



Hot Springs Village – A Better Way

Description

OPTION # 1 ? VOTE NO

...There is a better way...

First, why NOT Option # 1?

1. **THE CURRENT BOARD DECISION IS NOT ETCHED IN STONE** – Leadership always reserves the right to entertain new and different information to make more informed decisions and even change their decisions. Why are we being rushed into Voting for Option # 1? Just in the recent “Vote Matters” eblast I noticed:
 - a. **Trying to use FEAR as a motivator to get a “yes” vote.** Are we going to reduce the Police, Ambulance and Gate Services? **No**, that will not happen. Are we going to sell some POA buildings? **No**, that will not happen. FRATF said that none of these suggestions made enough of a monetary impact to be considered seriously. Will we be filing bankruptcy? **No**, we are not even close to filing bankruptcy – as of the August Financials, we have over \$14 Million in our operating account. If you recall, all these points were mentioned and ruled out by the Task Force during their Town Hall Presentations – **please do not let anyone threaten you with fear or panic to get you to vote for Option # 1.**
 - b. **Wanting us to believe that a “BOLD NEW POLICY” has been created on our behalf.** About two months ago, a former board member was asked for advice (by a current director) regarding the best way to make sure money would be spent as promised or directed. Unfortunately, the only ironclad legally binding instrument that we knew of was a Special Assessment. The conversation continued about policies and bylaws – both of which are not legally binding, and can be changed by a board vote in a second. Putting a supermajority policy in place absolutely guarantees NOTHING – trying to make us think it does is misleading and simply not true.

In addition to the “BOLD NEW POLICY”, we have been told it is our responsibility to police the next board, and the one after that, so that they use the money properly.

THAT IS AN ABSOLUTE IMPOSSIBILITY! Given the Policies and Bylaws that are in place right now, we, as property owners, have no authority over the board at all. We can't impeach them; we can't fire them; we can't reprimand them; we can't speak against any board member's words or actions for fear of being chided or admonished, and we can't even get them to fill the empty seat! It is our right to have a full 7-person Board and their fiduciary responsibility to make that happen. **But, like Washington DC, we have no control – we don't even know what the assessment increase is going to be spent on!?!**

Do you remember the last time we were asked to vote for an assessment increase? Do you remember reading this tri-fold that accompanied the ballot that was sent to you?

Trifold Advertising Material Used by the POA to Sell the Past Assessment Increase

Two-Tier-Trifold-Scanned-2017

More importantly, do you remember **BELIEVING** what you read? I call this the **"List of Promises"**.

After the POA won the lawsuit, we were forever fated with the "Two-Tier" (aka "Two-Tear") System! In a meeting, a board member at the time held up the "List of Promises" and asked, "Well, where shall we begin?" **The then CEO stopped the conversation abruptly and said, "I didn't make those promises"**. The result of that meeting was the monies earmarked for differed maintenance and infrastructure being diverted to over-the-top public relations/marketing and creating a real estate company (that could not have failed more miserably).

I often wonder why those on the Task Force that created the "List of Promises" never spoke up, even when they had the chance and the authority to do so...**there were many former Directors involved in the "List of Promises" that never once insisted on some of the funds to go to maintenance and infrastructure**, even when they were Board Chairs and had the authority to do so.

Is the marketing piece that came with the ballots this time just another "List of Promises?"

Please pardon us if we are lacking trust in Option # 1 and those urging us to vote for it – But even a **Bold New Policy just doesn't do it.**

- A LONG-TERM PLAN IS SAFER, MORE MANAGEABLE, AND ENSURES THE CHECKS AND BALANCES WE NEED ARE IN PLACE** so that what happened in the last increase (money going everywhere but to infrastructure or differed maintenance) will not happen again. Apportioning funds to Committed Escrow Accounts that require more than one signature and direct reference to the list of work plus utilizing a Bank Trustee, will give us the legal assurance that monies will go where allocated by the Budget.

3. **WHAT IS THE RUSH?** As of August 31, 2021 Financials, we have over \$14 million in operating funds, and that number will be even bigger by the end of the year. Those funds are an anomaly but can be easily used for funding a portion of the “shortfall” in the first few years of any Option.
4. **OPTIONS 1-3 ARE SHORT-SIGHTED.** We will never become a stable community if every three years we have to go through this exercise of asking the Property Owners for more money!
5. **A 50-YEAR-OLD PROBLEM CANNOT BE FIXED OR FUNDED IN THREE YEARS.** We do not have the management, man-power or time to address more work than can be done, therefore we should fund the work only as it can be realistically completed.

We also need to give staff the time to do the work correctly – upon the first execution. We have seen the results of rushing projects like the DeSoto Club, the Gates, the Pool, and Pickleball Courts. Rushing work and not selecting proper Project Managers all cost us more money than necessary, and have even created lawsuits in some cases!

6. **I HAVE SEEN THE ALTERNATIVE (we’re calling OPTION # 4), AND BELIEVE IT APPEALS TO RESIDENTS AND NON-RESIDENTS ALIKE.** The Board saw it before the ballots were mailed, but said that they ran out of time – again, what is the rush? Option # 4, without using Special Assessments, employs “Dedicated Interest-Bearing Escrow” Accounts for a portion of the assessment increase as an alternate legally binding way to guarantee the funds will go to the work proposed and also provides flexibility with the balance of the money. The incorporation of an unbiased third party such as a bank trustee will also keep allocated Money used properly.
7. **SMALLER INCREMENTS IN AN ASSESSMENT OPTION HELP THOSE WHO ARE ON LESSER OR FIXED INCOMES, as well as those in the THA system (Town House Association).** There are townhouses that have their own fees as high as \$178 per month and then must pay the POA assessment in addition to that. **Options 1-3 are trying to collect too much Money in too short of a time period.** It is **excessive, aggressive** and **unnecessary**. We can’t possibly spend it or use it prudently in the three years of collecting it.

And, anyone that agrees with the board member that recently said, “It’s tough if you can’t make the payments, but maybe that means it’s time for you to leave the Village.” is just rude and disrespectful...please show at least some appreciation to those who have lived here 30, 40, or 50 years and paid their assessments faithfully so that we still exist and **the gates still remain**.

8. **CHOOSING an alternative, such as “OPTION # 4” would show good will** by the Board of Directors and create Property Owner trust, helping unite a long-time divided Village – Improved and Unimproved, from East to West and everyone in between.

As a follow-up, I will ask that a sample of OPTION # 4 be published here so you can decide for yourself that **Yes, there is a Better Way**.

Respectfully submitted,

M. K. Bracke

Resident, Hot Springs Village



Art work was provided by M. K. Bracke

* * *

Thank you for reading. If you like, please comment below. **We love to hear your opinion, but civil discourse is important. Comments must be made using your first and last real name, or they will not be accepted.** Be sure to bookmark this website.

Category

1. Assessments - Hot Springs Village
2. HSV Villager's Opinion

Tags

1. assessment hsv
2. hot springs village
3. hot springs village ar
4. hot springs village arkansas
5. hot springs village board of directors
6. hot springs village bod

7. Hot springs village people
8. hot springs village poa
9. hot springs village property owner
10. hot springs village property owners
11. Hot Springs Village Property Owners' Association
12. hot springs village special assessments
13. hsv special assessments
14. M. K. Bracke hot springs village
15. M. K. Bracke hsv

Date Created

10/17/2021

Author

lynn

default watermark