



An Opinion Re: Disqualification of Board Candidate In 2022 Election

Description

This article is categorized as an opinion piece, written in regard to the January 24/26, 2022 West Gate incidents involving a now-former Board Candidate who is also a former HSVPOA Board Member and the subsequent action taken by the Hot Springs Village Board of Directors. This incident is [well documented](#) on this website and in the Village Voice. I hesitated in writing this article, torn between the desire for this whole matter to just die down and my desire to set the record straight on some of the unfair accusations being made. While I consider my opinion on this matter to be based on facts, some folks may not.

Someone recently mentioned to me that they feel the Board has taken away POA Members' rights to vote in the upcoming 2022 Board election by disqualifying a Candidate who is no longer a member in good standing. The HSVPOA governing documents are clear on this matter.

The Board is obligated to uphold the governing documents. If the Board did not follow the governing documents, then every single individual in this Village could pull the same inconsiderate and possibly dangerous stunt that this former Board Candidate did. If this former Board Candidate is not required to follow the rules and policies of the Association, then none of us are required to do so. The Board sought legal counsel on this matter and has followed that professional legal advice.

On January 26, the former Candidate held up traffic at the West Gate for 13 minutes, refusing to move his vehicle so others could get by. I personally know someone who was in that line of stagnant traffic. She is the caretaker of her husband. Her husband called her while she was out because he had fallen and she was trying to return home to him. She was detained in that line. I can't even begin to imagine how frustrated and anxious she must have felt.

Purposefully holding up traffic at the gate for any length of time is not only inconsiderate but could also be dangerous. The former Candidate clearly understands that the gate employees have no authority to detain him. The gate employees are not law officers. The former Board Candidate made his understanding of this matter very clear and it is stated in the public record that he does understand this. At any time, he could have moved his vehicle to the side in the parking spaces that are designated for this type of thing until his situation was resolved. The gate personnel asked him to

move. The Candidate refused to do so, choosing to hold up a number of people for 13 minutes so he could make his point about free stickers or not wanting his card scanned or whatever he was protesting.

I believe in people's rights to protest, but I do not agree with the former Candidate's method of protesting at the gates. There are a number of legitimate ways to protest and what this former Candidate did was not one of them. The Board did not take away Members' choice in the 2022 Board election. This former Candidate took away the Members' choice with his actions on January 24/26.

Originally, there were six people who were certified to run in the election for three Board Positions. Due to the upcoming resignation of Board Member, Chris Jones, the fourth seat opened up. One Candidate withdrew from the race because of legitimate personal reasons. One Candidate was disqualified due to no longer being a Member in good standing. We are now left with four candidates to fill four upcoming open Board seats. This is the reason there is no longer the need for an election.

The governing documents clearly state there will not be an election if there are not more candidates than positions.

How can we blame the Board for upholding the governing documents? Are they supposed to make an exception for individuals because as this former Board Candidate publicly stated he deserves respect because he is a former Board Member? As a human being, this person is every bit as special as any of us but is not any more special than the rest of us. He should not expect preferential treatment at the gate.

The former Board Candidate chose not to buy a sticker and actually had been using his "Board Member" card to get into the village for two years now. Since he is no longer on the Board, in my opinion, this has the appearance of the impersonation of a sitting Board Member.

Because the gate personnel has recently been required to start scanning POA ID cards (recently tightened security procedure which was published) the former Board Candidate was required to use his POA ID card when entering the gates, as this individual did not have a current window sticker. He refused to let the gate personnel scan his POA ID card.

The gate personnel enforced gate procedures on January 24/26. We cannot blame the Board or the gate personnel for upholding POA policy. I do not think the Board Members took their decision lightly and it had to be an uncomfortable one for them to make. Once this former Board Candidate decided to block traffic at the gate, he set this whole situation in motion. The Board didn't cause this situation. Only one person is responsible for what initially happened.

Again, this former Board Candidate, unfortunately, made some choices that started this runaway train of events. We should blame him for taking away our Candidate choice, not the Board. We either want the Board to follow the POA governing documents or we don't. In doing so, there is no gray area where the Board can say they want to follow the rules part of the time and part of the time they don't.

Having said all of that, I am extremely sorry this happened. I have watched this situation unfold since nearly the beginning and it has caused a rift in this community.

Villagers have been requesting for a few years now that the POA tighten gate security; the POA has listened to us and is doing just that.

Cheryl Dowden, Hot Springs Village People, February 27, 2022

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Date Created

02/27/2022

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