



PETER A. M. CHRISTIE

MAYOR, BELLA VISTA

On January 1st 2015 Peter Christie was sworn in as the second Mayor of Bella Vista since incorporation in 2006.

Peter retired from NCR Corporation in August 2013 after 11 years of service. His last position with NCR was Vice President of Services on the Walmart account where he was responsible for a nine digit P&L and the performance of more than 2,000 employees. Prior to moving to Bella Vista in the spring of 2010, Peter and his wife, Connie, lived in Arizona for four years and 12 years in Illinois.

Originally from Canada, Peter spent twenty-two years in the telecommunications industry, 17 years with Bell Canada of which four were in Saudi Arabia, and another five years with companies that included British Telecom and Singapore Telecom. His experience includes Finance, Sales, Field Services, IT, Account Support and working with vendors and labor unions who supported his efforts in the many positions he has held over the years.

He graduated with Honors Business Administration from Algonquin College in Ottawa, Canada. He holds an International Marketing certificate from the Kellogg School of Management, Northwestern University, Evanston, IL. Christie is also a Certified Municipal Official with the Arkansas Municipal League.

Christie is a member of the Board of Trustees with Northwest Health Systems, Board of Directors of the Bella Vista Foundation, Vice Chair of the Benton County Solid Waste Management Board and the Bella Vista Sunrise Rotary (Paul Harris Fellow and 2012-2013 Rotarian of the year in Bentonville). He is a past Board member of Circle of Life Hospice and has been an active supporter of the Arkansas Children's Hospital, The Northwest Arkansas Children's Shelter, the Walton Arts Center and other community organizations with a focus on children and seniors. Peter served as a volunteer Police officer while living in Arizona and was a member of the Fifth Battalion Canadian Guards while attending college.

Peter and Connie have two sons, a veteran of the US Army and an active member of the US Coast Guard, and four grandchildren, two boys and two girls.

The Bella Vista Property Owners Association (the "POA") is a nonprofit corporation which runs the Bella Vista Water Department. The POA is not a city utility or a public utility; it is a private water department that serves certain Bella Vista property owners who, by purchasing property in Bella Vista which is subject to the Declaration, become members of the POA. The Water Department does not serve water to anyone who is not a member of the POA.

The Declaration is a public document filed in the Benton County, Arkansas land records and is the main governing document for property in Bella Vista. The Declaration states: "It is specifically provided that the water service will not be furnished to the public for compensation, and to the contrary such water service will be limited to Owners ..." "Owners" are defined in the Declaration as those individuals who have purchased property which is subject to the Declaration. New property may be made subject to the Declaration and therefore eligible for water service, by filing a Supplemental Declaration.

Cooper Communities, Inc. ("Cooper") is the only entity with the authority to make new property subject to the Declaration. The Declaration states: "No one other than the Developer, its successors and assigns, shall have the right to subject additional lands to the covenants and restrictions contained in this Declaration ..." "The Developer, its successors and assigns, shall have the right but not the obligation to bring within the plan of this Declaration additional properties, regardless of whether or not said properties are presently owned by the Developer ..." The Developer is defined in the Declaration as Cooper.

In addition to these restrictions, the Developer has also reserved to itself blanket utility easements across and over all property within Bella Vista, which effectively limits the expansion of the water system without the Developer waiving those easements. The Declaration states: "Developer, for itself, and its successors and assigns, hereby reserves and is given a perpetual, alienable and releasable easement, privilege and right on, over and under the ground as hereinafter designated of The Properties ..." "All such easements, including those designated on any plat of The Properties, are and shall remain private easements and the sole and exclusive property of the Developer and its successors and assigns."

Another argument from the Declaration which Cooper may use to block access is that the water system is a part of Common Properties. "It is contemplated the water system shall be constructed by the Developer but will be a part of the Common Properties." The Common Properties are intended to be devoted to the common use and enjoyment of the POA only.

While the Water Department may physically have water lines close to an area in need of service, the restrictions in the Declaration, and the unwillingness of Cooper to cooperate, is prohibiting those in need of water from getting this service. As a result, business expansion in Bella Vista is being severely constrained because of a lack of access to water.

Since the POA's Declaration is subservient to state law, we would like to explore how state law could be used to assist Bella Vista.