

WHISPER CREEK HOME OWNER ASSOCIATION ANNUAL MEETING MINUTES

Date | time 2/22/2020 8:00 AM | Meeting called to order by Marc Smith

In Attendance

Sign in sheet and list of proxies are attached as enclosure (1). All four board members were in attendance. The board counted attendees and proxies and noted there were sufficient proxies and residents present for a quorum. Whisper Creek has 221 residents and 62 undeveloped builder lots, 47 attendees including 60 proxies from residents and 53 proxies from the remaining builder's lots. We needed 93 combined residents and proxies to meet the quorum requirements, and a total of 212 to make any changes to our CC&Rs, according to our Florida statutes. Therefore this meeting would be the Annual Home Owners meeting, but no CC&R changes could occur.

Review of Previous Minutes

The board did electronically approve meeting minutes from 28 Jan 2020, but did not approve again at this meeting.

Budget

Joey Milstead provided budget status, as of 31 January 2020. YTD revenue \$27,946.80 with a carry in of \$924.38; Total Operating Budget of \$28,871.18; expenses \$8410.84, checking account ending balance is \$20,460.34. 83 homeowners have not paid 2020 assessments and 14 builder lots have not been paid, the total outstanding assessment balance is \$20,583.61. The 2020 budget was presented again it was noted as more homes sell and assessments are collected from new owners, our reserve balance will increase. The goal is to have a reserve balance that would be available for any unknown expenses this year. It is also anticipated as this reserve balance increases, we may be able to lower the annual assessment in future years. Revenue generating from residents should be \$55,250 builder assessment will be \$3,100 for a total revenue of \$58,350. Expenses for 2020 are projected at \$46,393.99, providing a reserve balance of \$11,596.01

Property Management Updates

Etheridge Property Management Company did not send a representative to our meeting

Home Owner Discussions

- Marc Smith began the meeting with a welcome and the discussion about meeting quorum requirements (see attendance section).
- A thank you was given to all the home owners that assisted with hand delivering of meeting notice and proxy forms, thus saving additional postage and printing charges from Etheridge, it was also noted that Etheridge did not charge the association for the previous mailings, at our request. Board was made aware that ACB requests have not always been sent for approval at our last meeting. It was decided the board would vote:
 1. Give amnesty to all improvements from 1/28/20 back, not need to submit ACB request

2. Request everyone that made improvements, and didn't submit a request, submit a request seeking approval, if the project is disapproved, the home owner must undo the project.

The result of this vote was a tie, Joey Milstead made a motion to defer this vote to the new board, that would have an odd number of members, Kevin Maxwell 2nd the motion, it was approved unanimously by board to defer this issue until the new board is seated.

- The contract with Etheridge Property Management has a 60 day termination clause, and on 31 Jan 202 the board sent a letter to Etheridge notifying them of our intent to terminate our contract effective 31 March 2020.
- Joey Milstead made a motion to select MyHomeSpot.com as our new property management company, Kevin Maxwell 2nd the motion, and the board voted unanimously to approve this change. The cost remains about the same as the previous company, so no need to update the budget.
- In prior meetings the lack of fines/fees to enforce CC&R violations was discussed. Board was informed a Statutory Committee was required to assess fines. Marc Smith suggested residents send the board an email if they would like to be on this committee, however committee members cannot be spouses or related to any board member. Fees would be assessed at a future determined rate for repeated or continuous CC&R violations. Two people have expressed interest in being a part of this committee: Lance Benson and Peggy Smith.
- It was requested that all future violation letters have a statement about future fines for consecutive violations at the bottom of letter. It was also requested that violations include a picture of the violation.
- Our HOA has a new Web Page, <https://whispercreekhoa.com> this was shared with homeowners
- Marc Smith requested nominations from home owners for the 2020 Board of Directors and indicated the board could be a minimum of five people or as many as nine, the Architectural Control Committee also does not have to be board members.
- The Following Nomination Occurred:
 - Matt McGraw, Perception Cir
 - Karen Rothwell, Whisper Creek Blvd
 - Joseph Valentino, Perception Cir
 - Joey Milstead, Tributary Dr
 - Diane Aldrich, Integrity Ct
 - Pauline Warren, Legacy St
 - Charles Zamary, Determination Ct
- Each nominee said a few words about why they would like to be on the board, and their background
- A homeowner suggested we have a board of only five people, Another Home owner made a motion to keep all seven nominees on the board.
- Homeowners Voted on board members:
 - Matt McGraw – No Opposition
 - Karen Rothwell – No Opposition
 - Joe Valentino – No Opposition
 - Joey Milstead – No Opposition
 - Diane Aldrich – No Opposition
 - Pauline Warren – 12 Opposed
 - Charles Zamary 13 Opposed
- This group of seven are your new Board of Directors for 2020 and have 60 days to complete the required HOA training

Open Forum

- Jan Nicols thanked current / outgoing board for their service

- Karen Rothwell brought up the new K-8 School going in on the vacant 24.5 acre parcel at the NW end of Whisper Creek Blvd, many homeowners have been attending county board meetings etc. , and she has a petition to stop the use of Whisper Creek as the only access road to the new school, there is also a BOCC mtg Wednesday 2/26/20, we need all concerned residents to show up at this meeting to oppose the use of our road as the only way into and out of the new school.
- A resident brought up the problems she and many other residents have had with grinder pumps, and indicated they went to the builder for resolution.
- Marc Smith gave words of encouragement to the new board members then made a motion to adjourn this meeting Joey Milstead 2nd the motion approved unanimously by board.

New Board of Directors Elections

- Karen Rothwell Nominated for President, with No Opposition
- Matt DeGraw Nominated for Vice President with No Opposition
- Joey Milstead Nominated for Treasurer with No Opposition
- Diane Aldrich Nominated for Secretary with No Opposition
- Chuck Zmary Nominated for Architectural Committee Chairman with No Opposition

New Business

- This Board needs to vote on the CC&R issue as directed by outgoing board, but have decided to gather more information from Etheridge Property Management before making any decisions, they will request an electronic copy of all ACB submissions for as far back as possible, then look at the data.
- Diane Aldrich made a motion to defer this vote until data was collected, motion 2nd by Chuck Zmary and approved unanimously by board
- Chuck Zmary made a motion to have another meeting around 31 March 2020 and was 2nd by Matt DeGraw approved unanimously by board.
- All new board members provided contact information to Joey Milstead, she will forward data to Etheridge and request they contact each new board member for their certification forms to comply with statute requirements.
- Karen Rothwell made a motion to adjourn motion was 2nd by Matt DeGraw approved unanimously at 9:50 A.M.

Next Meeting

- The next meeting is tentatively planned 31 March 2020, a location, and time will be provided as soon as details are confirmed.