

WHISPER CREEK HOME OWNER ASSOCIATION BOARD MEETING MINUTES

Date | time 6/6/2019 6:00 PM | *Meeting called to order* by Marc Smith

In Attendance

All members of the Whisper Creek Home Owners Association (HOA) Board of Directors (BOD) were in attendance. A small attendance of non-BOD homeowners, also attended. Jim Steele representing Etheridge Property Management attended as the HOA Community Association Manager.

Review of Previous Minutes

The 7 March 2019 HOA meeting minutes were previously reviewed by BOD, Marc Smith had two minor corrections, these corrections will be made and revised minutes posted. Motion made by Kevin Maxwell to approved minutes and Paige Warren 2nd the motion. Minutes were unanimously approved with two corrections. Corrected minutes were submitted to Jim Steele for posting to web page.

Budget

Joey Milstead provided budget status, as of 31 May 2019, checking account balance is \$3,961.76. YTD revenue is \$31,292.08.00, and expenses of \$29,365.36. As of the date of the meeting, 24 residents, and 18 builder lots have not paid the 2019 assessment, for a total of \$6,353.62 in outstanding assessments for 2019 and prior years. Three accounts have been turned over to the attorney for collection, and one homeowner is under a payment plan for annual assessments. Review of budget line items continued as follows: HOA began the 2019 year with a \$13,881 deficit from 2018 unpaid accounts with Etheridge (\$1575); Gulf Power (\$6648) and Green Works Landscaping (\$5658), which was \$4581 more than was disclosed in the January turnover meeting. On 7 March 2019 the board voted to cancel our landscaping contract with Green Works, but they cut the entrance the day before, therefore the HOA owed for entire month, Emerald Coast Lawn Service began two weeks later, and we paid them for an entire month of service as well. Gulf Power costs continue to be our highest monthly cost, and Marc Smith is working with them on street light placement and installation timeframe, this will help keep the cost as low as possible. The 2019 budget for our HOA is \$40,750.00, with planned Homeowner and Builder assessments of \$37,645.62, leaving \$3,104.38 unfunded budget. Using a straight-line project of current costs, our HOA will be still be over budget at the end of the year by \$8,678.55. Jim Steele indicated we may see some relief in the budget with the closing of so many Holiday and Horton homes in the near future, Whisper Creek had originally 177 lots planned and the new plan shows 270 lots.

Property Management Updates

Jim Steele has worked on a process for collection of fees and identification of builders' point of contact for payment of annual assessment. He also identified the community has 80 additional lots being cleared and sold, which should generate an additional \$16,000 once they are built and sold. We identified an accounting error in the budget and Jim worked with his company to process a \$240.00 credit to our accounts. The labor rate of Etheridge Maintenance is extremely high, \$44 per/hour in 2019, Jim suggested contracting another company to perform maintenance on our entrance, he will work with the board to make this happen. Frank Papasavas motioned to discontinue using Etheridge for general maintenance, Joey Milstead 2nd the motion, unanimously approved by board. HOA will provide Etheridge a 60-day notice required by our contract. Jim indicated Adams Homes has been paying water bill for sprinkler system at both entrances, but will be turning this account over to Etheridge for our HOA to manage.

Home Owner Discussions

- Marc Smith began the meeting with a Welcome and review of our process for newcomers, then reviewed the agenda.
- OLD BUSINESS: Covenants Conditions and Restrictions (CC&R) state 10% interest can be charged after 30 days of delinquency, but is not being collected. Kevin Maxwell made a motion to begin collecting late fees and interest on accounts more than 30 days in arrears, motion 2nd by Frank Papasavas, and unanimously approved by board, effective 6/6/19 on current delinquencies. Jim Steele will send letters to homeowners with delinquent accounts that they will begin assessing interest.
- CC&R Article V Assessments, Section 8. Effect of Nonpayment of Assessment Remedies of the Association. “Any annual or special assessment not paid within thirty (30) days after the due date shall bear a late charge of ten percent (10%) of the assessment amount, plus interest from such date at the highest legal rate per annum. The association may, after first giving ten (10) days written notice to the holder of any first mortgage bring an action at law against the Owner personally and oblige the Owner to pay same, and/or foreclose the lien against the Lot. No Owner may waive or otherwise avoid personal liability for the assessment provided for herein by nonuse of any Common Areas or abandonment of his Lot. Reasonable legal fees and cost shall be paid by Owner to the attorney for the Association. Legal fees and costs shall constitute a lien against the Lot.”
- We have three homeowners currently in a lien status, Marc recommended going forward with attaching a lien against property owners with a delinquency greater than \$500.00.
- Kevin Maxwell Architectural Control Board (ACB) has received 13 requests, all approved with zero issues. The team plans for a one week turn-around-time for most submissions, with the average now at two work days.
- Kevin requested a short document to define ACB requirements and process, this signage has been prepared and posted on Whisper Creek Facebook page, as well on www.epmfl.net/whispercreek
- Some home owners have requested we post “No Solicitation” signs at both entrances. The budget doesn’t have additional funding for these signs, but Marc indicated that donations from homeowners would be accepted. Frank Papasavas informed the board permission would still be required from the county to post these signs. Marc Smith will contact a county representative about sign placement, and let us know the results.
- Marc Smith made the BOD aware he receives requests and approves light pole additions and placements. He will consider safety and budget in future placement of street lights. The cost of street lights is one of the largest costs of the HOA, Marc asked Gulf Power to revert back to non-LED street lights, but they will not revert back, so we will be paying \$27 per month per light installed in our community.
- Marc explained the CC&R violation process to the room, and noted homeowners wanted all homeowners to be held accountable to CC&Rs in our January meeting. Jim Steele addressed the reason for the violation letters, is meant to keep or increase the home value in our area, continuity, and Pride in our Community. BOD will review all CC&R violation letters before Etheridge sends them to home owners, and will only send violation letters for infractions the HOA is willing to enforce.
- Discussion between Facebook admin and BOD determined Whisper Creek Facebook page will not become an HOA means of communication, we may post some general information.
- Homeowners can reach the BOD at: whispercreekhoaboard@gmail.com. All BOD meeting notes can be found on www.epmfl.net/whispercreek.

OPEN FORUM

- Peggy Smith recommended a more proactive approach to street light location and timing, said it is very dark at the end of Perception.
- Marc Smith informed everyone Gulf Power has a master plan for street lights, look for the large green boxes on easements, but he would still let them know when and where to install, based on community needs.
- Nicole and Chuck Zarmy need a light at the end of Perception and Determination.
- Homeowner wanted to know when the annual assessment letters are mailed, they are mailed in November each year for the upcoming year.
- Homeowner wanted to know how many months in arrears does a homeowner have to be before a lien is attached to their property - The HOA will place a lien on property if the assessment is one-year delinquent.
- A homeowner wanted to be proactive and create a Welcome Packet for new homeowners.
- Kevin Maxwell opened the floor to suggestions on collecting delinquent HOA assessments, no ideal solution was identified. He wanted to go door to door asking homeowners to be responsible and pay up! This approach was not sanctioned by the BOD.
- Paige Warren reminded us that we are now in hurricane season and trash receptacles on builders lots get blown around with high winds, Jim Steele will talk with all the builders about their hurricane plans.
- Jim Steele suggested having our landscaping company begin taking care of areas around retention ponds.
- Karen Rothwell identified an issue with gopher tortoises at the end of Whisper Creek Blvd inhibiting lot clearing, and the need to relocating them before building can continue.
- Karen also suggested Jim Steele post or email inspection dates for CC&R violations to save money on violation letters and postage, for things that are remedied before letters go out.
- Suggestion was made to email violation letters to homeowners with email addresses on file, vice mailing to save money. Can we change the process? Marc Smith asked Jim Steele to review process to see if we can change. There is a form each homeowner must sign with approval to use email addresses. Jim will add this form to Etheridge website and send to Karen Rothwell for posting to Facebook.

Next Meeting

- The next meeting is tentatively planned for 5 Sep 2019 at the Pace Fire and Rescue District, 4773 Pace Patriot Blvd., Pace FL 32571 at 6:00 p.m.
- Motion to adjourn was made at 7:30 p.m. by Frank Pappasavas and was 2nd by Paige Warren