



Village Voice Questions for Candidates

Description

The following questions were sent out to all five 2020 Board of Directors candidates by the Village Voice on Wednesday, February 5, 2020. The answers were due back by noon on Friday, February 7, 2020.

What follows is a compilation of the candidates' answers on one page. All content below was already published in the Village Voice with a different format.

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Much thanks to the Village Voice for providing the community with this valuable information.

1. What do you see as the three major weaknesses of the Comprehensive Master Plan?

Nikki Choyce – The Comprehensive Master Plan is comprehensive covering all key areas every thriving community should include: governance, budget & finance, economic development, marketing & communications, amenities & recreation, health & education, public safety, zoning & aesthetics, and utilities, infrastructure & transportation. Its primary “weakness” is that it is misunderstood. People find one thing in they don’t care for and want to trash the entire plan. For example, the concept of a town center. First, this isn’t a new concept. Cooper Communities included town centers in their master plan from the very beginning. There are 271 CMP recommendations and less than 5% even mention it. We have so many other priorities to think about before we can open discussion on this one small part of the plan. The second weakness is lack of communicating what CMP work has been done to-date. Look at the nine areas above and you’ll see we’ve made improvements on several areas already. The benefit of the CMP is it provides focus and priorities. Staff has been working hard. Examples: Continue to explore ways to reduce operations and maintenance costs, continue enhancing golf amenities through upgrading and maintenance, create a trails map and established a multi-level review process for the ACC are all examples of CMP related work that has already been completed,

Kirk Denger – Cost, the cmp has cost Property Owners several millions trying to implement with thousands of staff hours, unnecessary management positions, complete failure of the declaration change vote cost, plus the 1?2 million with zero measurable benefits. 2. Drastic change and major expenditure forced on Property Owners without a members vote. A plan needs to be planned. Best Plans take time; a prudent person would think, even years, to build a planned reality that fits the circumstances of our community. I do not support a plan that literally took 9 days of a pilot group from a foreign agency, studying our HSV circumstances and then immediately implementing a standard one size fits all plan. 3. Do not need it. We already have a (Town Center) Village Square, (pocket neighborhoods) walk-able neighborhoods and a (Lodge) Village Inn. Our Village was Planned 50 years ago.

Dick Garrison – It was poorly conceived and never had a chance from the start. It required too many changes to our existing government. It divided our community.

Tucker Omohundro – The CMP is basically a development plan. We are already developed. Although there may be some things we can use and we may, I see no reason to go through pages and pages of worthless information to find something that we might use. Maybe we should be looking for three things we think are positive.

Lloyd Sherman – Was largely developed to accommodate business growth and not resident growth. Was developed prior to removal of obstacles that would allow what was proposed. Attempts to refine the POA as a Development Organization instead of a Maintenance Organization

2. Will you work toward functional RFID gates?

Nikki Choyce – Resident-only gates are needed both for the convenience of residents as well as minimizing congestion at either of the staffed gates. These gates are working currently. Sadly, there are many higher priority areas we need to focus on. At this point, making additional and significant investments on gates would fall under the category of a “want” not a “need”.

Kirk Denger – No, this was just another disastrous half-million dollar decision made by the last corporate loyal BOD/CEO to waste the free money that was pouring in from the Two-Tier (assessments X 2) assessments. It is easy for irresponsible adolescents to waste other people’s money. Our gates have worked just fine for two decades. Redirect expense on policed sub-stations at every gate.

Dick Garrison – First, we must see if we lose the lawsuit-that could be another 350K down the drain. Then we need to compare costs/benefits of a volunteer organization (we had one for 45 years) versus what we now have and make a decision on how we MAN the gates before we can discuss RFID.

Tucker Omohundro – I would love to have this system operating. I think the cost to complete will be the determining factor as to when we go forward.

Lloyd Sherman – Absolutely! HSV is a gated community and should remain a gated community. That is why MANY of the current residents moved here.

3. If a candidate is fired, released, or steps down from their position, do you feel they should be replaced by the next voted candidate, should there be a special election, or should the seat

remain open?

Nikki Choyce – The bylaws state in Article VII, section 7 provides guidance regarding filling vacancies. There are two options: an interim director can be appointed or at the next scheduled election, a director may be elected to complete the rest of the unexpired term.

Kirk Denger – By-laws Art. VII sec. 7 states that the Board will decide by majority vote of the Board who shall fill a vacancy if at all until the next election. Next most voted candidate is logically recommended but not always available and not required by governing documents.

Dick Garrison – The bylaws require that the BOD select a replacement.

Tucker Omohundro – The bylaws should dictate how the process is handled.

Lloyd Sherman – If they are to be replaced, then the next person in line from the last election should be offered the position. No need for special election as the Board has the power to replace should they choose to.

4. What are the five most critical near-term issues facing HSV?

Nikki Choyce – 1) We need to improve our financials by increasing revenues and 2) diversifying revenue sources. Currently about half of all revenues come from assessments. Increasing revenues will provide additional funding for 3) addressing maintenance issues like roads, facilities and amenities. But to increase revenues, we'll need to bring more people to the Village through 4) marketing. Hopefully, they will become property owners too. It isn't enough to buy a lot, we want some to consider either buying a house or building one (5) economic growth)

Kirk Denger – 1. Restructure assessments based on property value for a sustainable revenue source. 2. Maintain infrastructure; pressure wash exterior of Balboa Clubhouse, roof, walls, decks and sidewalks and replace or resurface a few sections of cart paths at Balboa golf course. Crack seal roads and build up road shoulders. 3. Pause Marketing budget and redirect to infrastructure, a poorly maintained infrastructure does not sell well. 4. Close the Compliance department, we did fine without it for 48 years, redirect the unnecessary expenditure to infrastructure. 5. Streamline top-heavy management and redirect unnecessary expenditures to infrastructure.

Dick Garrison – Change the Bylaws and the Policies that restrict the BOD from governing HSV. Marketing. Lack of transparency. Bloated payroll. Infrastructure neglect

Tucker Omohundro – Financial stability, infrastructure maintenance, transparency and confidence with property owners, Bylaw changes to get the board to running the Village again and getting the POA back to doing what it was created to do. Maintain the community.

Lloyd Sherman – Returning control of the Village to the Board through the will of the people. Rightsizing the staffing levels to support infrastructure and not development. Austerity program. Marketing, marketing, marketing – Laser focused on retirees and military with built-in pensions and are ready, willing, and able to buy NOW!

5. What, if any, navigation improvements do you feel the POA website needs?

Nikki Choyce – I would like to see the current website split into two separate websites. One for members and the other as a marketing site targeting prospective property owners. The needs of the two audiences are different.

Once that is done, we can organize the content so that you are never more than “two clicks” away from the information you are looking for.

Kirk Denger – Expand member resources to include as much POA information as possible to make access easier for Property Owners.

Dick Garrison – Follow recommendations in CMP marketing sub-committee and start over.

Tucker Omohundro – This is not my expertise.

Lloyd Sherman – The old website was difficult to navigate but if you looked long enough, you found what you were in need of. The new website is not functional or intuitive, nor does it properly convey the message to drive people to move here.

6. Do you feel the CEO should be removed from her position? Why or why not?

Nikki Choyce – The decision to remove any Staff should be based on whether that person is meeting their responsibilities and performance objectives.

Kirk Denger – Yes, The CEO is overpaid and violated terms of contract by participating as a voting member of the governance committee which at the time was in violation of HSV bylaws. Article XII, Section 4, H: 'a member who is serving on the Board of Directors, or whose spouse presently serves on the Board of Directors, shall not serve on a Standing Committee, until after completion of service on the Board of Directors.'

Dick Garrison – The CEO'S contract would prevent any such event from happening. Even if malpractice were proven, I doubt if the existing BOD would vote to remove. It is a moot point.

Tucker Omohundro – I think anyone needs to be removed if they are not doing what is in the best interest of this community and its members.

Lloyd Sherman – This CEO has ushered in a “hostile” living environment and has failed to move the Village forward in any meaningful way. Until this is done the healing will not begin.

7. Would you disband the Governance Committee? Why or why not?

Nikki Choyce – *No answer provided*

Kirk Denger – No, only the Members of the committee. Committees were never and should never be made up of Board of Directors and CEOs planning in secret how to manipulate Property Owners by changing documentation to fit secret agendas. Article XII, Section 4, H: 'a member who is serving on

the Board of Directors, or whose spouse presently serves on the Board of Directors, shall not serve on a Standing Committee, until after completion of service on the Board of Directors.”

Dick Garrison – Yes. It is a board within the board. All such matters should be decided by 7 board members, not 3.

Tucker Omohundro – I think having a governance committee is great, just like all the other committees. They just need to be advisers to the board just like all other committees. Bylaw changes can do this.

Lloyd Sherman – Absolutely! You don’t need a mini-board with the influence of their employee deciding what is a core function of the entire board.

8. Would you work to cancel the board orientation and remove the consultants who are running it?

Nikki Choyce – The Board of Directors must have the necessary skills (leadership, critical thinking, strategic planning, etc.) to perform their duties. In addition, there is a huge learning curve for any new board member. In my experience, orientations should cover many of the onboarding tasks. We expect a lot from our Board, and we must ensure they have what they need.

Kirk Denger – Yes, the twenty thousand dollar cost of Shrinks, lawyers and staff, could paint the interior of the Balboa Club and new carpet.

Dick Garrison – Yes. It is an unnecessary expense and its structure alone works to stifle any change in how we govern.

Tucker Omohundro – I did attend the orientation. I think it was informative in some ways and in other ways, it was used as a tool to influence our thinking. I do not approve of that approach.

Lloyd Sherman – I don’t know if I would go so far as cancelling an orientation. However, I would certainly change the players. The resources being utilized are instructed to orient new members to support the concept of “Corporation” and not property owners. The new board members should be encouraged to support the property owners.

9. What is your position on raising assessments and/or special assessments?

Nikki Choyce – Assessments will increase. It is inevitable. Currently assessments are not even keeping pace with inflation so the gap between what we need and what we have continues to grow. Any assessment increase (more than currently allowed annually) will require a membership vote. I expect this will become a topic for consideration within the next 12-18 months.

Kirk Denger – Totally unnecessary, only restructure assessments based on property value so that every Property owner pays only their fair share.

Dick Garrison – Impossible at this time. We all know that we do not charge enough for the services that we provide, but until we can win back the confidence of the property owners, it cannot be discussed.

Tucker Omohundro – If cost of living continues to go up, we have no choice but to raise the assessments. I think we all understand that. I would rather do a special assessment than raise assessments permanently if there was ever a case this made better sense in the long term.

Lloyd Sherman – Let's be honest here, we recognize that raising assessments could be needed. We won't know IF it is needed until a full, complete and detailed analysis is done to support what our actual infrastructure needs are.

10. As a board member, to who do you think your fiduciary duty is owed: the members or the corporation?

Nikki Choyce – Board responsibilities and accountabilities are clearly stated in the Bylaws in Article IX, section 3. Duty of obedience: duty to support (not oppose) directly or indirectly the policies and positions duly adopted by the Board of Directors. Duty of loyalty and care: perform responsibilities s/he believes are in the best interests of the Property Owners Association and that includes all members.

Kirk Denger – To the Property Owner voters who are the makeup of the corporation.

Dick Garrison – Members only.

Tucker Omohundro – The board only has one purpose, it is to do what is best for the members and the community. The corporations only purpose is to carry out the wishes of the members and their elected board.

Lloyd Sherman – That is in my estimation not even open for discussion. HSV is a mutual benefit corporation beholdng to the property owners. Period!

11. Do you feel there is a “gate problem”? If so, how do you propose to fix it?

Nikki Choyce – Duplicate question, answered elsewhere.

Kirk Denger – The only gate problem is if we lose the gates altogether by not being able to support ourselves as a private community. Restructure assessments based on property values in order to stabilize our revenue as opposed to a collapsing revenue; because of an inequitable assessment structure, 11,000 overburdened property owners have given up their property and are not capable of subsidizing 2/3rds of residents any more.

Dick Garrison – I do, but given our other problems, it is a lower priority of mine. See answer #2.

Tucker Omohundro – We do have a gate problem, although it has a simple fix. I have called the gates for 35 years to get my guest in. I have never had a problem having to do this. I did not know until lately that this had changed. If anyone can drive up to the gates and say anything (I am going to a garage sale, I am going to eat etc.) and get in, we have a problem. I would have known that this was

happening if I wanted in without anyone knowing though. Nothing secure about this process.

Lloyd Sherman – I don't fix anything. We fix it. We complete the RFID project, return to the gates being manned by people who live here who are vested and clamp down on unauthorized use. Pretty simple and very effective solutions.

12. What do you think can be done to obtain some payback from the counties from money they collect every year from us in taxes?

Nikki Choyce – *No answer provided*

Kirk Denger – Pay back? Do you use County roads when you leave the Village? What law enforcement authority do you think protects HSV? Who provides funding for schools and health departments? We live under county jurisdiction as well as State and Federal jurisdictions. There are only two things certain in this life. Taxes are one of those things.

Dick Garrison – I have researched some of our prior efforts on this matter and have been very impressed with the presentations various Villager groups have made to the politicians. I.E. "One retiree moving to Arkansas is worth three new jobs." This is an effort we need to continue, but it looks like a tough sell. Some sort of PR effort to get more Village voters involved might work.

Tucker Omohundro – Truthfully, nothing. The county judges would rule on this. I do not think they would even consider it.

Lloyd Sherman – The only way you do that is to lose control of the gated community status and become just another city on the map.

13. Do you think the POA is doing an adequate job of maintaining our infrastructure today? Would you change the maintenance priorities in any way?

Nikki Choyce – We should thank the current POA staff and leadership for the admirable job they've done regarding our infrastructure. This is a huge undertaking for any community and the limited finances makes it even more challenging. Infrastructure includes roads, buildings, amenities, water and sewer systems, and communications infrastructure. These are all things we depend on or use every day. Currently, we are dealing almost daily fixing things that are broken while trying to put some effort preventing something from breaking tomorrow. The priorities are dictated by the current situation and are appropriate.

Kirk Denger – NO not nearly enough, the POA management should focus on infrastructure.

Dick Garrison – No. Look at the neglect of the Balboa Clubhouse as one example. We haven't PAVED a road in 3 years. Before we can prioritize any changes, we must first find the money. Belt-tightening and better marketing could provide some of the money, but this is a really serious matter that needs a lot of work. A new finance committee could be a big help in matching money with priorities.

Tucker Omohundro – We all know we are not keeping up with the infrastructure. Yes, I would change it. I will not know how I would change it until I have more information on funds available.

Lloyd Sherman – Simple. Reengineer the CMP to remove any development aspects and only retain the infrastructure components. We are not currently focused on infrastructure. Too many staff chasing rainbows. A full on assault on the delayed maintenance will show potential buyers that we are not only aware of the problem but are ACTIVELY working to CURE the problem.

14. Do you think HSV has enough revenue coming in to do what you would like to see us do?

Nikki Choyce – No, we need to increase revenues to continue to thrive and excel in our community. There are now over 14,000 people living in the Village with a wide variety of interests and needs. While it is unrealistic to meet 100% of the needs of 100% of our community, we would like to find ways to add different events or activities and improve our quality of life. These are the “nice to haves” (discretionary) things we’d love to do if there were funds available. We can’t even think about those until we address the many essential work especially related to maintaining our roads, water systems and facilities.

Kirk Denger – Yes, our recently doubled assessments have been squandered by the POA BOD on useless planning, failed real estate ventures, marketing and over market management. We have plenty of money if not used foolishly.

Dick Garrison – No. See all of my others answers on this subject.

Tucker Omohundro – No, but I believe it’s a lot closer than some think. We have a tremendous amount of work to do before we will know the real numbers.

Lloyd Sherman – Absolutely not! We are falling further behind on deferred maintenance every year.

15. What do you think should be the primary focus on growing the Village?

Nikki Choyce – Duplicate question, answered elsewhere.

Kirk Denger – Till the soil with maintenance of our infrastructure. With rain from the sky over HSV, it will grow sustainably.

Dick Garrison – Marketing to retirees who play golf. A golfer is worth \$5000 a year in fees more than a millennial or someone who moves here to walk the trails. We need to attract retirees who support our amenities.

Tucker Omohundro – I am not sure about that currently. I do know that the local realtors sold around 700 homes last year for around 140 million. I would like to see us do everything we can to get more potential clients to them through marketing efforts.

Lloyd Sherman – This is a residential gated community that requires more rooftops to grow. Any efforts to commercialize or center growth around business operations is a waste of time. There is a lot of space available OUTSIDE the gates for commercial growth.

16. Are you satisfied with the marketing plan? What changes if any would you make?

Nikki Choyce – A plan documents an approach or strategy. The good news is we now have a marketing plan. It will take some time before we can evaluate if the plan is on-track or if the plan needs to change. Once we have data to analyze, we'll be able to answer that question.

Kirk Denger – The POA has lost over a million per year on miserably failed marketing. That same money would be a 100% guaranteed return if spent on maintenance of infrastructure. I do not support any marketing expense without a 100% return guarantee on your money.

Dick Garrison – See the CMP sub committees report and start from there.

Tucker Omohundro – I will not be satisfied with any marketing plan that does not make financial sense. My example of a bad marketing plan. We spend a million dollars and attract 50 buyers. 25 lots 25 homes. I think we would say a great job and it would be. Here is an estimate of the revenues that we would receive from this. Approximately 20,000 in assessments a year. 25 homeowners spend an average of \$75,00 a week (probably high) on our amenities. \$97,500.00 in a little over 8 years we would get our million back and start making a good return. Don't forget to add one other thing into the equation. If we owe any money and spend money marketing, you must figure interest for this money. 40 to 50 thousand a year in interest.

Lloyd Sherman – We have a weak advertising campaign, not a marketing plan. I would engage a team of experts to help design a marketing campaign that works for the Village.

17. Do you want us to remove our gates and become incorporated? Why or why not? And if so by whom?

Nikki Choyce – Absolutely not. We are a private, gated community and should remain that way.

Kirk Denger – Defiantly NOT, Keeping our Village GATED PRIVATE PROPERTY is Paramount to all decisions I will make as your elected Director and I will not support any attempt by any entity to convert us to a municipality.

Dick Garrison – No, no and no.

Tucker Omohundro – That is a no. I want to live in this gated private community.

Lloyd Sherman – We are a private gated community and we need to remain one. We should remain a "Not for Profit" corporation under the 1963 act rather than the 1993 act.

18. Do you think the board should have a voice in how the POA staff is organized and its number of employees?

Nikki Choyce – No. The governing documents are very clear on this point. The Board of Directors are responsible for strategic planning. They are responsible for determining “What” needs to be done. POA staff are responsible for operations (tactical focus) and “How” to accomplish the Board strategies / directives.

Kirk Denger – Absolutely, the Property Owners who vote for BODs who vote for GM who is responsive, do have a voice.

Dick Garrison – We have an outstanding group of retired HR professionals in HSV. I will recommend a Compensation Committee to look into all aspects of our employment structure. Remember, we cannot do this until we remove the Bylaws/ Policies prohibiting BOD involvement.

Tucker Omohundro – Not a voice. They should determine it though the GM.

Lloyd Sherman – The board needs to be setting strategy and yes that should include staffing configurations

19. What are your business or real estate investment interest in Hot Springs Village and how will you balance your personal interests with your fiduciary duty to the POA’s purpose as stated in its Articles of Incorporation?

Nikki Choyce – I own a house and a lot which means that like every other property owner, I have invested in the Village. As a Director, my fiduciary responsibility is first and always to consider what’s in the best interests of Hot Springs Village community above my own interests.

Kirk Denger – I am retired with a home and a lot. I have no conflicts of interest to balance.

Dick Garrison – I am a 15 year resident who owns a single family home. This investment is not a material issue for my estate and will not influence any decisions I might make. Having said that, I would like to see my home again be worth what I paid for it.

Tucker Omohundro – I have more than most. I own a lot of Commercial Rental property. I build/develop according to state laws and the covenants and restrictions of the Village. That will not change, and I do not want it to change. Not sure where I need to balance anything.

Lloyd Sherman – I am a Realtor operating as an independent contractor and I own a house and neither has any impact on the Articles of Incorporation

20. What other communities, best practices or specific metrics will you use to measure Hot Springs Village and make decisions on its behalf?

Nikki Choyce – There are many types of metrics. We need to choose metrics that are appropriate and meaningful. Results metrics are commonly used. I agree that these are important because we need to

know what's been accomplished. I'd also like to see us incorporate more predictive metrics to study patterns and trends to improve our ability to forecast future potential results. We can't move forward if all we do is look in the rearview mirror (results metrics). We need to keep our eyes on the road ahead of us (predictive metrics).

Kirk Denger – Not many other communities compare to HSV. I will use SMART metrics and a standard way of complying with legal and ethical requirements.

Dick Garrison – The current administration has many times made the argument that HSV is unique. Granted, BUT if someone brings forth the fact that near-by Benton pays out 25% of their revenue to salaries and we pay out 50% of our revenue to salaries, the mind jumps to what if we just did the mid-point and paid 37.5% of our revenue in salaries-that 12.5% savings would equal about 4 million bucks a year and would pay to fix a lot of our infrastructure needs.

Tucker Omohundro – Not sure of any. I think most would like to learn from our community. It is a great place and it is even going to get better.

Lloyd Sherman – I will be guided by best practices and common sense in any and all issues that come before the board.

21. What do you consider to be the community's single greatest challenge in the next 3 years and what solution do you propose for solving it?

Nikki Choyce – Duplicate question, answered elsewhere.

Kirk Denger – The two-tier assessment structure is unsustainable. Assessments need to be based on property value to keep revenue sustainable. I propose restructuring assessments based on property value.

Dick Garrison – See all of my other answers.

Tucker Omohundro – Financial stability. Stop unnecessary spending. We must see where we are really at in order to go forward with whatever is necessary in the future.

Lloyd Sherman – Getting back to full-time management of our infrastructure.

22. There has been a great deal of division in Hot Springs Village since the last POA board member election. What do you feel the impact of this division is on people who may be considering moving to the Village?

Nikki Choyce – A resident community of more than 14,000 people is bound to represent a wide range of interests and backgrounds. Healthy interactions and discussions can make us a stronger community. But destructive and disrespectful behavior is damaging. Realtors have related stories of clients backing out of home purchases once they read negative items from the internet. Visitors overhear residents talking in shops or at the golf course disparaging some aspect of Village life. Our #1 marketing and sales force are property owners and we need to get our act together and stop these negative behaviors and actions.

Kirk Denger – I think the division of the BODs dividing themselves from the Property Owners by changing their duty of loyalty to the corporation and spending large sums of Property Owner money and adopting the CMP without a member vote has now brought unity to the Property Owners to relieve this small group of their duties. The people who are considering moving here like gaining the losses of the people who have been leaving at any cost due to the uncomfortable feeling of the perpetration of the CMP.

Dick Garrison – There is anecdotal feedback from the realtors that this is having a negative effect. Personally, I don't think that many newbies look at our dirty laundry. I also think that if our divisiveness stops one family from moving here, that is too many.

Tucker Omohundro – I do know it has hurt us. How much is unknown. It is really something that can change quickly. I truly believe it will.

Lloyd Sherman – To some extent this is a false narrative being floated in an attempt to justify the lack of results. More attention should be paid to the unhappy property owners who have fled or thinking of fleeing.

23. Have you served on any POA committees? If so, what committees? If not, why not?

Nikki Choyce – I currently serve as Chairperson on the CMP Advisory Committee (CMPAC). It has provided me with a broad basis of understanding of HSV challenges.

Kirk Denger – No, if elected, I will serve on the Board. Board members should not serve on committees.

Dick Garrison – Eleven years ago I briefly served on the Golf Committee but had to resign for health reasons. I served on the Future Funding Task Force that was an excellent insight into POA issues such as infrastructure, amenity funding, revenue, etc etc

Tucker Omohundro – I served and later managed the ACC for years when it was being run by the developer.

Lloyd Sherman – No! Currently on two boards as well as selling real estate. Property owner input is disregarded by the POA staff who control the committees, nor would I be accepted to one that had to pledge allegiance to the CMP instead of to the property owners.

24. Do you support a finance committee that is responsible only to the POA Board of Directors? Why or why not?

Nikki Choyce – The Finance committee Charter states that this committee is accountable to the Board of Directors. Like all standing committees, it will be advisory in nature. As this is a new committee, it is unclear if what's stated in the Charter matches the spirit of the intended purpose of this committee.

Kirk Denger – Yes, but not if it is made up of directors or the chair is appointed by the BOD instead of elected by the committee members. Committees made up of Board members are nothing more than secret board meetings and are another example of the arrogance of the corporate loyal instead of

Property Owner loyal Directors. Committees were never and should never be made up of Board Directors.

Dick Garrison – I strongly recommend a Finance committee that reports only to the BOD. We need a replacement for RASP and we also need help in formatting and presenting financial information in order to make cogent decisions. This committee would also be a huge asset in terms of making decisions regarding infrastructure priorities, project financing, cash projections, etc

Tucker Omohundro – I don't know of any committee that should not be responsible to the BOD.

Lloyd Sherman – Absolutely. Have been an advocate of this for two years. We need stronger financial reporting.

25. Experience in management is different than experience as a director of a corporation. The POA is a corporation. Have you served on the board of a corporation?

Nikki Choyce – I served on a board of directors for a not-for-profit corporation for over ten years including two separate terms as President. I recognize that it is not the same in terms of scale or complexity, but the responsibilities are similar.

Kirk Denger – No, but if all the present and recent past Directors had previous experience, look where they got us.

Dick Garrison – Yes I have served on Boards and many management committees.

Tucker Omohundro – No, but I did answer to one.

Lloyd Sherman – The POA is a not for profit organization and you can use the term corporation if you like, however, we are NOT a corporate for-profit entity. So, yes I have served on several non-profit boards as well as professional association boards.

26. Do you believe the current form of corporation is the right one for our Association going into the future?

Nikki Choyce – This is a non-issue. According to Hot Springs Village governing documents, we are a nonprofit corporation in the State of Arkansas. This will not change.

Kirk Denger – Yes, it cannot be changed for at least another 6 years, Article XIV Declaration.

Dick Garrison – The form is fine – it is the recently added Bylaws, Policies and Protective Covenants that are the problem.

Tucker Omohundro – Yes, with the Bylaws changed to put the power back to the BOD.

Lloyd Sherman – It's worked for 50 years why would we need to change it?

27. Do you feel the CEO should be removed from her position? Why or why not?

Nikki Choyce – Duplicate question, answered elsewhere.

Kirk Denger – This is a repeat question, see 6.

Dick Garrison – See #6

Tucker Omohundro – See number 6.

Lloyd Sherman – Asked and answered during the Village Voice forum.

28. We can't effectively and efficiently sustain and maintain our infrastructure and amenity assets because of a lack of funding. How do you suggest we increase funding?

Nikki Choyce – Duplicate question, answered elsewhere.

Kirk Denger – We do not have a lack of funding; we have a lack of management of our funding.

Dick Garrison – We have no chance for an assessment increase, so the only way we can increase funding is through growth and that requires dramatic changes in how we market HSV. Nickel and diming new home construction is a poor way to increase funding.

Tucker Omohundro – It is so much easier to cut cost than increase revenue. If it was simple it would already be done. Don't have a good answer currently.

Lloyd Sherman – We don't know for certain if this is true. This question cannot be answered without studying what expenses can be trimmed from the budget first. Then and only then can we say that we CANNOT effectively sustain and maintain our infrastructure and amenity assets.

29. If a board member is removed, do you feel they should be allowed to run for the board the following year?

Nikki Choyce – Removing a board member is serious business and this action (if taken) can only occur if there is a verified cause as described in the bylaws Article VII section 6 and a majority vote of the Board. Every board member must meet their fiduciary responsibilities to the membership and if removed, it is because they have failed that responsibility. Actions have consequences and, in this case the consequence should be that the removed board member is no longer eligible to serve on the Board.

Kirk Denger – Nothing in the governing documents prohibits it.

Dick Garrison – I am that board member and there is nothing in our constitution that prohibits me from running.

Tucker Omohundro – Yes, I do.

Lloyd Sherman – Depends on why they were removed. Speaking your mind or pointing out corrections required is not one of them, nor is removal because of something someone ELSE said or

did.

30. Will you work to shut down and remove the CMP?

Nikki Choyce – For more than 10 years, each Board of Directors has said the Village needs a master plan and while there were attempts made, nothing happened. We now have a master plan and even though it's not perfect, is done and we should use it. To discard it at this point would be a foolish waste of money spent.

Kirk Denger – The CMP is an elected plan that can be elected to be removed, I vote to remove the CMP.

Dick Garrison – Immediately.

Tucker Omohundro – This was one of my questions. I think my answer was yes, hopefully in the first week.

Lloyd Sherman – Yes! It is a divisive document and cannot be implemented. Waste of resources.

31. Should marketing be under the direction of the Board and not under the POA? Why or why not?

Nikki Choyce – The question should really be: Where should we position the marketing function so they can be most effective? Marketing is an essential function of every organization and as such belongs within the POA structure along with Finance, Human Resources and IT. Ultimately all POA staff report to the Board of Directors. The Board needs to stay focused on the “big picture” strategies while the Staff take care of operations.

Kirk Denger – Marketing should not be attempted by the management or the BOD, neither knows what they are doing or has any responsibility to succeed. After all the millions of loss sustained by the Property Owners, no one had any skin in the game except the Property Owners. Right now we need to maintain what we have first before we can market it.

Dick Garrison – It should be under both the BOD and the POA.

Tucker Omohundro – This is a tough question for me. I am mixed about it. I would rather it be under the GM but can see where we would be expecting a lot from that position. I think my answer would be based on the knowledge of the GM in marketing.

Lloyd Sherman – Absolutely. POA's sole responsibility is maintenance of amenities.

32. What do you propose to fix the broadband and cellular issues in the Village? Do you have a timeline for this?

Nikki Choyce – The short answer is: if this was an easy problem to solve, it would have been done already. We don't have the population density that service providers need to make it a profitable proposition for them. Technology is constantly improving and with low population density, wireless

solutions will likely be the answer. Costs of infrastructure installation are lower and would be more attractive to a provider. The “First Responder Network” (Federal telecommunications project) is currently being deployed in Arkansas and may offer new opportunities (to be determined).

Kirk Denger – Most places in the Village have no issues, we have Suddenlink and U-verse. I propose ATT 5G cellular hotspot with unlimited data Pro plan, fast as greased lightning. The time line will be as usual, by the time you get it, it will be obsolete.

Dick Garrison – My personal belief is that broad band technology will solve this issue before anything the BOD could do to change it.

Tucker Omohundro – This is not something I have spent time on yet. I cannot give a good answer.

Lloyd Sherman – Would need to study work that has been done previously to know how to answer. We need more tower coverage as do many rural areas in Arkansas. Would also meet with CCI and get their input and assessment.

33. What do you suggest be done about collecting assessments owed from defaulters?

Nikki Choyce – Nearly all the delinquent assessments are lots owned by non-resident property owners. Staff have been working on collection activities with some success, but the problem is big (\$3.9M annually). Non-resident property owners that don't perceive the value of their investment, lack incentive to pay assessments. I would like to see a program set up designed to remind non-resident property owners of the benefits of members and the high value it provides. Bring them in for a visit and remind them why they bought property here in the first place. Positive incentives may work better than negative penalties.

Kirk Denger – Give up! Those lost Property Owners were all forced out five to ten years ago by continually raising assessments. Restructure assessments based on property value to stop more Property Owners from being forced out. Quit charging assessments to lots that have been at the land office for ten years, that is nothing more than a numbers game for creative accountants. Just place a lien on the lot/land according to the Declaration. The lots have less value than the lien, then foreclose the property. Have a clearance sale on lots after assessments have been restructured. People will again be able to afford land.

Dick Garrison – There is no easy answer to this question – we can only continue to try to collect. Going to court over these relatively small amounts is not an answer.

Tucker Omohundro – I am open for suggestions.

Lloyd Sherman – I believe the staff that is working this issue is doing the best job they can. If someone refuses to pay there are prescribed methods to follow and I have to believe they are being followed. Another suggestion is look into contracting a Collection Agency for those assessments the staff are not successful with. Many collection agencies are paid based on the money they generate. If they collect nothing, they get paid nothing.

34. If elected to the board, what will be your # 1 priority?

Nikki Choyce – Information gathering. The quality of decision-making is directly impacted by the quality of information. Next, review and evaluate priorities and work with the rest of the Board directors to develop a measurable plan to achieve them. There's been a lot of rhetoric demanding "changes". What's unclear is why people feel changes are needed. Change for change sake is not a good use of our time / money / staff resources. It creates wasted effort (churn). Instead we need forward movement. So, first we need to understand the root problem which means we need to go deeper than the presented symptom(s). Only then can we make changes that directly address or fix that root problem.

Kirk Denger – Restructuring assessments based on property value.

Dick Garrison – Change the Bylaws and Policies that restrict the BOD from being involved in the management of HSV

Tucker Omohundro – Changing the Bylaws. Will not be the first thing I do though. It will take time. Other things won't.

Lloyd Sherman – There are many but our bylaws and policies and procedures need returned to the form they were in for the Board to regain control.

35. If a candidate running for the board has publicly stated they have obtained legal counsel to investigate the viability of taking legal action against the POA Board, do you feel this would constitute a conflict of interest?

Nikki Choyce – *No answer provided.*

Kirk Denger – Publicly or not everyone has a the freedom to find out what is legal, and what is legal is not against the Board because it is in the best interest of the Corporation and the Property Owners for the Board members to learn if they have been acting illegally as they have been in concealing information from Property Owners. Therefore it is not a conflict of interest.

Dick Garrison – I am that candidate, this is America, I have that right.

Tucker Omohundro – I would hope not. I did it not long ago.

Lloyd Sherman – A candidate by definition is a property owner and if they feel they have been wronged, what would running for the Board have to do with it?

36. What do you propose be done with the Balboa Club building and how do you propose to pay for it?

Nikki Choyce – Balboa Club is only one of approximately 100 buildings owned by the POA. Every one of them require varying degrees of maintenance or renovation. Before we can make a decision regarding the future of any facility, we should first evaluation what our community needs. Do we need

more meeting spaces? Office space? Entertainment space? Once we know what we need, then and only then will we have the answer to what should be done with Balboa Club.

Kirk Denger – The Balboa club needs nothing but normal maintenance. Why would anyone think that the building design should change from the Historic Design that was the life of HSV in 1988? Should we all agree that all buildings built Pre- 1988 be torn down? Pressure wash exterior of Balboa Clubhouse, roof, walls, decks and sidewalks. Paint the interior and new carpet, all the things that should have been done for the last five years. The mis-spent money from the failed marketing budget will easily pay for the restoration.

Dick Garrison – Clean it up and find a viable tenant. The amount of work done needs to come out of a prioritized plan for all HSV infrastructure repair.

Tucker Omohundro – Not sure what happened but a gentleman I know tried to rent it and was going to pay to do work on it also. Staff did not know for sure what they wanted to do at this time is what he said he was told. I really need to look at the full issue to better answer this question.

Lloyd Sherman – First it is a travesty that was allowed to get to this point and it needs to be repaired back to functional operating status. It is an icon and needs to be preserved.

37. What do you think should be the primary focus on growing the Village?

Nikki Choyce – Duplicate question, answered elsewhere.

Kirk Denger – Repeat question, see 15.

Dick Garrison – Marketing.

Tucker Omohundro – Good marketing.

Lloyd Sherman – Remain the largest gated community in the US and quit trying to rebrand it into something it can never be.

38. Would you move to make changes or revoke previous changes made to the by-laws? If so, what changes would those be and why?

Nikki Choyce – All governing documents provide the essential foundation for how we can and should operate within our community. They should be reviewed to ensure they comply with State and Federal statutes and when not in compliance, changes must be made. One enhancement I would like to see is a policy that defines and documents the hierarchy of governing documents (which takes precedence). This would address some confusion where there is duplication of information between governing documents. Moving forward, each piece of information should be contained within only one (a “single source” model) of the governing documents and in the one at the appropriate level within the governing document hierarchy.

Kirk Denger – I would move to revoke all bylaw changes that were passed by the Boards on the recommendations of the governance committee that was chartered and operating since 8/17 in violation of bylaw Article XII, Section 4, H: ‘a member who is serving on the Board of Directors, or

whose spouse presently serves on the Board of Directors, shall not serve on a Standing Committee, until after completion of service on the Board of Directors’.” that was also changed on the recommendation of that same committee by this present Board. Committees were never and should never be made up of Board of Directors and CEOs planning in secret how to manipulate Property Owners by changing documentation to fit secret agendas. Committees made up of Board members are nothing more than secret board meetings and are another example of the arrogance of the corporate loyal instead of Property Owner loyal Directors.

Dick Garrison – We need to change the changes made in the past three years that restrict the BOD from becoming involved in POA operation.

Tucker Omohundro – Answered earlier.

Lloyd Sherman – Asked and answered during the Village Voice forum.

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