

**Hot Springs Village Townhouse Association**  
**Working Session of the Board of Directors**  
**January 7, 2020**

The Board of Directors Working Session was called to order by President Julianne Henderson at 9:30 am. The Pledge of Allegiance was recited. Charles Derryberry led the prayer. Board members present were Julianne Henderson, O.J. Miles, Larry Draeger, Charles Derryberry, Larry Patrick, Dennis Simpson, and Sandy Smith. Joan Smith is recovering from surgery and unable to attend. Jean Woodworth provided a proxy. There were 8 audience members in attendance.

The new members of the Board's Executive Committee were introduced and welcomed, as well as the new Board Director, Dennis Simpson. Julianne Henderson is President. Charles Derryberry is Vice President. Sandy Smith remains Treasurer and Joan Smith continues as Secretary.

Sandy Smith, treasurer, presented (for Joan Smith) the minutes from the December 3 Working Session meeting and the December 13, 2019 Voting Meeting to be voted on at the Voting Meeting on January 17, 2020.

Sandy Smith, treasurer, no report none at this time.

Taylor Horton with First Arkansas Insurance had called to say he could not attend the meeting because of illness but plans to be at the January 17<sup>th</sup> meeting.

Dick Smith was officially introduced as the new THA General Manager.

Gary Smith, reporting for the SC&C relayed there's nothing to report since the last meeting. The leaf issues are under control. He plans on scheduling an SC&C meeting sometime in February for all the court representatives. Court reps comprise the Standards and Control Committee.

Dennis King, chairman of the ARC, reported there are two outstanding situations:

1. A privacy fence on a deck between two units in Madrid was removed and then the owner sold the unit. There are questions about the need for the divider and who should pay for replacement. In addition, the SC&C may have to be involved because Dennis said he knows of no ARC requirement for the fence.
2. There has been a meeting with a contractor concerning some owners in Castellon who want to replace shake siding shingles on the second story their townhouses with a poly or vinyl product. The quality is, purportedly, "outstanding." Dennis Simpson said the original shake shingles are beginning to fall off the units. This is not a paintable product. As with paint colors, the office will have the pertinent info in the office if applicable.

Regarding the Ad Hoc Collections Committee, Gary Smith said, again, there's not a whole lot to report. There are a couple of auctions scheduled, one on January 15, 2020. There are a number of liens and judgments in place. Melissa, in the office, is doing a great job of keeping on top of the short term past dues, contacting owners each month. This is something that hasn't been able to be done for a number of years prior. Gary acknowledged that the THA may have to write off certain accounts because there may never be a chance to collect them. He said the THA should get them off the books. Sandy Smith explained that legal expenses are a shared cost to all the courts, not just the one the delinquent property is located in. Dennis Simpson asked what "long-term" refers to. It's two years per Gary.

Charles Derryberry, Legal Ad Hoc Committee, said he has only received Christina (Counts) Bates' deposition. He will now review her contracts. The Divino Courts' proceedings is in "limbo". Charles clarified the Arkansas' "at will" law does not apply to contract workers, only employees.

In Old Business, General Manager Dick Smith reported, regarding the burned-out units on Destino Way, a POA inspector said there are a number of empty slabs throughout the Village. There is an issue with how much the insurance company will pay which may impact re-building. Dick said it may be necessary to fill in the hole to eliminate someone falling into

it. The adjoining owner at #22 cannot begin re-building until there is a common wall at #20 to attach to. Someone has purchased #18.

There is nothing new at this time regarding the ditch in Majorca 2. The THA and the POA (Jason Temple) will continue to have meetings to determine responsibility for common sidewalks, sewer lines, etc. Definitions of these typical POA responsibilities can be found in the POA Declarations in Article 4. Bob Peterson, former Board Director and President explained that the THA met with the POA at the time the Guadalajara bridge was constructed. He said the POA pulled maps and easements and they worked together in cooperation. He said the facts cannot be overridden by someone's opinion.

Julianne Henderson relayed that the POA asserts it has been granted total authority from county officials over solid waste in the Village. In December 2015, the POA agreed to discontinue picking up THA trash and gave that responsibility over to the THA. It was reported that Jason Temple (POA) might talk with the owner of Superior Sanitation to buy him out. However, the THA now has a contract with Superior Sanitation through 2027. THA consensus is that the THA is extremely happy with the current service and has no desire to change it. Jason Temple reportedly said the POA could charge Superior for "road usage" since it has responsibility for street maintenance. Julianne reiterated that Superior's contract is through 2027 and as long as the contract is in effect, there should be no problem.

The agenda was set for the Voting Meeting on January 17, 2020 at 9:30 am here in the THA Community Center. Julianne Henderson made a motion to adjourn. Dennis Simpson seconded. It was passed unanimously. The meeting was adjourned at 10:30 am.