

**Lost Bridge Village Community Association, Inc.**  
**Board Meeting Minutes**  
**April 9, 2018 @ 6:00pm**

Executive Session 5:30pm

Call to Order of Regular Meeting by President John Buhr @ 6:05 pm

Trustees Present:        John Buhr, President                Mary Gray  
                                      Jon Testut, VP                                Phil Williamson

Trustees Absent:        Ronnie McClellan

Agenda Approval/Discussion Agenda

M/S/C                Phil Williamson/Mary Gray/Unanimous

Recap of Executive Session: Items discussed.

1. Manufactured Homes:

Based on discovery of additional information this Board has “Rescinded” the March 10, 2018 Record Owners vote results to modify Lost Bridge Village Community Association (LBVCA) Covert Article X, Section Eighteen, regarding Manufactured Homes in the Posy Mountain Ranch and Deerwood Estate areas. Modification to this covenant has been stricken, therefore the existing covenant remains unchanged. Legal counsel has advised that Manufactured Homes can be resubmitted to the Board at any future session.

In an Executive Board Session, the motion to rescind this vote was made by Phil Williamson with a Second from John Buhr.

Discussion points raised:

1. NONE
- 2.

Board vote result: Votes were unanimous

2. LBVCA Covenant Modifications:

The Board approved effective April 9, 2018 no changes to LBVCA covenants will be made until an Ownership Notification / Communication Process has been developed and included in the LBVCA By-Laws Article II, Voting Rights, Meetings, Election of Trustees, Ballots and Proxies. This process will require Board approval prior to revising Article II.

In an Executive Board Session, the motion to rescind this vote was made by Phil Williamson with a Second from Jon Testut.

Discussion points raised:

1. NONE
- 2.

Board vote result: Votes were unanimous

## **Recognition of Members, Visitors, & Comments**

Carrie Webb – Like to thank the board for rescinding the vote. It is proof that the board can stand back and take another look

Tom Refshauge (M) - Would like to know the factors that caused the board to rescind.

BOARD ANSWER: John Buhr - after talking to our counsel, he will send out the reasons by email.

Micky Hawkins (M) – Have not seen reasons why vote was rescinded.

BOARD ANSWER: John Buhr – as just stated, after talking to our counsel, the reasons will be released.

Don Siemens (M) – I own property on unimproved roads in PMR and DWD. The issue that needs to be revisited is property value. The property owners that have a home and are on paved road want to keep their property value up and people own property on unpaved road want their property value to go up. We need to come up with a win-win so people with nice homes don't lose value, but the other people be allowed to have manufactured homes to improve their property value. I hope we can revisit approving manufactured homes.

BOARD COMMENT: John Buhr – as stated earlier, this can be reintroduced at the board meeting. This is not dead, what needs to be done is to resubmit it and how it will be communicated to all the impacted people.

Steve Bray (M) – I think everyone will agree that nullifying a vote of the membership is an extraordinary event. I understand there cannot be a lot of detail given right now. As soon as something is known or can be published, that the new information be included in the next newsletter, if not sooner.

Ken Buchheit (M) – When I was on board as Property & Management Trustee, in newsletters, I had asked what we can do to get interest in PMR and LBV. I got nothing. So, what do we do now? Let the place fall apart? Does anyone have any thoughts? What else can we do?

Gerald Williams, Heritage Homes of Springdale (V) – Stated his positive opinion about manufactured homes.

Tricia Necessary (M) – We own 17 lots and am a Realtor. Over the years, I have had numerous inquiries, listings of PMR lots. They are impossible to sell. Why is that: it is the size, no road, the location, they don't want to build a 1,500 sq foot home and manufactured homes are not allowed. Potential buyer would have to buy couple lots to be able to get water and sewer to be in compliance with the county health standards to put in the septic system. We need to find a solution for everyone. I have been on the board and I understand about the properties being devalued because of the existing manufactured homes not being maintained. There are other manufactured homes that have been kept up and some you cannot really tell if it is a manufactured home or not. We need to work together for a solution. I am shocked and appalled that we have rescinded a vote of the people. This is my major contention with this whole thing. How can this legally happen. By rescinding vote it will set a precedence for future boards.

BOARD COMMENT: Phil Williamson – We have done a lot of research with a lot of backing of what we did.

Micky Hawkins (M) – What made the board decide to do more research?

BOARD COMMENT: Phil Williamson – There was a lot of meetings held after the vote and then we decided to do more research which uncovered some things that were not brought to light at the get go. As we have said earlier, will communicate those findings as soon as they are available.

Lisa Moore (M) – I did not get a ballot but if I did I would have voted. We have covenants already and this is a beautiful place to live. We now have a 4-lane road coming out here. Do you realize how many more people that will bring to our area? My suggestion to Mr. Buchheit is to go build nice homes. It might take 2 or 3 lots to build them but start building the homes that meet our covenants. Then this mountain/village will continue to grow with beauty. The move is coming our way. Let’s stick with the covenants we have, and they work. The time is coming, the city is moving this way, let’s give them a beautiful place to live. I bought here because of the covenants.

Mark Mahony (M) – We have lived in PMR for over 20 years. Mr. Matlock built a couple of speck homes out in PMR. They were nice homes. They were built and sold, and he made money, nice money on them. I have a very nice home that I worked hard for. I don’t want to lose money on it just like everyone else. I just want everything to stay the same as it is.

Ken Buchheit (M) – For me to build a nice home where you have to have a Humvee to get to it, I will not make a nickel on it. When I was on the board, another trustee and I brought it to the board, we exempted all of unit 12 and anything on Posy Mountain Road. I think it was just to complicated to do. We had no intention of putting manufactured home next to nice homes.

Rick Phillips (M) – The problem is not with the class of people they manufactured homes will bring in, it is what is the house worth today and what it will be worth in 5 years. These people are land owners, they don’t have to live in PMR. For the people that purchased the land for an investment, you knew there was no road, no water when you purchased it. The average per sq ft of the manufactured homes will go down over the year and take all the property values down.

IN CLOSING: John Buhr – As stated at the beginning of the meeting, manufactured homes can be reintroduced at a future session, however until we modify our owner’s communication network in how the process will take place for awareness, we will not modify the covenants.

Steve Bray (M) – The boat access ramp is deteriorating. Looks like the patch work is coming apart. The whole thing needs to be redone just to the corps line. The county takes care of corps part. The board will take a look at it.

**Treasurers Report**

	<u>Mar 31, 18</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
1000 · CASH IN MONEY MARKET - 0172	109,136.90
1001 · CASH IN CHECKING - 7265	23,637.58
1003 · ARVEST CAPITAL IMPROVEMENT 0743	
1003-A · AIRSTRIP IMPROVEMENTS	1,096.80
1003-B · COMM BLDG IMPROVEMENTS	1,000.00
1003-C · VILLAGE HALL IMPROVEMENTS	1,707.56
1003-D · REC CENTER IMPROVEMENTS	5,114.66
1003-E · LIBRARY IMPROVEMENTS	146.78
1003 · ARVEST CAPITAL IMPROVEMENT 0743 - Other	<u>20,456.50</u>
<b>Total 1003 · ARVEST CAPITAL IMPROVEMENT 0743</b>	29,522.30
1007 · CASH CONTINGENCY M/M FUND 9016	52,868.99
1010 · BUILDING DEPOSITS	<u>35,175.00</u>
<b>Total Checking/Savings</b>	250,340.77

**First Quarter Year-to-Date Summary**

	Account	March Actuals	March Budget	\$ Diff
Assessment Income	4000	\$12,934	\$10,727	\$2,207
Donations	4100	\$1,070	\$0	\$1,070
Total Income		\$15,504	\$12,100	\$3,404
Maintenance	7200	\$2,843	\$3,120	-\$277
Rec Center	7400	\$749	\$465	\$284
General & Admin	7500	\$7,171	\$7,100	\$71
Community Building	7600	\$1,762	\$982	\$780
Roads	7700	\$1,147	\$2,503	-\$1,356
Capital Improvements	7900	\$0	\$0	\$0
Total Expenses		\$13,671	\$14,170	-\$499

**First Quarter Year-to-Date Summary**

YTD - March Actuals	YTD - March Budget	\$ Diff	2017 Annual Budget	% of Annual Budget
\$169,976	\$176,989	-\$7,013	\$198,641	89%
\$1,780	\$0	\$1,780	\$5,200	0%
\$175,020	\$182,894	-\$7,873	\$216,866	84%
\$9,134	\$8,557	\$577	\$55,354	15%
\$7,694	\$7,645	\$49	\$33,775	23%
\$17,500	\$21,752	-\$4,252	\$93,640	23%
\$3,068	\$2,942	\$126	\$11,780	25%
\$2,675	\$5,197	-\$2,522	\$18,317	28%
\$0	\$0	\$0	\$0	-
\$40,071	\$46,093	-\$6,022	\$212,866	22%

**Income:**

Assessment income was over budget for the month but still lagging year-to-date. Total income for March was also over budget thanks to a generous donation from Lost Bridge Community Church.

**Expenses:**

Overall expenses were below the budget for March  
 Accounts over budget - interesting note:  
 Rec Center - 7247 Propane \$475 in March, was budgeted for April for \$473  
 Gen Admin - 7502 - Payroll - extra pay period in March  
 Gen Admin - 7511 Late Fee write-off's \$278 - residents paying their fees but not the late fee  
 Comm Building - 7622 - Maintenance - \$650 over budget due to paint supplies and labor to paint basement

Motion was made to approve March's Financial.

M/S/C Jon Testut/Mary Gray/Unanimous

**Officers Reports:**

**President – John Buhr**

- No Report

**Vice-President – Jon Testut**

- No Report

**Ya we did that:**

- After the heavy rains of a couple of weeks ago, I have received positive feedback from several property owners that the debris that used to cover the roads, it did not this last time due to the cross-street culverts. So, some of our road work is paying off.

**Trustee Reports:**

**ACC Liaison – Jon Testut**

**ACC MEETING - April 9, 2018**

**Members Present:** John Niernberger, Chairman, Jon Testut T/A, Sam Reynolds, Hugh Fenner, Tom Pedano, Jim Haguewood, and Debby Overstreet

**Resignation:** Rich Brundage

**Guest:** Carrie Webb, Robbie & Rachele Howard

**Call to Order:** 9:00 AM

**Minutes:** February 5, 2018 and March 5, 2018 meeting minutes: Approved  
M/S/C Debby Overstreet Sam Reynolds Unanimous

**CCA B2 5 – Shop/Garage**

Property owner presented plans for a 30 x 30 shop building. Approval was not granted at this time due to needing a property survey and questions regarding the exterior building material. Debby Overstreet will visit with property owner to clarify what is and what is not permitted as far as metal products and invite them to return with the requested information if they want to proceed.

**TA Report:** None

**Chairman Report:** John received several inquiries throughout the month (none of which needed ACC action):

- Tiny House on Tenderfoot – turned out to be storage building
- Construction on Goldenrod – turned out to be gravel for the road crew
- CAC S1 70 – going to drill well on his Cedar Forest lots. Won't be presenting house plans until 2019.
- FHS B1 24 – Planning big remodel soon. Temporarily parking storage trailer on premises.
- Tree clearing of property between Oak Leaf and Shady Glenn (MOU S5 81-82).

**New Business:**

- Property across from pool – two story deck rebuild in progress and no permit issued. John Niernberger visited with property owner regarding subject repairs. Owner stated that he only replaced deck boards and didn't replace supports. Benton County told him that he did not need a permit for the described repairs. John will visit with Benton County for verification and see if they would consider doing a visual inspection.
- It was decided that there was no need to assess penalties for starting a project without a permit.

**Old Business:**

Manufactured Homes: Suspended indefinitely by LBV Board of Trustees.

Meeting adjourned at 10:45 AM

M/S/C Debby Overstreet Jim Haguewood Unanimous

Next meeting will be: May 7, 2018, at 9:00 AM

**Airstrip** – Jon Testut, TA

- Nothing to Report

**Community Building** – Mary Gray, TA

Spring Cleanup is scheduled for April 14, 2018. Ben will take the lead on the outside work. Board volunteers would be appreciated. Serfco treated the building for pest and mice on April 2<sup>nd</sup>. Tamy reported more mice than normal have been found in the traps.

Lost Bridge Community Church donated \$1,000 to the building. We plan on using some of the money to purchase a hot water tank to replace the current one in the bathroom that is not working. We are also exploring a new dehumidifier for the basement. John Buhr has a good one at home. He will get the information to Mary.

We are still looking for a bench for the money donated from Faith Marshall.

**Covenant Compliance & Review**

Phil Williamson, TA – LBV

Working with homeowner on Redbud who has a renter that recently moved in and has accumulated larger amounts of "stuff" highly visible from Hickory. Owner told me that they have two weeks from March 23 to clean it up or she will have them evicted.

A resident on White Oak was bitten twice by a dog while out for a walk. The resident talked with the owner (who was truly sorry for the incident). I spoke with both parties and the dog's owner has assured me that he will have the dog under his control, on a leash, going forward. Should this be

reported again, Benton County Animal Control will be contacted.

A resident reported an outdoor theater of some sort that was watching movies until 3am.

Ronnie McClellan, TA – PMR

- NO REPORT TURNED IN

**Legal and Insurance** – Phil Williamson, TA

Legal

Nothing new to report

Insurance

Nothing new to report

**Library** – Mary Gray, TA

No report submitted by librarian.

**Parks and Recreation** –

No report submitted

**Political** –

No report submitted

**Property & Marketing** –

No report submitted

**Roads & Maintenance** – John Buhr, TA/Jon Testut, TA/Randy Haley, TA (PMR)

Jon Testut, TA

- Listed old Bush Hog Rotary Cutter on Craig’s list for \$350, received \$250.
- Dismounted winter studded tires and mounted summer tires on truck.
- Removed spreader and plow from truck.
- Purchased two new rear tires for Zero Turn mower
- Wired Maintenance building for additional electrical outlets as required
- Wired old maintenance building also.

**Security Patrol** – Phil Williamson, TA

**LBV:**

Nothing new to report

**PMR:**

- NO REPORT TURNED IN

**Social** – Mary Gray, TA

Italian Dinner scheduled on April 7, 2018.

**Tech Support** – Jon Testut, TA

- Nothing to report

## Water & Sewer Liaison –

- NO REPORT TURNED IN

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

- Covenant Change - Phil, Mary, and Jon will read over the rest of the covenants to check for typos and get back with Tamy. Do we have the approval to go ahead and do this? John Buhr said we need to get this buttoned down.
- Pool Manager – John Buhr – We got contracts from the 2 people that Corey had contracted with. Their contracts have been executed. Bill, the prior manager is willing to work with us to open the pool and do some training. I will be working out a compensation with him. He can help us out until July 4<sup>th</sup> week.
- Rental Property Leadership Team update - John Buhr – this was based on rental property. Why do they pay same assessment fee as all the others? Would like to table this and pick this up later.

### **New Business:**

- **ACC member resigned** – Jon Testut - need to look for some more volunteers. We have some in mind.
- **New board member needed** – John Buhr – need to submit a bio to the board. The position is for the rest of the year. Would have to run again next year.

Discussion item: Earlier in a discussion, a property owner said the board did not follow the covenants correctly. Phil asked what the board did not follow correctly.

There were 2 things. On 9/11/18 board meeting regarding manufactured homes, the board president asked for a special meeting. If you refer to our bylaws, Article 2, Section 3 “*Special meetings of the Record Owners may be called by the President, the Board of Trustees or by petition of fifty (50) percent plus one (1) or more of the Record Owners in good standing. The purpose of the meeting is solely for the discussion of issues pertaining to the petition. Written or printed notice stating the place, date and time of the meeting shall be delivered to all Record Owners in good standing, not less than ten (10) days before the date of the meeting...*”. The president called for a special meeting but there was no deliver of notice of the special meeting. According to president it was not supposed to be an owner’s meeting it was a meeting for the board. It was not conveyed as such legally so is a violation of the bylaws.

The second item is when the ballots were due. The ballot included both manufactured homes and the trustee vote. The ballot for the board of trustee was due no later than 4:00 p.m. on the day prior to the Annual Meeting. The board called for the ballots to be due the 6<sup>th</sup>, 4 days prior to the annual meeting.

There was a discussion about paying in installments.

### **Adjournment**

A motion was made to adjourn.

M/S/C                      Phil Williamson/Mary Gray/Unanimous

### **Adjournment at 7:50 pm**

**The next Board Meeting will be May 14, 2018.**

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John Buhr, President

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Jon Testut, Vice President

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Phil Williamson, Secretary/Treasurer

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Mary Gray

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Ronnie McClellan (absent)

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(Open)

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(Open)