

**Lost Bridge Village Community Association, Inc.**  
**12477 Lodge Drive, Garfield, AR 72732**  
**Board of Trustees Regular Meeting**  
**May 9, 2016**  
**6:00 PM**

**Call to Order of Regular Meeting**

**Trustees Present:**      Jon Testut                      Phil Williamson  
                                 Ken Buchheit                  John Buhr  
                                 John Wilson                   Melvin Schoonover  
                                 Randy Haley

**Trustees Absent:**

**Approval of Agenda:**

M/S/C              Phil Williamson              Ken Buchheit      Unanimous

**Approval of April 11, 2016 Minutes**

M/S/C              Ken Buchheit                  Randy Haley      Unanimous

Revisited Approval of April 11, 2016 Minutes. There was a motion to remove name and address of 4/11/16 minutes from CCC section.

M/S/C              Phil Williamson              Randy Haley      Unanimous

**Member Comments: (2 minutes per person; 15 minutes' total time allotted)**

- Steve Bray wanted to hold off until end of meeting.

**Financials:**

- Monthly Financial Report– Phil Williamson, Treasurer

**Treasurer Report**

1. Approved to add temp employee at 16 hours per week. Will need to watch budget closely.
  - a. 7504 Health Insurance \$350.
  - b. 7508 Payroll Tax \$375
  - c. 7536 Legal \$770
  - d. 7209 Covenant Enforcement \$1,000
  - e. 7250 Miscellaneous Work \$1,800
  - f. 7251-B Snowplowing \$2,500Total \$6,795
2. Office Admin personnel change is going to impact the budget.
3. Spring Clean Up – Donations of \$1,468, expenses \$100 for food and at least \$1,260 for the dumpsters. Waiting for final dumpster invoice plus refund from US Metals.
  - a. Found out that Benton County is going to bill the Village for Styrofoam from the clean up. Looks to be about \$80. I will be contacting the County to get an understanding why we were not notified of this expense. The \$1,484 bill for the dumpsters came in today. Still ahead \$375. Metal income has not come in yet.
  - b. Audit hit in April budgeted for March
  - c. 7427 – filled up in March instead of April.

The rock wall will be next month budget figures.

## **Recovery of Unpaid Assessment Fees**

Committee: Phil, John, and Tamy

1. Focus on unpaid fees less than two years old.
2. Mid-April sent notice to those still late that were improved properties only with a 40% uncollectible fee added to the invoice.
3. Placed call to two separate residents reminding them their fees were past due. Both have paid up.
4. Before we started this process, there were 290 past due accounts. As of May 4, there were a total 139 past due accounts.
5. Next steps, if not paid by mid-May, we will file liens on those who owe more than \$1,000 plus those who have homes on the properties.
  - a. John to check with our attorney to get a lien template to use. – Done
  - b. The fee to file a lien is \$15 for the first page and \$5 for each additional page.
  - c. To release the lien, the fee is the same.
  - d. The person is not notified by Benton County that a lien has been filed against them.
  - e. Do we have to re-file the lien each year? No
  - f. If the property is sold on the court house steps, what happens to the lien? Lien will follow the property to the court house steps. Does not mean it will get paid if the property sells.
  - g. Upon Board approval, will send letters in mid-May with the invoice letting them know that if not paid by June XX, 2016, a lien will be filed on the property.
  - h. The letters in June will be sent via a Certified Letter to the offenders that a lien has been placed on their property.

1<sup>st</sup> letter certified will go out then we file lien on non-payments. Phil is checking on if we get letter back if not accepted. John Wilson said on foreclosure the bill stays with property so we can go after banks.

A motion was made to accept Phil Williamson's Financial Report.

M/S/C            John Wilson    Ken Buchheit    Unanimous

### **Officer Reports:**

- President's Report

### **Welcome**

With this Board's expected action this evening, we will be welcoming a new member to our team: Diane Wheeler. Diane, a long-time resident of the Village, comes to us with admirable credentials and much enthusiasm, to be our new part time Office Assistant. As you may know, our office duties and responsibilities have increased over time and this additional need has justified increasing the office staff. As always, our goal is to provide the requested and needed services to our community.

### **Communications tower**

As you know, this Board approved the replacement of the Benton County EMS tower located on Village property adjacent to the Tennis court. I have been in contact with Marshal Watson and he has reported that applications and permitting are currently in process with Federal, State, and Local agencies. The land survey and geo-tech work should take place in upcoming weeks. Once the engineering is complete, Marshal will provide us with a draft copy of the lease complete with drawings, for our review. Construction will not begin until we finalize and execute said lease.

### **Swimming Pool**

We received a request from Garfield Elementary School asking if we offered swim lessons at our pool during the summer. Some parents have asked because they didn't want to drive all the way into Bentonville. My investigation into the matter yielded the following:

- Anyone doing it for profit and offering it to non-members might be a problem. (Usage)
- Proper supervision would be required, both in the pool and the building. (Weak point)

- Proper indemnification would be essential. (Expensive)

Since a timely answer was expected, and based on these findings, I asked Tamy to respond 'no' to the request. I will open this up for discussion if anyone feels the answer should be 'Yes'.

Board has problem if someone giving lessons without our knowledge due to insurance.

### **Burn Pile**

Jason and I spent a day this past week getting the burn pile ready to be opened. The yard was so full that 6 hours of burning, which is a normal burn, only consumed about 30 to 40% of the pile. It will take another two days to complete the process at which time the gate will be programmed to accept members in good standing codes to allow access.

### **Esplanade/Gazebo**

After much analysis and guesswork, our plans to move the gazebo now located on Oak Shadows and Lodge to the Esplanade has been altered. An anonymous donor has offered to split the cost of building a new and smaller gazebo instead. Remember, the Gazebo is the symbol by which we identify and placing a new structure at the 127 entrance on our newly acquired common land sounds plausible. I will investigate the costs and bring a proposal to the next board meeting for consideration and possible approval.

- Vice President's Report – Nothing to report

### **Trustee Reports:**

- **ACC Liason** – Jon Testut

#### **Current Projects:**

- 2 Current

#### **New Projects:**

- No new inquiries

#### **Meeting Notes:**

- BS&P – discussion regarding penalties for failing to obtain ACC project approval. Suggested phrasing included: *Noncompliance with these requirements may result in penalties being assessed.*
- BS&P – clarification regarding 200 SF maximum size outbuilding before ACC approval/BC Permit required. Suggest reorganization of topic

- **Airstrip (Including Fly-In Event) - Ken Buchheit**

Nothing new to report at this time, except that we are planning crack fill operations hopefully before June's meeting. A few of the area pilots have expressed an interest to assist. As noted in last month's report, there should be no material purchases required. Some propane will be needed, but donation(s) should be able to pay most of that expense.

Please remind your friends and neighbors that the runway is active. We all need to take care as we walk on or near the strip. Thank you for your help.

- **Community Building** – Melvin Schoonover

Donation, Usage, and Deposits of Village Hall (Melvin)

Budgeting was discussed. How to properly budget when services are donated.

Checking about insurance for damage from sewer. A claim has been filed. Waiting to hear back from adjuster.

- **Covenant Compliance & Review –**
  - Phil Williamson, Committee Chair
  - Randy Haley – PMR
  - John Buhr – LBV
  - John Wilson – CAC

Phil Reported:

**Covenant Violations**

Updates as of Monday, April 25, 2016.

6 Covenant violations were discussed.

The CCC is going after abandoned property as it is hindering property prices.

Randy Reported:

Randy reported on 1 violator and action taken.

- **Legal and Insurance** – John Wilson, TA  
Lien discussed & insurance for sewer damage
- **Library** – Phil Williamson, TA  
Nothing new to report, things are running smoothly (may it always be so).

John Buhr Reported:

**Rec Center & Pool**

The pool was uncovered and drought online. All equipment operated without any repairs. Pool acid washing was completed and the pool refilled.

Everything is operating and efforts continue to balance the water prior to end of month opening. Current spend is about \$1,325. At this time no replacement chemical purchases have been made. A lot of cracking and tiles missing. Discussed the need to start getting fund starting to get pool repairs, replaced, etc.

**Rec Building**

This year's annual cleanup is scheduled for Saturday May 14, 2016 as noted in the April newsletter. Early next week an email blitz to the LBV distribution list will be made to re-communicate this cleanup. Also need to blow leaves off tennis court and trim around edges. Some trees above court may need to be trimmed.

**Dogwood Road Repair**

Repair work has been rescheduled during of week of May 9, 2016. A specific repair date has not been identified but will be coordinated with Benton County when set. The county will provide a backhoe that will be used to place rocks in the washout area creating a support wall. In addition, they have agreed to provide a dump truck of rock material.

**Fireworks**

Permit:

Meeting held with Tonya, Pete and myself on site. All permit documentation (shoot site map, Certificate of Insurance) has been attached to the application. Sheriff signature obtained and coordination for Fire Marshal signature. After signatures the permit application will be sent to Little Rock. Lake buoy's will be provided by NEBCO however if our primary date is delayed based on weather and moved to Sunday there is a conflict for fire boat coverage. Either date will have police boat coverage.

Funding:

LB Marina has pledged \$1,200 for this year and based on initial conversations expect that to be matched for a total of \$2,400 from both marinas. Plus \$250 from sailing club in Oct last year.

Contract:

2016 funding needs to be finalized prior to routing the contract for signatures including LBV President. Currently identifying any available funding from 2015 donations that can be added to the current targeted total of \$6,400. Business and individual donations are ongoing and will be used to increase this year's fireworks spend.

NEBCO – buoys/commitment for both days/only thing left. Band, ice cream, dj, etc completed.

Randy Haley (for PMR only)

- **Political** – Ken Buchheit - Nothing to report - Randy contacted Jerry Sheridan to address road conditions.
- **Property & Marketing** – Ken Buchheit

**Properties:**

We have a very interested party asking to purchase three of our lots in Posy Mountain. To effect the transaction I recommend a signed contract prior to deed preparation. One option is an "Offer and Acceptance" contract used by my business. See below. We will then need to prepare and file the deed. Fairly easy process, but some discussion over details required:

- 1) We have in the past charged a fee for deed preparation. Should we add a fee to the original price instead?
- 2) Should we add a clause referring the buyer to our covenants?
- 3) Real Estate taxes?
- 4) POA fee?

**Marketing:**

Nothing new in our Marketing campaign. Working with John Niernberger to attract some builders and maybe a developer to look at some of our larger areas. Still in discussion regarding a billboard. Costs are a concern, but still viable.

Also, looking for ideas or help designing a flyer to be placed in a few area retail store as well as at our annual events. Cost to prepare and print is reasonable, content is the problem. Any ideas for flyer contents? Suggested looking at flyers from hoa's in the area. Trying to get few advertisers to help pay for it.

Ken received call asking about size of home. They do not want that big of house and is causing problems selling the lots. To change home size will take vote from community. There is a hardship in covenants that the buyer could ask for.

- **Roads** - Randy Haley, Ken Buchheit (PMR)

Ken Reported:

More work on Goldenrod, Branding Iron and Tenderfoot. We had a total of four loads of red dirt fill delivered and placed on Golden Rod near the future park entrance. Three loads of stone placed on Golden Rod and a fourth load on Branding Iron. More sub-base grading done on Tenderfoot; however, no plans to purchase materials needed to build road at this time.

Material costs: \$ 1,881.65

Fuel and Repair: \$ 240.89

Equipment Costs: Donated by Randy and Ken:

Dozer delivery and work time, less operator and fuel: \$ 935.00

Tractor w/ blades (Randy will report)

With Jason's help, Goldenrod Park area is cleared as much as needed at this point. We will need to burn the trees and brush soon. Randy and I, with Jon's help, will plan a safe burn, but we could use some

additional help. Volunteers will be appreciated. A few neighbors and others have expressed positive comments.

Randy Reported:

On-going process on Goldenrod, approximately 5 hours' tractor time, cost would be about \$200.00 if we rented equipment. Our tractor was not set up and it was easier to use mine than travel time, switch equipment and take back, Ken and my numbers are ONLY here to show the need to budget equipment rental and that during good weather and equipment not down and such, the need to not try to do the budget divided monthly but our budget is a yearly budget.

Randy & Ken are going to talk to Kirk Schuenaman to see if he will make bbq – how much he would charge and if he would donate some of it?

Jon Testut Reported:

Roadwork: Dogwood Rock Wall (LBV)

No applicants responded to advertising for new maintenance man (Pea Ridge, newsletter). Discussed how to relieving Jon Testut's workload by getting quotes on mowing since there has been no applicants. Jon T will be calling a few people for quotes.

- **Maintenance –**

Jon Testut – Reported:

Roadside and Airport Mowing has started along with street sweeping.

The Winter studded snow tires have been changed for the Summer set. Obtained additional set of wheels for summer tires (easy swap).

- **Security Patrol – Phil Williamson**

Phil Reported:

April was a quiet month. There was one incident in Posey Mountain (dog versus cat) which was addressed by the Sheriff's Department.

There was a dog bite incident. The dog owner was in a rental property. Owner of property is being contacted.

Randy Reported:

New owner was home alone, neighbors were causing problems, running up and down the road in what seemed to be trying an intimidation tactic since she was alone. Cencom was contacted and had deputy sent out. There have been no other calls on that issue. A call was made to ask for a report and never received call back or report.

- **Tech Support – Jon Testut**

Planned upgrade of Office Administrator's computer from Win 7 to Win 10 failed due to incompatibility of motherboard. Plan 'B' is to replace computer in next fiscal year. This will bring all 3 office computers to WIN 10 OS compatibility.

Expecting to remodel website. Will be accepting suggestions for revamping

[WWW.LBVCA.COM](http://WWW.LBVCA.COM)

- **Water & Sewer Liaison – Melvin Schoonover – Nothing to report**

**Old Business (Status Update):**

- Emergency funding for Sewer Pipe and Rock Wall (Jon)
- Community Building Sewer Trouble
- Covenant Philosophy (John Wilson) – asking ACC tracks to adjust different areas; PMR was changed. Maybe call other areas and talk to people.
- Covenant Violation (Jon)
- Closing/moving Capital Improvement Fund account from Iberia to Arvest.

- PayPal Usage (Jon)
- 2016 Adopt-A-Highway program - agreement was already signed

**Tabled Items from Previous Meeting(s)**

**New Business:**

- Include or omit names in minutes to be published – On CCC violators.
- New Hire was approved. M/S/C Phil Williamson John Wilson Unanimous
- Donation, Usage, and Deposits of Village Hall (Melvin) – have all the users that use on regular basis sign agreement who is head of group. A non-resident is using facility and is. Do we allow this? Residents are getting benefit. Jon is going to talk to the non-resident. The Village Hall/Community Building reservation sheet has been revised.
- Covenant Responsibilities for New Construction - ACC

Recognition of Visitors & Visitor Comments (5 Minutes Allotted) Adjournment

Steve Bray – Thanked John Buhr for acid washing the pool. Asked about any recurrence of vandalism? There has not been any. He reminded the board to take before and after pix for Annual board meeting.

**Adjournment 9:10pm**

M/S/C John Wilson Ken Buchheit Unanimous

**The next Board Meeting will be June 13, 2016.**

Respectfully submitted by Tamy Niernberger, Office Administrator.

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Jon Testut, President

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Randy Haley, Vice President

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Phil Williamson, Secretary/Treasurer

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John Buhr

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Ken Buchheit

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John Wilson