

BOARD PASSES
ASSESSMENT MOTION
RAPID RECOVERY
 **OPTION ONE**

Board Passes Assessment Motion – Rapid Recovery Option 1

Description

The Hot Springs Village Property Owners Association Board of Directors held a Special Board Meeting on August 25, 2021, for the purpose of an assessment vote.

Sitting at the table:

Board Members: JoAnne (Joanie) Corry, Chair; Tucker Omohundro, Vice-chair; Robert (Bob) McLeod; Chris Jones; Gary Belair; Pamela (Pam) Avila

Staff: Stephanie Heffer, Corporate Secretary and Director of Programs and Operations; Coreena Fetterhoff, Corporate Treasurer, and Controller; John Paul, Interim General Manager; and Katrina Heap, Administrative Assistant to the GM

Additional Meeting Attendees:

Staff: Jason Temple, Director of Public Services; Paul Moore, Audio-Visual Manager

Note: what follows is a transcription of the meeting, which is deemed to be close, but not guaranteed to be perfect.

Executive Session

Corry: We had an Executive Session on 8/24, yesterday to discuss the assessment that we are going to vote on today. It is part of the financial health of the Village and that is why we had the executive session. Could I have a motion to approve the Executive Session minutes?

Avila: Moved

Jones: Seconded

Motion passed unanimously

Current Business

Corry: Our current business today is solely concerned with the assessment vote. And today the Board will be voting to accept a recommendation from the Future Revenue Analysis Task Force for an assessment increase. The decision was not made without considerable discussion, consideration of all possible options and the ramifications, and an understanding of the role of the Property Owners in the final decision. Our decision is based on very considerable depth and analysis performed by the FRATF, as well as input and comments from Property Owners.

Corry: The voting will be on Task Force Option 1 – Rapid Recovery and the details are on the screen behind me. [See below]

Corry: Through multiple media outreach efforts over the past eight months, Property Owners have been informed about the magnitude and complexities of the Village, itself, as well as the funding required to keep it running from day-to-day and maintain it over the long haul.

Corry: Property Owners have had the opportunity to participate in the process through nine eblasts and infographics, eight public meetings, and four forums held by the Task Force, plus numerous articles in the Village Voice. In addition, a special email box was set up, "yourvoice@hsvpoa.org" so that Property Owners could submit suggestions for increasing revenue and controlling expenses. More than 300 emails were received, recorded, and vetted.

Corry: This Board is 100% committed to the monies from this assessment increase going for critical infrastructure needs, some of which have been deferred for far too long. To ensure that future Boards adhere to this commitment, we are developing a policy that includes safeguards around the assessment increase funds.

Corry: We are currently working with the Task Force, with the Finance and Planning Committee, our Controller, and our legal advisors on the correct wording and form of the policy.

Corry: This policy will be put into place before the assessment vote.

Corry: In addition, the Board intends to grow the trust and confidence of Property Owners through consistent reporting on the expenditures of the assessment increase funds.

Corry: The vote today by the Board puts the future of the Village squarely into the hands of the Property Owners, themselves.

Audience Comments

Corry: At this time we are opening the meeting for comments from those attending here today. We will adhere to the three-minute rule and we will close the floor for comments at around 10:00. We will then have a motion and second by the Board and vote on it. So, is there anyone in the audience that would like to make a comment? If you would, do we have a sign-up sheet?"

Heap: Answered in affirmative regarding sign-up sheet

Tom Ament: My name is Tom Ament and I live at *** in Hot Springs Village, Arkansas. I wanted to tell you today that there was a letter in the Voice from me regarding the assessment increase and it is generated from a previous Villager commenting about, 'we had time to wait.'

Ament: In my urgency to get it over to the Voice, I left out a critical word. And if people read it, it looks it says, 'we can wait.' I am correcting it now and it will be corrected in the Voice. We cannot wait for an assessment increase. We must do it now. We have had more than enough study.

Ament: However, while I was in favor of Option 3 from the FRATF committee, I will certainly get behind this because of what I heard this morning about [what] you will tell us and put in place a policy [of] how you're going to spend the money and then you are going to report back to us.

Ament: It is a jump and it has happened before. But we can get this done and we must get it done because we cannot wait any longer. Thank you for your time and I am sorry for the confusion.

Corry: Thank you. It is nice to have that confusion cleared up and we appreciate that. Anyone else?

Laurie Rushing: My name is Laurie Rushing and I am a homeowner here in the Village. Been here about two years now. Former state representative and a realtor in the area. And I just wanted to, as I am looking at the option that y'all chose, I want to applaud you for making this decision and kind of taking out that \$1,500 towards the new homeowners. We appreciate that. I do see – I am very much in favor of this dues increase because even when I moved here, I realized how low we were in comparison to the amenities that we get and I appreciate all of your hard work.

Corry: Thank you. Anyone want to respond to that.

Omohundro [clarifies]

Omohundro: The member buy-in fee is not off the table. That is not a vote of the community. That is a vote of the Board, so we just want to be clear on that. This is what has to be voted on by the Members. Fees and things of that nature are actually decided by the Board, so I don't want to be – anybody to be misled in that area. That's not off the table.

Corry: Okay, anyone else?

Melinda Noble: My name is Melinda Noble. I live at *** and I was hoping I'd never have to go to another one of these meetings.

Noble: I have said all along that we're either going to have to not be a community like we have or we're going to have to raise the dues or POA fees or whatever you want to call them. And we do need to raise them. I don't have a problem with them being raised. I didn't have a problem with a one-time assessment, which I still don't know, might not be the best way to go. But anyway, the question is, you can have a policy for this Board that will do whatever you say the policy will do, but what is going to keep that policy in place when y'all are all gone – because I've seen a lot of changes in the ten years I have been here. And a policy is not worth the paper it is written on. You know it and I know it. So

what's going to lock someone into a policy and not bring us back to where we've been? And we all know what happened and I don't want to see it happen again. I see that the POA is out buying lots again. How will these lots be voted? Or can they be voted, when this comes up for vote? I'd be interested in knowing how many lots the POA owns and if they can vote those lots and what's going to be put in place to make sure that this doesn't change with another Board or four years down the road? And when we vote, will we be voting on three years? I mean instead of a vote having to come up? So this will be a package deal?

Corry: Yes, it will.

Noble: Thank you.

Corry: Thank you. I'll take the first crack at it. We understand exactly what you said. Future Boards can do what they want. We don't control them. We can't control them and we won't all be on the Board for those three years.

Corry: So first of all I do want to say that you will, Chris and Robert will both be on the Board for three years and I think they are very steadfast in staying with what we're proposing. I mean that's, as Chris frequently tells us, this is his future because he is younger than we are. So, he frequently tells us this is his future and he is all for it.

Corry: We can only do the best that we can do and that is why we are trying to work with everyone to do the policy. There are enough people in the Village, in my opinion, that watch what the Board does, and when that policy goes into place, I think that will be a red flag to everyone that watches what happens. I believe when it comes – and they would have to bring it up to a vote to make the change, not to fund this or that?

Someone in the audience made a comment (undecipherable).

Corry: Yes, the new Boards, if they want to change that policy, it will have to come up for a vote. And if it comes up for a vote, I think there's plenty of Villagers that will be watching that and saying, 'no, that is not what we voted for you for.'

Noble: [It sounded like she said], 'we went down this path before.'

Corry: With a policy?

Noble: It wasn't a policy. It was just, we voted for what we thought we were getting and it was not what we got.

Corry: I understand. This Board is saying – this Board is saying for at least the first year anyway because we'll still be on there, that that is what you will get – what's in the policy. That's our line in the sand, in my opinion.

Omohundro: You have to understand. We are limited by the Declarations.

Noble: Could the Declarations not be changed then?

Omohundro: Yes ma'am we can. But it can't be in effect until '27 if I'm not...

Corry: '27

Omohundro: And we are actually looking at that. But we have to do something now that's going to ensure at least, as she said. I am a little blunter about it. If a future board tries to change this policy, I'm thinking tar and feather. You know. The Villagers are going to not let that happen by their voice. We're going to put something out there that is going to be so obvious that if you try to change it, you're not going to fare well in this community. That's our goal.

Omohundro: Now, to say it can't happen, no. We can't say that. I won't try to say it. But I'll promise you, it's going to be hard. I'm going to be here for a while if I am alive. I am not going to be on the Board, but I promise you. I'm not going to sleep and I'll be watching too.

Corry: Villagers, Property Owners will be able to see it front and center if a Board changes it, they'll have to bring it up to a vote and change it. That's as far as I know. As far as we've been able to determine, that's the best we can do. But we need to get it worded correctly.

Omohundro: We spoke to the attorneys. We asked the attorney Monday if there is a way we can do a supermajority vote to change that. The By-laws, I don't think allow that, but they're checking on that now. So we may be able to come up with a vote that's even harder for the Board to change it, by being five or six votes. But we don't know if we can do that. But if we can do that, we probably will, if we can, legally. So we're doing everything – all efforts are on this. But we just don't know how it is going to turn out yet.

Corry: We can only do the best that we can do. So we're trying. Stephanie, I will ask you to answer the lot question.

Heffer: The POA, I won't give you the exact number because I don't know the exact number. But somewhere in the neighborhood of 6,000 to 6,500 lots, we currently have in our inventory. And the POA has the right to vote those lots to make a quorum. Not to influence a vote. So if, in fact, there is not enough response from the Membership to meet the quorum for an assessment increase, the POA can vote their lots, but they have to vote them in the exact proportion of the populous. So if it is 60% no and 40% yes, we have to vote 60% no, 40% yes.

Heffer: So we can't influence the vote. We can only ensure that a quorum is met so that the vote is validated.

Corry: Did that answer your question?

Noble: Yes.

Corry: Thank you. Okay, anyone else?

Melinda Alvord: I just have a quick question. What's projected there shows the original FRATF three years out. You all last week were talking about going five years out. Is that off the table now? Or?

Corry: Exactly what's on this screen is what we will be voting for.

Alvord: Great. Thank you.

Omohundro: The reason for that is we have – we did take a week to let the people – one final week. We feel like as a Board that some people have some good points. We want to prove and we want to gain trust. We know in our hearts, based on the information we see before us and also the way our country is going right now, we're going to need to do this again in three years. But, we're hoping that the campaign will be a lot easier when we gain the trust of the community and we spend the money where we say we're going to spend it. So its not – we're not changing – if I thought that this was going to do away with us getting money in the fourth or fifth year, I wouldn't vote for it – 'cause I know that's not enough. But we're going to gain the trust. I hope we gain the trust and we'll have another vote in three years for the following years and hopefully get the Declarations changed. So, if we can get a few percent above the CPI every year, maybe we won't ever have to vote again. You know. We can maintain the community, hopefully without having to go through this every three or four years. The problem is you go three or four years, instead of five dollars a month, you need twenty [dollars]. If you do five a year, every year, then you don't have this problem. I'll be quiet.

Corry: Okay, anyone else?

John Hollansworth: My name is John Hollansworth. I am probably the oldest guy here and longest time – oldest resident as well as oldest age. I just want to express a great big thank you. Thank you. Thank you. Thank you to the Board; to the Task Force and all the untold free hours that you guys have donated to make this place a great place to live and we appreciate it.

Corry: Thank you John. Anyone else?

Laurie Rushing: Asks to speak again. I guess our question is if the Board decides to do the \$1,500 assessment fee to the new homeowners in the area, when will that be voted on and will it be before this goes for a vote for the Property Owners or all y'all planning to do that after?

Avila: Can I answer that?

Omohundro: Yes.

Avila: So what we're looking at overall is a balanced financial strategy going forward. The assessment increase itself is a part of that strategy. But the strategy also has to include looking at other sources of revenue as well as means of cost reductions. So the new-resident-buy-in-fee, which is what it is. It's not an assessment. It's a new-resident-buy-in-fee, will be a part of that strategy going forward. Right now, our focus is on getting the assessment increase passed. Then we will work on those other elements of the strategy.

Rushing: Okay. Correct. I think that that's the way I understood it and I just wanted to make sure because it will make a difference on how I vote on this because if I know that there's a possible \$1,500, I am probably going to vote no. So I want to clarify that for everyone, where I just said that I applaud this and I am going to vote yes. I will probably now be a no, knowing that \$1,500 is still in the working point. And I will actively campaign. And I know that the realtors, at least the realtors in our office

[Trademark] are actively against it. As a realtor, our job is to protect homeownership and the cost – affordable homeownership. We make a pledge to do that. When I was in the legislature and all through my real estate career of 22 years, that has been one of my big, main focuses, that we don't put a big increase on homeownership. And that is increasing.

Rushing: For the east-side people, \$1,500 may not seem very much. But some people that are getting in the condos at \$70,000 and \$60,000 in the front end – that may be a lot. We may have people retiring here that are on a fixed income that can only afford so much and that \$1,500 has got to be absorbed by the buyer or the seller at some point in time. So I just wanted to make it clear where I said that I was for this and I would promote this in my office, knowing that that is still on the table. It's probably something that we won't support. So I just want to make sure that I was on record saying that.

Avila: You know, please understand that whether the assessment increase goes through, or not, that buy-in fee will still be on the table. And if the assessment increase does not go through, then the buy-in fee will probably be even more important. So don't misunderstand that.

Avila: The other thing that, to me, it bothers me about that, personally is that we have to make a decision for the good of the entire Village and I know that there are small groups and there are special interest groups that look at things differently. But our focus has to be the good of ALL of the Property Owners. ALL of them.

Rushing: I understand that and that is the task of a realtor, too, is to protect homeownership for ALL individuals. Not just those that may be in a different class or whatever they can afford one way or the other. So, I do understand that and understand that the assessment may still be on the table, but I wish you would consider taking it off the table so that we could all be in full support and we wouldn't have this...fee, whatever they want to call it...fee...tax. I call it a tax because it is a tax in my book. You're adding...I mean attorneys and everybody else have different names for it, whatever it is called.

Corry: Right. What we have looked at it as, is that it has nothing to do with the – it will not impact people that currently are Property Owners. The only ones that it will impact are new Property Owners...and what we're...

Rushing: Exactly...

Corry: And what we are looking at, what we are looking at is, if you look at the Village and you look at everything, all the amenities we have, people have been paying on those for years. A new Property Owner, coming in, that \$1,500 goes to help support those current amenities. So it will not affect the current Property Owners. It only affects new Property Owners and their... The point is that they need to help pay for the amenities that have been here, that they will get to enjoy immediately. They don't have to wait for them to be built.

Rushing: In essence, it will affect the Property Owners because there will be an increase in their prices of their homes – because it is going to have to be absorbed somewhere – either by the buyer or the seller. In reality, there will be an impact to homeowners here in the Village, as well as ones that are buying in. So because that will have to be absorbed somewhere. So, I just hope when you get to that point, that you'll take that into consideration, that you are affecting homeowners and you are affecting the homeownership, possibilities. And we spend lots of advertising dollars in order to get people to come here. And those advertising dollars that we as local realtors are spending, on top of what the

POA is spending to bring people in, you know that's almost like one of the things that we really tout is our low cost of living. And now we're going to say, 'you move in here, but we're going to charge you \$1,500 to move in here.' And so you know, it is kind of a hard-selling point and so I just hate to see the market get stifled. I think the Village is just starting to grow. It's starting to really get out there and I hate us to stifle that market. I appreciate your time.

Corry: Thank you. Anyone else have any comments?

Omohundro: You do realize...

Belair: I only have one short comment. I think it was 1976 that I passed the real estate broker exam and while studying for the exam and studying the market overall, I've got to tell you, I saw this type of equity buy-in in the '70s. This community is late coming to the realization that the older we get, the more input we have to have to keep the place going. So, I have short... never mind.

Omohundro: I just want to make sure that you didn't realize, and I think you do, the way you are talking, that if I buy your house here in the Village, I don't pay the fee. You don't pay the fee. This is just people that don't own lots today – I say today, but the day we do this, if we do it – that's the people it affects. It doesn't affect the people that go from one house to the other or buying another lot or anything else. It's just for new Property Owners.

Corry: New Property Owners

Omohundro: New Property Owners that do not own property here.

Corry: Okay, anyone else?

Becky Young: Becky Young, (states address). I didn't plan on speaking so I will sign up on the sheet later. I have been aware for a long time of this critical step that we are taking now. It's critical. It's way overdue. I am aware of it. But there are thousands of people out there who are voting, who aren't knowledgeable. They haven't been getting the emails that have been sent out. They just kind of, 'leave me alone and let me be.'

Young: What is the plan to reach out so that you have made sure that everyone has been told more than once because when you get into marketing, I think the marketing people back this up. Telling them once doesn't cut it. You've got to tell people over and over and over again. And you've only got a short time between now and when the vote starts in what? Middle of October?

Corry: November

Corry: I'm sorry. You are right. You are absolutely right. Middle of October. Yes. Sorry.

Young: There's not a lot here on the calendar and there's a lot that has to be done. You've got me convinced. In fact, I've been doing – can attest to this. A couple -[indecipherable] can attest to this, it's been a very critical issue for me for a long time. What are you going to do? How are you going to get that need out to the rest of the people? It's a big task. And I am just throwing that out because there is a big task that goes way beyond this great presentation and the great decision that you are making. So what is the future between...

Corry: Thank you for your question and I will let Pam answer that.

Avila: So there's actually a group of Village Property Owners that have been working already to move any assessment increase vote going forward. And there is a very carefully strategized campaign that involves reaching every Property Owner through direct mail, several times. Direct mail by the way is very expensive, but it's the only way to reach those that don't have access to digital media. There will be many digital documents going out – many eblasts going out to reach those that have it – roughly 10,000 people. There will be articles in the Voice. There will be interviews on KVRE and spots. So, we're doing our best to reach out to everyone as however is possible within the budget. Part of the challenge is that opportunities have already been put out there and you attended the forum. How many people did you see at the forum?

Young: That's the problem. I've been in your seat. I've done this myself so I understand. It is very, very difficult.

Avila: And we understand that. We've got a program in place. We're implementing that program. We believe it is a strong strategy if people have additional suggestions, they are welcome to make them. There's actually been an email box set up. It is called, 'speakup@hsvpoa.org' so you will have access to that. There is a webpage in process and that should be done shortly. So you know, it is basically, you can lead a horse to water, but you can't make him drink. So we're leading the horse and we're hoping they'll drink.

Young: I was going to say that. You can lead the horse to water but you can't make him drink.

Avila: We're thinking alike.

Young: But you sure have the responsibility to make sure that the water is there and the water is accessible. And so, that's my question. You've answered it. Again, it is critical that you get that out to every single person, more than once because once may not even get opened, if it is something in the mail. And this is so critical. Critical enough to make me get up here and say something. Thank you.

Corry: I think it is also important that you tell your friends. Word of mouth can mean more than anything.

Young: Believe me, I've been telling everybody that I know for years that this has to happen.

Corry: Well, keep it up and really hit it for the next month or so.

Young: Oh, I have and it will not stop because this has been something that I've been trying to get addressed for years for possibly ten years because I've seen this. I've seen it coming. I know how critical it is and it just hasn't gotten the publicity and I am afraid it still has to have some really major effort to give it the publicity because it has to happen. There's no question about it. It has to happen. Thank you.

Corry: Thank you. Thank you for your comments. Anyone else?

Beth Graves: Hello, my name is Beth Graves and I am another realtor in the Village. Just kind of food for thought. This is off the subject as far as the buy-in for new Property Owners. When you're sitting in front of a client and you are...I just want to give you from our perspective. We have to be the ones –

we are the ones on the front lines, selling the property. I think everyone here would agree with that. And we try very hard to do so. When you are selling this to a new Property Owner, we just want you to consider if the Board does go to this as a vote, please consider, those are things that we have to present to people. We're legally bound and obligated to tell them about that. I don't know if that has been considered on our part. We'll be the one at the front line, having to do that. So in your consideration, please consider that. It's not necessarily something that is really easy.

Graves: We have a private within a private community here at Diamante and we've seen what that had to change to and what buy-in fees if you will, have done to that community. Now it's come a long way from what it once was. But just consider that, possibly please, in your consideration of that. I think that some more thought needs to be done and maybe even you know we have the real estate partner program with you guys. We would love to sit down with you and have a discussion about that. That hasn't been done and I think that's a fair request, as one of the real estate partners, I think that is a very fair request that we should maybe be at least a discussion about it.

Corry: Thank you.

Avila: I am sorry. I think that somehow we've gotten off of topic. This is the topic, not that.

Graves: Yes ma'am, I understand but we don't have another opportunity and that was on your brochure that you sent out in the email and so I feel like this is an opportunity that we can bring it up because it is an important topic to us and we haven't been asked about it.

Corry: Okay, thank you. Anyone else? Okay, thank you, everyone, for the comments. At this time, I'll take a motion to vote on this assessment increase.

Omohundro: I move to ask Hot Springs Village Members in good standing to vote on increasing their regular monthly assessment amount for improved lots, lots with water meters to \$90 in 2022, \$100 in 2023, \$110 in 2024. And to increase the regular monthly assessment on unimproved lots, lots without water meters to \$43 in 2022, \$46 in 2023, and \$49 in 2024 and to mail all Members in good standing a proxy not less than 30 days in advance of the meeting, tentatively scheduled for November 15, 2021, in which proxies will be counted as required by Declaration, Article X, Section 6.

Corry: Okay, we have the motion. Do I have a second?

McLeod: Second.

Corry: Robert. Discussion? The Board has no discussion for the first time?

Belair: I have just about talked myself hoarse. This proposal has required a lot of time by many people and the Board, I believe is recognizing the background behind this proposal. Two committees looked at the finances of the Village, the age of the Village, took suggestions from Owners, vetted the suggestions that were submitted to determine if they first were legal within our Declarations and our By-laws and State Statutes, by the way. We always have to think of that. But, they have vetted all that information. They took the data, put it into graph form and it is frightening if you study it very long. The revenue has not met expenses for years. So I believe it is our responsibility to take care of the future of the Village and we can only do that by covering our liabilities.

Corry: Okay, thank you, Gary. Anyone else? Okay, those in favor? The motions pass (unanimously). We need a motion to adjourn.

Omohundro: So moved

Avila: Second

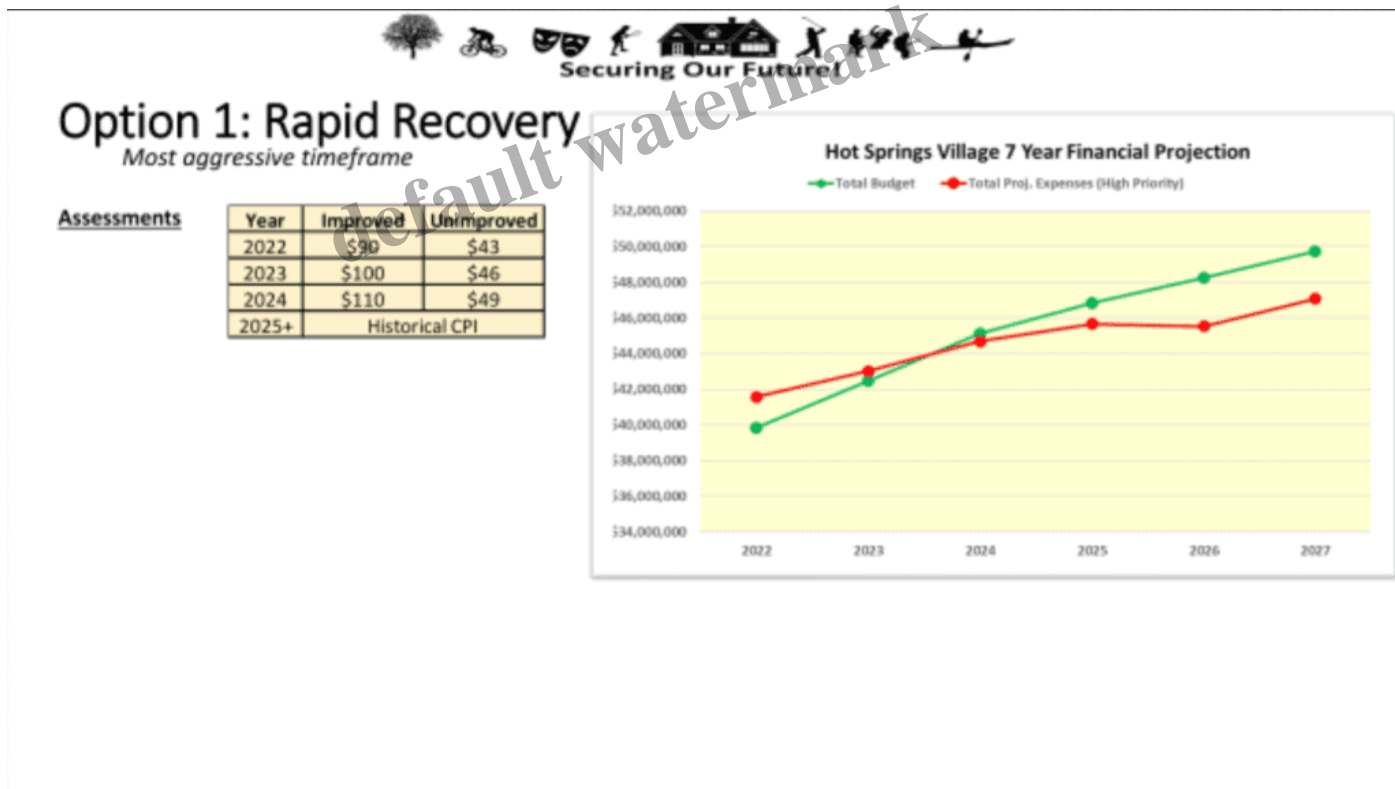
Corry: Thank you everyone for attending.

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Option 1: Rapid Recovery Slide at Special Meeting 8-25-21 (Screenshot from Video)

[Rapid-Recovery-Option-1-Slide-at-Special-Meeting-8-25-21](#)

Edited to add a better Option 1: Rapid Recovery Slide from the Special Meeting



Option 1: Rapid Recovery (This information is from the FRATF presentation to the Board on 8/4/21)

- This combines a series of adjustments to our revenue sources. Regular assessments on improved properties would increase from the current amount of \$69.26 to \$90.00 in 2022, \$100 in 2023, and \$110 in 2024.
- Unimproved property assessments would also increase from \$39.97 to \$43.00 in 2022, \$46.00 in 2023, and \$49.00 in 2024.

- Beginning in 2025, the regular assessment increases would return to the CPI-based formula. Historical CPI is 2.2% per year.
- While a special assessment could be combined with a regular assessment FRATF is not proposing both a regular and a special assessment at the same time in any of the options.
- The POA would institute a new HSV Property Owner buy-in fee of \$1,500 per home sold and \$250 per lot sold. **This would only apply to NEW HSV PROPERTY OWNERS.** If an existing homeowner decides to buy another lot, or another home, that fee would not apply because they are already a Property Owner. These fees would increase at the amount of \$125 per year for improved property and \$35 per year for unimproved property for three years.
- Amenity fees would increase \$350,000 per year for a period of three years. There are many ways to get to this increase.
- The unit charges for water, sewer, and sanitation services would increase at a pre-planned increment. This equates to \$3.77 per month in 2022 across all three of those unit charges.
- This option rapidly closes on our projected cost line (red blob and gray area on the previous chart).
- This option minimizes additional deferred maintenance. This revenue stream would nearly equal costs in 2023, which would allow us to work down our deferred maintenance backlog beginning in 2024.
- The new buy-in fee would initially generate about 18% of our needed additional revenue and would be borne by future new neighbors.
- There is a large drawback to this plan. The overall impact on improved property owners is significant in 2022 with a combination of assessments, and water/sewer/sanitation unit charges increasing about \$24.50 per month. Regular assessments would increase nearly \$21.00 and the additional utility charges of \$3.77 would increase nearly \$4.00 a month.

Option 1: Rapid Recovery Slide at FRATF Presentation to Board 8-4-21

Note: This is not the exact slide shown in the Special Meeting

[FRATF-Option-3-8-25-21](#)

On an additional note, the Board is still short one Board Director.

By Cheryl Dowden, August 25, 2021

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Thank you for reading. If you like, please comment below. **We love to hear your opinion, but comments must be made using your first and last real name, or they will not be accepted.** If you would like to submit an article for publication, please contact us through this website. Be sure to bookmark this website. Click [here](#) to visit the Hot Springs Village People Facebook Group.

Category

1. HSVPOA Board Meetings

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