



Comments at the Board Meeting April 17, 2019

Description

At the Annual Hot Springs Village Board meeting on April 17, 2019, there were three member comments made.

Kirk Denger Speaks

The first member comment at the Hot Springs Village Board meeting was made by Kirk Denger.

“As Director Weidert stated that in the last three years, Cunningham and Weiss have accomplished more than any other Board.



Kirk Denger speaks at Hot Springs Village 2019 Annual Meeting

- You accomplished demolishing our [Fay Jones](#) Bath House and Pool. spending an extra million dollars without bids on a pool half the size is exemplary of your fiduciary duty.
- You accomplished sacrificing our community to the Congress of New Urbanism Cult and their CMP.

- You accomplished wasting our ten million dollar assessment increase on the CMP, receiving not one productive thing in return.
- You accomplished the loss of our full basketball courts and our youth by favoring the less than two percent of our members who have [pickleballs](#).
- You accomplished the spectacular yes vote failure of trying to forfeit Hot Springs Village.
- You accomplished alienating the POA with our Developer CCI. For 45 years we had managers that could be terminated for interfering with the Board of Director's decisions.
- Now with an unlawful nine-member Board, we have a management that tells the Board Directors what to decide or face termination for interfering with the management's decisions."

Another Property Owner made a comment

The second member comment was made by John Cloris. (spelling?)

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Member speaks at Hot Springs Village 2019 Annual Meeting

John stated, "I've been voting in Board of Director elections for thirty years. This is the first time that Cooper ever endorsed any candidate..."

John asked, "Has there been any discussion between the Board and Cooper about buying Cooper's

interests in the Village out? What is the current status of these discussions and will the Board keep the membership informed about this matter?"

Director Tom Weiss responded

Mr. Weiss answered, "Has there ever been a discussion with Cooper about buying them out? The answer is Yes. Is it active at this time or any further discussions being held? No. And in my opinion, I am not going to be a Board Member in about five minutes, hopefully, (audience laughs). But in my opinion, if there ever is held that discussion, it should be held in public."

Brian Darst apologizes to the Board and explains Parliamentary Procedure

Brian Darst made a dramatic statement, during which Chief Middleton stood with him for the duration of his comment.

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Brian Darst, accompanied by Chief Middleton, speaks at Hot Springs Village 2019 Annual Meeting

An attack was not intended

Brian stated, "If it would please the Board and the audience, I have two questions, actually one

question and just a brief statement. The reason that I have Chief Middleton beside me is to make sure that I keep the decorum that I am supposed to keep. At times my decorum and my demeanor have gotten away from me. It was not intended to be an attack. It was not intended to attack anyone on their ethics or on their character. It was to bring to the attention to the Board of their responsibility. I have nothing against any of the Board, personally. I am sure we could sit down and talk about many things. We would have agreements and we would have disagreements. But I want you to understand and those in the audience, that at times my passion overtakes me. I am a Marine Corp Veteran. I am a Corrections Officer, medically retired. Everything that I have done my entire life has been on reactionary, split-second reactionary. That is no excuse. But hopefully, that is an explanation. I apologize.”

Brian Darst’s question regarding Parliamentary Procedure

Brian continued, “Now this is the question. This is not to be adversarial. This is to all of the Board Members. In what way was this meeting, the next meeting and the other meetings done in a Parliamentary Procedure way? It states in the by-laws, the very last article of the by-laws that the Board accepts Parliamentary Procedure and shall follow that. This is not verbatim because I did not have it in front of me. They will follow that unless it contradicts the by-laws, the policies, the Declarations, the Articles of Incorporation. I am sorry, I am going too fast. Also, federal, state and local laws.”

“Parliamentary Procedure is part of this democratic process. We elected people to sit on that Board. My question is, to all of you, where is the Parliamentary Procedure? Ms. Nalley, when she came up, stated, “Robert’s Rules of Order”. I don’t see a book of Robert’s Rules of Order.”

Nancy Luehring asks about Parliamentary Procedure

At this point, Mr. Weiss stopped Brian and told him his time was up and asked the Board Members if they wanted to make a comment or question.

Nancy Luehring asked, “Brian, what was not done according to Parliamentary Procedure today? What are the specifics, because you have had this issue for quite some time with us and I am not sure what the specifics are.”

Brian Darst explains specific violations

Brian said, “Just for today, there was no mention or no motion for the vote for the consent agenda to be approved. There was no roll call. There was no second for that vote on the Consent Agenda. That is Parliamentary Procedure.”

“Secondly, minutes were accepted under the Consent Agenda without any motion to accept those minutes. When it was brought that change had to be done. I think it was Mr. Cunningham. That something had to be taken out, in the Consent Agenda – after that was done. Each one of those minutes needed to be voted on separately. That is Parliamentary Procedure because there was a change.”

Brian went on to explain further details of the items left out.

“There was no motion to accept the CEO’s Report, the CFO’s Report, etc. All of those reports are submitted to the Board and become minutes in the Board Meeting. If at anytime, God forbid, there is a lawsuit and those things are not done. Guess what happens? You lose because the minutes are not being kept accordingly. Because the vote is not being done. Also at the end of the minutes that you publish, it states ‘Member said this’, Member stated that’. In order for it to be an official, valid minute, that person’s name has to be put on the minutes and what was stated on the minutes. It is not being done.”

A lady in the audience said, “he is absolutely right about the procedure.”

Transcribed by [Cheryl Dowden](#)——Photography by Joe Dowden

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Category

1. Uncategorized

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