



HSVPOA – Bad Decisions

Description

by Bob McCleskey, September 6, 2019

In view of multiple actions taken by the majority of the current POA board (as well as some prior boards) which result in costing property owners unnecessary operating expenses through their approval of bad decisions which were likely recommended by the current CEO and potential losses in property value, I contend the board members who have been parties to these bad decisions are guilty of either [Malfeasance](#) or [Misfeasance](#) or both but not [Nonfeasance](#).

In my view, they really stepped over the line when they approved the CEO's contract, requiring 6 (of 7) board members approval to fire the CEO (where it had previously been a simple majority). I believe it really started when the CEO/Board decided to misappropriate CCI's property rights by their attempt to change the declarations through the 2018 election. Having been turned down 60% to 40% wasn't accepted by the CEO/Board as evidenced by their continuing to push forward on the CMP and an action by the CEO to chastise two of the new board members.

Part of the language of HSV POA Bylaws: Article VII, Section 6. (Removal) includes:

- (b) Interfering directly in the management of the Association; or
- (c) Violation of any Association governing documents, including the Declaration, Articles of Incorporation, Bylaws, policies, rules, or resolutions, as the same may be in effect from time to time, including not reporting a conflict of interest.

I understand (a) not attending meetings and conflict of interest, but what is the definition of "interfering" and what "rules or resolutions" could be violated?

Requiring an 86% (6 of 7) votes to fire the CEO is more than over the top, especially when compared to the votes to remove a board member.

I can hardly wait for the next election of directors, but should we consider legal action to remove the major source of the problem (the CEO) and find a new General Manager?

What do you think?

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Category

1. HSV Villager's Opinion

Tags

1. hot springs village
2. hot springs village board of directors
3. Hot springs village people
4. hot springs village poa
5. hot springs village property owner
6. Hot Springs Village Property Owners' Association
7. hsv
8. hsv board
9. hsv board of directors
10. hsv bod
11. hsv bylaws
12. hsv ceo
13. hsv people
14. hsv POA

- 15. hsv poa board
- 16. hsv poa hot springs village poa
- 17. hsv property owner
- 18. hsv property owners
- 19. hsvpeople
- 20. hsvpoa
- 21. hsvpoa board
- 22. hsvpoa bod

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