

RIVER BEND PARK BOARD MEETING MINUTES

August 9TH, 2021

1. ROLL CALL

Meeting was called to order by President J.W. White at 6:36pm.

Board members in attendance: J.W. White, Rick Cooper, Jackie Ragan, Kimberly Bondi, Ryan Holder (entered late), Thomas Smith and Arlen Whitley

2. ANNOUNCEMENT OF ANY SPECIAL ORDER OF THE DAY

None

3. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

A motion was made by Mr. Ragan to approve the July 2021 board minutes as written unless there are any changes needed. Seconded by Ms. Bondi.

The following board members voted aye: Rick Cooper, Jackie Ragan, Kimberly Bondi, Thomas Smith, Arlen Whitley

A total of 5 votes were cast – Motion carried

4. APPROVAL OF FINANCIAL REPORT

A motion was made by Ms. Bondi to approve the July 2021 financial statements as reported. Seconded by Mr. Whitley.

The following board members voted aye: Rick Cooper, Jackie Ragan, Kimberly Bondi, Ryan Holder, Thomas Smith, Arlen Whitley

A total of 6 votes were cast – Motion carried

Ms. Bondi made a motion to publish the Aging Report on the website with a password, just like the financials. Seconded by Mr. Whitley. The following board members voted aye: Rick Cooper, Jackie Ragan, Kimberly Bondi, Ryan Holder, Thomas Smith, Arlen Whitley. Motion carried.

5. REPORT OF THE PARK MANAGER

Jericho Smith reported the following:

- The pedestals are now on battery backup. It will last about an hour, but normally, power comes back on before then. The cameras at the guard shacks are also connected to the battery backup.
- New cameras have been put up at guard shack 5.

- The railing in block 2 has been fixed. The fence around the pool needs repaired.
- There is a leak in the block 9 pool, working on finding where it is.
- The majority of the common areas have been fenced off.
- The abandoned campers have been moved to the side by the train tracks and off the common area. Mr. Whitley commented on how good the park looked over the weekend.

6. REPORTS OF STANDING COMMITTEES

None

7. REPORTS OF SPECIAL COMMITTEES

Mr. Ragan made a motion to approve the ballot for the 2021 Board Elections. Seconded by Mr. Whitley. The following board members voted aye: Rick Cooper, Jackie Ragan, Kimberly Bondi, Ryan Holder, Thomas Smith, Arlen Whitley. Motion carried.

Ms. Bondi asked if Thomas Smith should also be on the ballot because his Bio wouldn't be turned in within the 45 day limit, but he was appointed within 30 days of the election. Mr. Ragan explained and read from the bylaws the reason he does not have to be included on the ballot.

8. OLD BUSINESS

None

9. RESOLUTIONS PREVIOUSLY TABLED

None

10. NEW BUSINESS

Mr. Cooper stated he would like the POA to vote on to either allow or ban dirt bikes. He is worried about them being a safety issue, they do not have lights for night riding, speed factor, noise factor, they ride over people's yards and on common ground. He would like this to be discussed at the Special POA Meeting.

Mr. Ragan made a motion to accept a resolution to put liens on lots that have not paid past electric or assessments. There was discussion about how long ago this should start. It was brought up that the POA had voted some time ago about the 2 year waiver also. It was brought up that past electric should be within the past 3 years. Seconded by Mr. Holder. The following board members voted aye: Rick Cooper, Jackie Ragan, Ryan Holder, Thomas Smith, Arlen Whitley. The following board members abstained: Kimberly Bondi. Motion carried.

Mr. Ragan made a motion to accept a resolution to not allow any rafting/canoeing companies into the park, except for an emergency. Seconded by Mr. Cooper. The following board members voted aye: Rick Cooper, Jackie Ragan, Kimberly Bondi, Ryan Holder, Thomas Smith, Arlen Whitley. Motion carried.

Mr. Ragan brought up the trussell and the culvert under it going towards the creek. The supporting concrete is falling off and it is washing out underneath the concrete pad. Mr. Ragan asked Mr. Jericho Smith to look at it to see what could possibly be done.

Ms. Dawn Craft asked if block 6 could put a basketball court in near the bathhouse. She stated that they are not asking for park money, that block 6 people will be donating and doing the work. It will have to be away from the leech lines because concrete needs to be poured. Mr. Ragan made a motion to allow a basketball court be put in block 6. The plans need to be run by Mr. Jericho Smith for approval. Seconded by Mr. Whitley. The following board members voted aye: Rick Cooper, Jackie Ragan, Kimberly Bondi, Ryan Holder, Thomas Smith, Arlen Whitley. Motion carried.

11. MISCELLANEOUS AND UNFINISHED BUSINESS

Ms. Bondi made a motion to go into Executive Session at 7:57pm. Seconded by Mr. Holder. All board members voted Aye.

The board came out of Executive Session at 8:33pm.

12. ANNOUNCEMENTS

In regards to the speeding incident that occurred on 07/31/2021, the minor involved has been banned from the park for the remainder of the year.

The Lot Auction is being held at 9:30am on August 14, 2021.

The Special POA meeting is being held at 12:00pm on August 14, 2021.

Mr. Holder reminded everyone to be conscious of Covid being rampant again and to follow all guidelines.

13. EXCUSED BOARD MEMBERS

Mr. Ragan made a motion to excuse Jeremy Glass from the meeting. Seconded by Ms. Bondi. All board members voted Aye.

14. ADJOURNMENT

Mr. Ragan made a motion to adjourn the meeting till the next scheduled meeting which is on September 13, 2021 at 6:30pm via Zoom. Seconded by Mr. Whitley. Motion passed by majority verbal Ayes. Meeting adjourned at 8:42pm.

Resolution

No. 20210809

WHEREAS, Arkansas has established laws stating the rights of a HOA/POA, so that when property is acquired that falls under the jurisdiction of a HOA/POA the new owner is bound and inherently accepts the rules, regulations, bylaws & restrictions of the HOA/POA.

WHEREAS, each current property owner and new property owner is given and/or has readily access to the current Rules & Regulations, Bylaws and Declaration of Restrictions as recorded in the courthouses of Sharp County, Arkansas and Fulton County, Arkansas.

WHEREAS, **Bylaws of the River Bend Property Association Article V, Section 1** "Right of Assessment" states: "*The board shall have the responsibility to levy and provide for collection of annual assessments*". **Article X** "Assessments of Common Expenses" states: "*power to enforce the provisions of Paragraph 9 of the Declaration of Restrictions recorded on 15th day of November, 2019 book 2019, page 17891 in Sharp County, Arkansas and book 2019, page 4851 in Fulton County, Arkansas.*" **Article XI** "Default in Payment of Assessments" states: "*Each assessment and each special assessment made pursuant to these Bylaws shall be separate, distinct and personal debts and obligations of the owners. Suit to recover a money judgment for unpaid common expense levies may be maintained in the name of the Association by its officers.*"

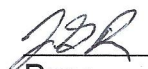
WHEREAS, **River Bend Addition to the Bluffs on Spring River Subdivision Correction to Declaration of Restrictions** as recorded on the 15th day of November, 2019 book 2019, page 17891 in Sharp County, Arkansas and book 2019, page 4851 in Fulton County, Arkansas **Paragraph 10.** "Enforcement of Restrictions" states: "*...All charges to a lot or property's owner by the River Bend Property Owners Association, Inc for unpaid assessments...shall become in lien against the real property, or personal property sold should the owner fail or refuse to pay charges. Court costs, attorney fees, lien fees, and other expenses incurred by River Bend Property Owners Association, Inc. shall be the obligation of the property owner and enforceable and collectible as any other charges.*"

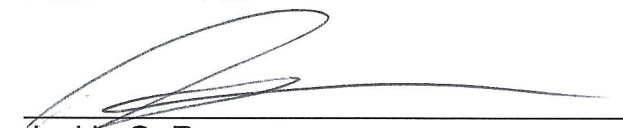
WHEREAS, As required by Arkansas law, River Bend Property Owners Association, Inc. Bylaws and Declaration of Restrictions each property owner is required to pay all Annual Assessments, Special Assessments, Utilities Charges, Fees and Special Fees as assessed by the River Bend Property Owners Association, Inc. and its Board of Directors. Any Property Owner refusing to pay by the specified time frame is in violation of the aforementioned.

WHEREAS, Property Owners failing to pay their respective debts with the association has created an undue burden on the association as a whole and has created a cause for immediate remedies of the respective debts specifically as resolved below.

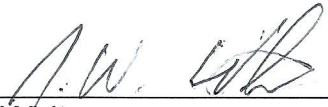
NOW THEREFORE BE IT RESOLVED by the River Bend Board of Directors that each property owner failing to pay their Annual Assessments, Special Assessments, Fees, Special Fees or any other charges owed to the association and going into default after the specified timeframe a Lien will be placed on the property owners' respective lot(s), the debt will be placed on the owner's personal credit, a lawsuit will be filed and/or the debt will be turned over to a collection agency.

Introduced this 9th day of August, 2021 by:
Jackie G. Ragan, Board of Directors

 _____ this 9th day of August, 2021 as attested by:
Pass Fail



Jackie G. Ragan
Secretary



J.W. White
President

Resolution
No. 202108091

WHEREAS, River Bend Property Owners Association, Inc and all properties contained inside are private property.

WHEREAS, it has come to the attention of the Board of Directors that private companies have used River Bend Properties to drop off and/or pick up individuals for float trips.

WHEREAS, this creates an immediate concern for the welfare and liability of each property owner, their respective properties and the association.

NOW THEREFORE BE IT RESOLVED that due to the seriousness, immediate danger and liability to River Bend Park, all canoe, rafting, tubing, kayak, etc. companies are not allowed to use River Bend Park properties. Any company caught using River Bend Park properties will be immediately reported to the local authorities for trespassing, and charges will be pressed. Any property owner allowing or contributing to access will be immediately reported to the local authorities for allowing unauthorized access, and charges will be pressed.

Introduced this 9th day of August, 2021 by:
Jackie G. Ragan, Board of Directors



Pass

Fail

_____ this 9th day of August, 2021 as attested by:



Jackie G. Ragan
Secretary



J.W. White
President

RIVER BEND PARK BOARD SPECIAL MEETING MINUTES

SEPTEMBER 4TH, 2021

1. ROLL CALL

Meeting was called to order by Secretary Jackie Ragan at 9:00am.

Board members in attendance: Jackie Ragan, Kimberly Bondi, Jeremy Glass, Stacey Okert and Arlen Whitley

2. ANNOUNCEMENT OF ANY SPECIAL ORDER OF THE DAY

After calling the meeting to order, Mr. Ragan turned it over to the Election Committee Chairperson Candace Bielens. Voting started at 9am and continued until 11am. The board recessed until the results were confirmed.

The board reconvened at 1:00pm. The election results were 26 Yes votes and 2 No votes for Jeremy Glass. Ms. Okert motioned to accept the results. Seconded by Ms. Bondi. All board members voted Aye.

3. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

None

4. APPROVAL OF FINANCIAL REPORT

None

5. REPORT OF THE PARK MANAGER

None

6. REPORTS OF STANDING COMMITTEES

None

7. REPORTS OF SPECIAL COMMITTEES

None

8. OLD BUSINESS

NoneOp

9. RESOLUTIONS PREVIOUSLY TABLED

None

10. NEW BUSINESS

None

11. MISCELLANEOUS AND UNFINISHED BUSINESS

None

12. ANNOUNCEMENTS

None

13. EXCUSED BOARD MEMBERS

Ms. Bondi made a motion to excuse board members J.W. White, Rick Cooper, Ryan Holder and TJ Smith. Seconded by Mr. Glass. All board members voted Aye.

14. ADJOURNMENT

Mr. Glass made a motion to adjourn the meeting. Seconded by Ms. Bondi. Motion passed by majority verbal Ayes. Meeting adjourned at 1:02pm.

RIVER BEND PARK BOARD SPECIAL MEETING MINUTES

SEPTEMBER 7TH, 2021

1. ROLL CALL

Meeting was called to order by President J.W. White at 6:15pm.

Board members in attendance: J.W. White, Rick Cooper, Jackie Ragan, Kimberly Bondi, Mary Beth Dodd, Jeremy Glass, Ryan Holder (after roll call), Stacey Okert and Thomas Smith

2. ANNOUNCEMENT OF ANY SPECIAL ORDER OF THE DAY

Mr. Ragan explained to Mr. Cristofori that his minor son is not allowed to drive around the park at all. He is not allowed to drive on any common ground, not use the pools or bathhouses, and not use any other park facilities. He is only allowed from the gate to the lot in a vehicle that the parents are driving. Mr. Ragan stated that he was seen driving around in block 6 doing donuts, he was near the park area driving erratically and was also seen in the block 9 pool.

Mr. Cristofori stated that he was told after they had paid the damages, that his minor son would be allowed to use park privileges. He said that a board member told his minor son that. The board stated that was not true.

Mr. Cristofori stated that he was taking the 4-wheeler out of service. He said he did not realize his minor son was doing all that he was. He asked that if anyone sees anything in the future, to please let him know.

Ms. Okert made a motion to allow Mr. Cristofori on more chance to control his minor son's actions within the park. If the minor son is caught doing anything other than sitting on his lot, then all services for the whole family will be suspended. Seconded by Mr. Glass

The following board members voted aye: Rick Cooper, Jackie Ragan, Kimberly Bondi, Mary Beth Dodd, Jeremy Glass, Ryan Holder, Stacey Okert, Thomas Smith

A total of 8 votes were cast – Motion carried

Mr. Ragan asked to go into Executive Session at 6:24pm. Seconded by Mr. Cooper. All members voted Aye.

Board members exited Executive Session at 6:45pm.

Mr. Ragan made a statement that the board discussed the extent of the suspension should it occur for Mr. Cristofori.

3. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

None

4. APPROVAL OF FINANCIAL REPORT

None

5. REPORT OF THE PARK MANAGER

None

6. REPORTS OF STANDING COMMITTEES

None

7. REPORTS OF SPECIAL COMMITTEES

None

8. OLD BUSINESS

None

9. RESOLUTIONS PREVIOUSLY TABLED

None

10. NEW BUSINESS

None

11. MISCELLANEOUS AND UNFINISHED BUSINESS

None

12. ANNOUNCEMENTS

None

13. EXCUSED BOARD MEMBERS

None

14. ADJOURNMENT

Mr. Dodd made a motion to adjourn the meeting till the next scheduled meeting which is on September 13, 2021 at 6:30pm via Zoom. Seconded by Mr. Ragan. Motion passed by majority verbal Ayes. Meeting adjourned at 6:50pm.

