to report.

#### **Old Business (Status Update):**

- Covenant Violation – PMR U7 283 on Aster (Jon) – Default letter(s) were sent to owner of record, Andrew Poor, who has declined to accept the certified letters. Our attorney says we'll probably need to sue the owner for injunctive relief. (The people who are living on the property and claim to be the owners cannot prove they are the owners.) Jon will follow up with Brian Campbell, the attorney.

Desiree Petersen, a future owner, has commented that there are (other) people living in trailers and tents and that this is an issue. (She originally called to ask questions regarding the ACC rules.)

- Covenant Violation – 11502 Arabian (Jon) – Regina Lundholm is the new owner and has brought in 2 campers and erected a tent, and there is a lot of clutter in the yard. Randy Haley made an

initial contact with Ms. Lundholm. Jon has sent a follow-up letter regarding potential Covenant violations at the property. Steve commented that evidence of our legal action could be helpful to present at the Annual Meeting to answer villager concerns.

- County Judge Candidate Meet & Greet/Community Room (Jon) – See above regarding Barry Moerhing.
- Assessment Collection Dates and Procedures (John) – Jon asked for discussion on the procedures in light of feedback we're getting from villagers. There was much discussion regarding deadline dates, collection warning letter, etc. Discussion about SAU owners as well and the time frame for delinquency before the SAUs are broken apart. Suggestion by Steve to tie the SAU being broken apart at the same time the late penalty is applied, because those owners were warned about impending delinquency process. So whenever we send out the penalty letter (mid to late Feb) the late notice will include reference that anyone with an SAU will lose the SAU status if not paid by March 1<sup>st</sup> (or whatever that next deadline is). The SAUs will then be automatically broken up when the delinquent list goes to collections. No special time frame for SAU owners. John W recapped that he can update the procedures for 2017 to show the due date will be January 31<sup>st</sup>; unpaid invoices will incur a 10% late penalty on Feb. 16<sup>th</sup>; send out PAST DUE notice/invoice showing new amount due; if not paid by April 5<sup>th</sup>, SAUs will be broken apart, a 40% collection fee will be applied to all delinquent accounts, and will be sent to Collections. The broken up SAU won't incur an additional 10% penalty on each property.

Motion was made to accept the proposed updates to the Assessment Collection Procedures:

M/S/C                      Ken Buchheit                      Ellen Rinard                      Unanimous

- Security Cameras (x4) (Ellen) – See above.
- Ballot Fulfillment (Jon) -- See VP's report. (Note: the ballot counters need to track the write-ins.)

**New Business:**

- Confirm new ACC Chairperson

Motion was made to confirm the appointment of Hugh Wagner to chairmanship of ACC:

M/S/C                      John Wilson                      Ellen Rinard                      Unanimous

- Tech Support (Jon) – In a prior meeting Jon proposed that Steve be retained at \$20 per hour as our Tech support person. Ellen asked how many hours that might entail. Answer: Depends on new enhancements, web interface for the trustees, problems that might come up. There is no specific Tech budget but the combined budget for Computer Hardware & Software is \$1500. Per Steve, if QODBC is no longer supported then there might be concerns involving dollars.

Motion made to accept the Services of Steve Bray for tech support at \$20/hour:

M/S/C                      Ellen Rinard                      Ken Buchheit                      Unanimous  
(Steve recused himself from the vote.)

- Reserved Properties – Tabled

- NEBCO Annual Chili Cook-off sponsorship consideration – Jon reported that Hugh Wagner will be the Chef for the church. Melvin is considering being Chef for LBVCA if he can find a partner. Melvin will let the Office know by Thursday of this week.
- Requests to deed lots to LBVCA:
  - PMR U6 141 (15-08465-000) on Raspberry Lane (Doug Amen) – Ken is still looking into this one
  - DWD S1 69 (15-02070-000) on Buckhorn Dr (Alice Harris) – Per Ken, we would not be interested in owning this property.
  - PMR U7 263 (15-08509-000) on Aster (Mike Dershem) – Per Ken, we would not be interested in owning this property.
  - FHS B2 72 (15-05179-000) on Hickory is currently listed for sale so we wouldn't want to interfere with the potential sale.
- Fireworks (Ellen) – Dates: July 2<sup>nd</sup>, July 3<sup>rd</sup> will be rain date. Ellen will contact Jody Simrell to find out the date of their fireworks.
- Property Owner Ronnie Green – Jon summarized that Ronnie is claiming he was unaware that he purchased 4 properties, he thought he bought one, however, he did sign an SAU document to combine the 4 properties into 1 single assessment unit. Our attorney is handling this one.
- LBVCA.COM email addresses (Jon) – See above.
- LBVCA phone book ad prices – Raise prices across the board by \$5.00. And let vendors know if they pay for the ad they can leave their business cards in the office (but can't leave them for free anymore.)

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

**Motion to adjourn meeting: 9:47 PM.**

M/S/C            John Wilson                      Ken Buchheit                      Unanimous

The next Board Meeting will take place immediately following the Annual Meeting on March 12, 2016.

Respectfully submitted by Marty Sauers, Office Administrator.

\_\_\_\_\_  
Jon Testut, President

\_\_\_\_\_  
Steve Bray, Vice President

\_\_\_\_\_  
Ellen Rinard, Secretary/Treasurer

\_\_\_\_\_  
Randy Haley (absent)

\_\_\_\_\_  
Melvin Schoonover

\_\_\_\_\_  
John Wilson

\_\_\_\_\_  
Ken Buchheit