



CEO Nalley files grievances against two POA board directors

Description

by Frank Leeming, August 20, 2019

Hot Springs Village CEO, Lesley Nalley, has filed formal grievances against two of three new members of the board of directors. She accused them of interfering with her ability to do her job.

[Diana Podawiltz](#) and [Dick Garrison](#) were elected this year as part of a property-owner revolt over the way Nalley and a majority of the last three boards have been leading the Village.

Podawiltz and Garrison summoned to sit before an arbitrator

Podawiltz and Garrison were summoned yesterday to the POA Building to sit before an arbitrator and answer questions about their behavior. The arbitrator is attorney Mary Carole Young, who specializes in medical malpractice and school law. She is with the Little Rock firm of Munson, Rowlett, Moore & Boone.

Unprecedented action

A CEO or general manager filing charges against sitting board members is unprecedented in the 49-year history of the Village. Indeed, it may be unprecedented in the corporate world, which recent Village board majorities have been trying to emulate.

Campagna hired Young to investigate Podawiltz & Garrison

Young stressed she is independent and isn't interested in the politics surrounding Nalley's relationship with the board. She is looking only at the legal issues involved. When she completes her fact-finding, she will submit a report to board Vice-chair Tormey Campagna, who hired her on behalf of the board.

In his meeting Monday, Garrison told Young “the only reason we’re sitting here today” is politics. He said Nalley will attack anyone who disagrees with her or her agenda.

“She’s thin-skinned and we’re getting too close to what she’s trying to do,” Garrison told Young.

The specifics of the grievances are confidential. Garrison was not given a copy of the charges until the end of yesterday’s session.

Nalley believes Podawiltz & Garrison are interfering with her duties

From what Young said, Nalley believes Podawiltz and Garrison are interfering with her power to hire, fire and discipline employees, issue contracts and she believes they’re making false statements about her.

Nalley, who Young referred to as “the victim,” was not present when Podawiltz and Garrison were interviewed separately yesterday. She, as well as other board members and POA executives, had been interviewed earlier by Young.

The “defendants,” as Young referred to the two directors, were the last to be interviewed, but they may refer other witnesses and documents to Young if they feel it is necessary.

Podawiltz, an accountant, has been openly critical about the way POA finances are presented and has argued for establishing a standing finance committee to provide property-owner input into spending plans.

Garrison has argued the POA’s Village Homes & Land real-estate operation should be shut down because it’s losing money and competing with Village Realtors.

Garrison stated POA is misleading property owners on finances

“I campaigned as a business person with extensive financial experience with Fortune 500 companies,” Garrison told Young. “I understand profit-and-loss statements, and I’m going to say up front the POA is misleading property owners on financial matters.”

Young re-emphasized she didn’t want to “get into the politics. They’re not relevant to the grievances.”

This email was sent to correct misinformation

* * *The decision to send this email was made because there has been a lot of misinformation floating around the Village for the last few weeks about legal action involving Nalley, Podawiltz and Garrison, and after weighing two important and conflicting points of view:

- On one hand, Young stressed the grievances are confidential and should not be made public without permission from the POA's attorney, who could not be reached yesterday. Making them public could lead to legal action and jeopardize the board's future dealings with Nalley, Young said. Both Podawiltz and Garrison argued against sending out this email, saying the process should be given time to play out.
- On the other hand, property owners have a right to know their CEO is filing grievances against members of the board, which some say is a form of intimidation intended to get directors to toe the CEO's line.

In the end, I think it's more important for property owners to know what's going on. Particularly when you think about the estimated \$10,000 it is costing property owners to find the facts involved in this latest power play.

And wasn't openness and transparency the bottom line in a recent court decision that blasted the POA for being too secretive?

Finally, we hope Vicechair Campagna will make public results of the fact-finding as soon as the investigation is complete and a report is filed with him.

* * *At tomorrow's board meeting, POA staff will present their recommendations for renovating the Balboa Golf Course the future of the Balboa Club House. The meeting begins at 9 a.m. in the Ouachita Room at the Ponce de Leon Center.

* * *Read the report CEO Nalley will give at the board meeting tomorrow in the PDF below. It is the most complete outline of where she thinks the Village's finances are going. It's important reading, and how it's debated and handled will have an impact over time on the value of your home.

by [Frank Leeming](#), August 20, 2019

[CEO-Report-August](#)

Note from Cheryl: *Above is an email sent to me and other Villagers from Frank Leeming regarding a grievance CEO Nalley filed against two POA board directors. This grievance resulted in the formal investigation of Diana Podawiltz and Dick Garrison. I spoke with Frank regarding this and he said he attended yesterday's meeting with Dick Garrison. In other words, this is a first-hand report of this meeting. I have not spoken with any Board Directors regarding this issue.*

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