



**COVES PHASE II**  
**PROPERTY OWNERS ASSOCIATION**  
*www.covestwo.com – covestwo@gmail.com*

Coves II Property Owners Association  
Annual Meeting  
October 9, 2021 - 10:00 a.m.

AGENDA

Call to Order: President Paxton

Roll Call: President: Kristifier Paxton  
Vice President: Houston Murillo  
Treasurer: John Gay  
Secretary: Denise Corbin  
At Large Position: Vacant

Welcome – President Paxton

Approval of September 28, 2021 Virtual Meeting Minutes

Financial Report

Public Input from Owners - Discussion

Annual Business Meeting:

1. Resolution 2021-007: Recommendation to Amend the Covenants of the POA  
*Note: This resolution requires **23 votes** in favor or it cannot pass.*
2. Resolution 2021-008: Recommendation to Amend the By-Laws of the POA  
*Note: This resolution requires **23 votes** in favor or it cannot pass.*
3. Resolution 2021-011: Recommendation to Owners to Approve Cost Share to Improve Holland Park with Conditions  
*Note: This can move forward with simple majority of board if 23 are not present.*
4. Election of Officers: Treasurer, At-Large Position  
*Note: Appointments can move forward with simple majority of board if 23 are not present.*
5. Resolution 2021-012: Authorized Signers on Account at Arvest Bank  
*Note: This can move forward with simple majority of board if 23 are not present.*

Announcements

Adjournment



## COVES PHASE II

PROPERTY OWNERS ASSOCIATION

[www.covestwo.com](http://www.covestwo.com) – [covestwo@gmail.com](mailto:covestwo@gmail.com)

Board of Directors Virtual Meeting  
September 28, 2021  
Minutes

President Kristifier Paxton called the virtual meeting and workshop to order at 6:31 p.m. on September 28, 2021.

Roll call was taken with President Paxton, Vice President Murillo and Secretary Corbin in attendance. Treasurer Gay was absent. The At-large position is vacant. Attorney Tripp Halbert was also in attendance.

The minutes of the August 24, 2021 meeting were presented. Secretary Corbin made a motion to approve the minutes with a second from Vice President Murillo. All present vote yes, motion passed.

Old Business:

1. Resolution 2021-007 Recommendation to Amend the Covenants of the POA. The covenants were reviewed and changes discussed along with recommendations from attorney Halbert. He also explained that the Covenants and By-Laws sometimes contradict each other and recommended the By-Laws be amended also. President Paxton made a motion to present the recommended changes at the annual POA meeting in October, with a second from Secretary Corbin. All present vote yes.
2. Resolution 2021-008 Resolution to Amend the Bylaws of the POA. President Paxton made a motion to recall Resolution 2021-008 and present the recommended changes at the annual POA meeting in October, with a second from Vice President Murillo. All present vote yes, motion passed.

The Board entered into Executive Session at 7:01 p.m. to discuss late fees on two property owners' POA dues. The Board reconvened from Executive Session at 7:06 p.m. President Paxton made a motion to waive the late fees for two property owners that never received a dues statement, with a second from Secretary Corbin. All present vote yes, motion passed. President Paxton will contact Treasurer Gay regarding the late fees.

There being no further business, Secretary Corbin made a motion to adjourn, with a second from Vice President Murillo. President Paxton adjourned the meeting at 7:09p.m.

PASSED AND APPROVED on October 9, 2021

APPROVED:

ATTEST:

\_\_\_\_\_  
Kristifier Paxton, President

\_\_\_\_\_  
Denise Corbin, Secretary



## COVES PHASE II

PROPERTY OWNERS ASSOCIATION

[www.covestwo.com](http://www.covestwo.com) – [covestwo@gmail.com](mailto:covestwo@gmail.com)

FILE NUMBER RES 2021-007

### ***Recommendation to Amend the Covenants of the POA***

**WHEREAS**, DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE COVES II, A SUBDIVISION TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS (Covenants) states in Part 2. Membership and Voting Rights in the Association: Additions “(d) Quorum, Notice and Voting Requirements. The quorum, notice and voting requirements of and pertaining to the Association are set forth within the Bylaws of the Association as the same may be amended from time to time. Subject to the provisions or the Bylaws, any action by or on behalf of the Association, except for actions allowed to be taken by the Board of Directors alone, may be taken with the assent given in writing and signed by Members who collectively hold or control a majority of the outstanding votes of the Association”; and

**WHEREAS**, the Covenants state in Part 4. Duties and Powers of Association “(h) To make reasonable rules and regulations for the operation of the Common Properties and to amend these Covenants from time to time”; and

**WHEREAS**, the Covenants state in Part 11. Regulations “Reasonable regulations concerning the use of the Property, including Common Property and all other areas which the Association maintains, regardless of fee ownership, may be made and amended from time to time by the Association”; and

**WHEREAS**, the attorney of the Coves II POA reviewed the Covenants and Bylaws of the association and determined that a simple majority of owners is all that is required for amendments to the Covenants of the association; and

**WHEREAS**, the Board of Directors at the Covenants Workshop meetings identified revisions within the Covenants which the Board recommends revisions.

NOW THEREFOR, BE IT RESOLVED BY THE BOARD OF DIRECTORS:

Section 1: The majority of the Board of Directors has reviewed and agreed upon a recommendation for amendments to the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE COVES II, A SUBDIVISION TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS.

Section 2: Said recommended amendments as identified by the Board of Directors at the **2021 Covenant workshop meetings** are to be forwarded to the Annual POA Meeting with a Recommendation of Approval.



## COVES PHASE II

PROPERTY OWNERS ASSOCIATION

[www.covestwo.com](http://www.covestwo.com) – [covestwo@gmail.com](mailto:covestwo@gmail.com)

Section 3: The Board of Directors recommends a combination of those present, written instruments in the form of ballots for those absent, and proxy voting as suitable methods for owners to establish a quorum of at least **23** members.

Section 4: The Board of Directors recognizes that any less than **23** votes in the affirmative, a combination of those present, by written instrument, and by proxy, will result in a failure to amend.

Section 5: The Board of Directors recognizes that an affirmative vote of at least **23** owners by a combination of those present, by written instrument, and by proxy, will result in the need to file said amendments by record. The provisions of any instrument amending or terminating the Covenants shall be effective from and after the date the amendments are properly recorded.

*PASSED and APPROVED on 10/09/2021*

APPROVED:

ATTEST:

\_\_\_\_\_

\_\_\_\_\_

Kristifier Paxton, President

Denise Corbin, Secretary



## COVES PHASE II

PROPERTY OWNERS ASSOCIATION

[www.covestwo.com](http://www.covestwo.com) – [covestwo@gmail.com](mailto:covestwo@gmail.com)

FILE NUMBER RES 2021-008

### ***Recommendation to Amend the Bylaws of the POA***

**WHEREAS**, DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE COVES II, A SUBDIVISION TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS (Covenants) states in Part 2. Membership and Voting Rights in the Association: Additions “(d) Quorum, Notice and Voting Requirements. The quorum, notice and voting requirements of and pertaining to the Association are set forth within the Bylaws of the Association as the same may be amended from time to time. Subject to the provisions or the Bylaws, any action by or on behalf of the Association, except for actions allowed to be taken by the Board of Directors alone, may be taken with the assent given in writing and signed by Members who collectively hold or control a majority of the outstanding votes of the Association”; and

**WHEREAS**, The Coves II Property Owners Association Bylaws, Article XI Amendments states in 11.1 that “Any and all of the provisions contained in these Bylaws may be changed or amended by an instrument in writing, drafted so as to be recorded with the County Clerk of Washington County, Arkansas, and signed by the Secretary of the Association, subject to the provisions of the Declaration. Such a change or amendment shall require approval by majority vote of all Members except that Declarant may make unilateral changes without the need for consent as long as it owns a Lot”; and

WHEREAS, the Declarant no longer owns any lot; and

WHEREAS, the Board of Directors at the July 10th 2021 quarterly Board of Directors meeting identified revisions within the Bylaws which the Board recommends revisions.

NOW THEREFOR, BE IT RESOLVED BY THE BOARD OF DIRECTORS:

Section 1: The majority of the Board of Directors has reviewed and agreed upon a recommendation for amendments to the Bylaws of The Coves II Property Owners Association.

Section 2: Said recommended amendments as identified by the Board of Directors at the **workshop meetings** are to be forwarded to the Annual POA Meeting with a Recommendation of Approval.

Section 3: The Board of Directors recommends a combination of those present, written instruments in the form of ballots for those absent, and proxy voting as suitable methods for owners to establish a quorum of at least 23 members.



## COVES PHASE II

**PROPERTY OWNERS ASSOCIATION**

***www.covestwo.com – covestwo@gmail.com***

Section 4: The Board of Directors recognizes that any less than 23 votes in the affirmative, a combination of those present, by written instrument, and by proxy, will result in a failure to amend.

Section 5: The Board of Directors recognizes that an affirmative vote of at least 23 members by a combination of those present, by written instrument, and by proxy, will result in the need to file said amendments by record. The provisions of any instrument amending the Bylaws shall be effective from and after the date the amendments are properly recorded.

*PASSED and APPROVED on 10/09/2021*

APPROVED:

ATTEST:

\_\_\_\_\_

\_\_\_\_\_

Kristifier Paxton, President

Denise Corbin, Secretary



## COVES PHASE II

PROPERTY OWNERS ASSOCIATION

[www.covestwo.com](http://www.covestwo.com) – [covestwo@gmail.com](mailto:covestwo@gmail.com)

FILE NUMBER RES 2021-11

### ***Capital Improvements Program (CIP) – Holland Park Improvements with Conditions***

**WHEREAS**, Resolution 20-002 established a Capital Improvements Program for The Coves Phase II; and

**WHEREAS**, the improvement adds value to the subdivision and/or Owners as a whole, which may include, but is not limited to advanced atypical maintenance along Common Property, for example between the front of curb to the back of the sidewalk for each and every lot; and

**WHEREAS**, the improvement is **NOT** a part of or becomes a part of the subdivision or is permanently affixed to the subdivision, which would require a waiver from all owners; and

**WHEREAS**, the improvement will be a permanent installation; and

**WHEREAS**, the City of Fayetteville has agreed to pay for the installation of a swing set at Holland Park providing that surrounding POAs agree to pay for the swing set in the amount of \$20,000.

NOW THEREFOR, BE IT RESOLVED BY THE BOARD OF DIRECTORS:

Section 1: The Board of Directors recommends to the full POA during the annual meeting a waiver from the requirement that the Board of Directors created which requires improvements paid for with POA funds be a part of the subdivision or permanently affixed to the subdivision.

Section 2: The Board shall forward to the full POA annual meeting with a recommendation to allow the Board of Directors to work with neighboring POAs in a cost share to pay the City of Fayetteville to install a swing set at Holland Park. The total cost has been identified as \$20,000, which requires funding allocations from neighboring POAs for further consideration by the Board of Directors. Participating POAs shall divide the amount of the full installation (\$20,000) by the amount of lots in all participating POAs.

Section 3: The Board of Directors shall accept as approval of this a simple majority of all those present or voting by any instrument at the 2021 full POA meeting.



## COVES PHASE II

**PROPERTY OWNERS ASSOCIATION**

***www.covestwo.com – covestwo@gmail.com***

Section 4: The Board of Directors recognizes that any installation in a City Park becomes public property and usable by any member of the public, maintained by the City of Fayetteville.

*PASSED and APPROVED on 10/09/2021*

APPROVED:

ATTEST:

---

Kristifier Paxton, President

---

Denise Corbin, Secretary

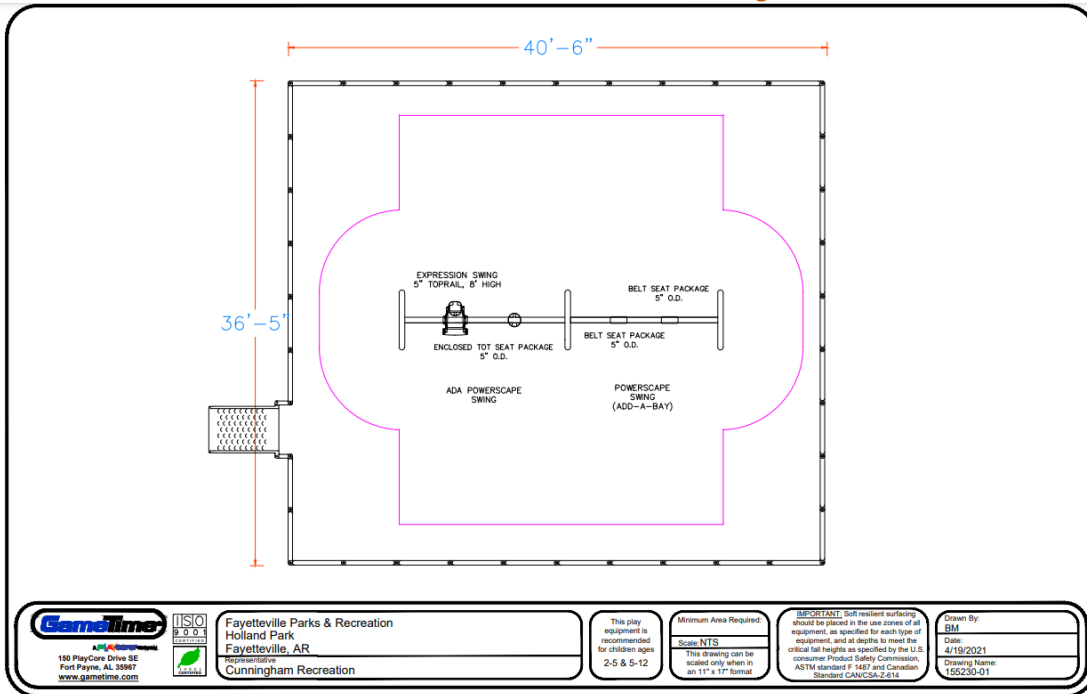




# COVES PHASE II

PROPERTY OWNERS ASSOCIATION

www.covestwo.com – covestwo@gmail.com





**COVES PHASE II**  
**PROPERTY OWNERS ASSOCIATION**  
*www.covestwo.com – covestwo@gmail.com*

RESOLUTION 2021-012

**AUTHORIZED SIGNERS ON COVES II ACCOUNT AT ARVEST BANK**

WHEREAS, John Gay resigned as treasurer of the Coves II Property Owners Association Board of Directors effective October 9, 2021 and shall no longer be an authorized signer on the Coves II account at Arvest Bank, and

WHEREAS, a new treasurer was elected at the annual meeting of the Coves II Property Owners Association, and

WHEREAS, the new treasurer along with the President and Vice President shall be the authorized signers on the Coves II account at Arvest Bank.

NOW THEREFORE BE IT RESOLVED,

At the annual meeting of the Coves II Property Owners Association a motion was made, seconded and passed to remove John Gay as an authorized signer and to allow the authorized signers on the Coves II account at Arvest Bank to be:

Kristifier Paxton, President  
Houston Murillo, Vice President  
Subir Bariago, Treasurer

PASSED and APPROVED this 9<sup>th</sup> day of October, 2021.

---

Kristifier Paxton, President

---

Denise Corbin, Secretary