

WHISPERWOOD HOA

BOARD MEETING MINUTES

July 17, 2025

Location: Groves Branch Library

Time: 6:00 PM

1. CALL TO ORDER

Randal Hamilton called the meeting to order at 6:03 PM. A quorum was confirmed with all five board members present in person, marking the first full in-person board attendance in six months.

Randal Hamilton - President

Priscilla Elliot - Member at Large

Karen Moorhead – Vice President

Marnee Bolen - Member at

Rehj Hoeffner – Secretary-Treasurer

Several members and guests were in attendance.

2. GOVERNANCE

Randal Hamilton reviewed the procedure for adding items to the agenda:

Request to the President, or

Support from three board members, or One board member and a petition signed by ten members.

He noted this has been the standard practice since September.

3. APPROVAL OF PREVIOUS MEETING MINUTES

Marnee Bolen stated that the two requested corrections had been made.

These clarifications were not discussed during the meeting but are noted here for transparency.

1. Changed name from **Randal** to **Karen** regarding reimbursement.

2. **Rehj Hoeffner** was available on the original date; the reschedule was not for her.

MOTION: Approve minutes as amended

Motion: **Marnee Bolen**

Second: **Karen Moorhead**

Vote: **Passed unanimously (5-0-0)**

4. MEMBERS COMMENTS

Member **Juan Gonzales**, expressed concern about unkempt yards.

Randal Hamilton noted the bylaws are silent on weed height, but City of Lubbock Code Enforcement is not.

Correction:

While the HOA may allow the City to take the lead on enforcement, the Association's CCRs do address this issue by prohibiting "anything which may become a nuisance to the neighborhood."

Under City of Lubbock Code §34.02.033(b), uncultivated vegetation over 8 inches in height is classified as a “nuisance.”

Note: Member **Scott Hall**, explained how to report code violations via the City website or app.

5. PRISCILLA ELLIOTT (AT HER REQUEST)

Priscilla reported regular calls to the City about overgrowth, dumping, mosquito spraying, and street sweeping, urging residents to call (806) 775-3110 for mosquito issues. She addressed accusations of inactivity by outlining her work on dues, mail, key coordination, and pool preparation with Paula Randolph. She raised concerns over inconsistent pool deposits, a misleading text from **Randal**, and a Facebook post tied to Agenda Item #8, along with general board conduct issues.

Marnee Bolen stated all deposits had been paid and the policy is now enforced. **Karen Moorhead** noted some email votes may not have gone through due to non-responses.

6. PRESIDENT’S REPORT

Randal Hamilton publicly thanked individual board members and volunteers for specific contributions to the pool project, including contractor **Buckie Dobson**. He highlighted that the pool opened shortly after Memorial Day despite major challenges.

7. TREASURER’S REPORT

Rehj Hoeffner provided financial balances as of June 30:

Account	Balance
Checking	\$26,013.55
Money Market	\$9,623.44
CD #1	\$82,934.47
CD #2	\$110,579.30
Total Funds on Hand	\$229,150.76

Key Points:

- Pool renovation fund under-allocated due to overages; \$4,451.88 final payment remains from the pool renovation fund.
- Pool surround fund zeroed out and balance transferred to general fund.
- Roof expenses pending; check written and to be delivered.
- Approximately 30 dues remain outstanding; **Priscilla Elliott** personally called non-payers.
- Key cards not activated until dues are paid (per **Marnee Bolen**).
- Remaining unallocated funds: \$7,366.47, needed for early 2026 operating expenses.

8. OPERATING RESERVE — ORDERING / ACTION ON THE \$140,000

Discussion Summary:

The Board reviewed the \$140,000 operating reserve designated in the approved 2025 budget.

Randal Hamilton expressed concern that designating the full amount as operating reserves limited flexibility for capital improvements and stated it might have influenced his vote had he understood the restriction.

Rehj Hoeffner clarified that the designation was clearly stated in the December 12, 2024 budget, in line with best practices and member feedback, to ensure adequate reserves during the pool renovation period. She explained that the \$140,000 figure was also used in determining the amount available for the pool renovation, differentiating it from capital reserves. **Priscilla Elliott** confirmed that the prior board emphasized maintaining sufficient reserves to offset possible delays in dues collection.

Karen Moorhead asked about restructuring the reserve and stressed the need for broad member notification (email, door delivery, and mailed notices to out-of-town owners) for any reallocation, however, quorum is not required.

During discussions, **Randal** inquired whether the Board wished to set a specific dollar amount the President could approve for HOA repairs. **Karen** responded that she preferred such spending decisions be agreed upon by the Board, even if that required a meeting.

Project Planning Notes:

- **Karen Moorhead** noted that project scoping (e.g., pergola, bathrooms, painting) must occur before commitments are made.
- **Marnee Bolen** indicated that major bathroom work should wait until after pool season, but urgent plumbing repairs could proceed sooner.

Treasurer's Financial Update (Rehj Hoeffner):

- Matured CDs were moved to the money market account.
- Recommended reinvesting \$70,000 into a 90-day CD if not immediately needed.
- Repairs under \$200 can be paid from the maintenance budget.
- Larger expenses require either a reallocation vote or member notification.

Member **Dan Gregory** suggested the board be able to use up to \$5,000 for discretionary expenses as needed from the operating reserves.

MOTION:	Allocate up to \$5,000 from operating reserves for discretionary maintenance, including pool house and bathroom repairs.
Motion:	Marnee Bolen
Second:	Rehj Hoeffner
Vote:	5-0-0 (Motion Passed Unanimously)

NOTE: This was clarified as a per year expenditure.

9. OUTSTANDING BILLS

Board Reimbursements:

Itemized reimbursements were submitted for:

1. Pool chemical purchases
2. Paint and supplies for pool furniture
3. Skimmer equipment and testing kits
4. Signage and administrative supplies

Rehj Hoeffner confirmed all reimbursements were within approved budget categories and required no additional board votes. Checks will be issued accordingly.

Discussion — Roofing Invoice:

Randal Hamilton brought forward the outstanding roofing invoice, noting the total had changed since prior approval.

Rehj Hoeffner explained that the original budget allocation for the pool house roof was **\$10,015.00**. The final invoice included:

1. An additional \$500 (allocated) for replacement of a gable
2. \$905.49 in sales tax, which was not anticipated in the allocation
3. The sales tax overage resulted in the roofing fund being underfunded by **\$905.49**, which was covered from unbudgeted operating funds

Randal presented the updated total for a vote.

MOTION: Approve payment of the full roofing invoice in the amount of \$11,920.49 from the pool house roofing fund.

Motion: **Rehj Hoeffner**

Second: **Marnee Bolen**

Vote: **5-0-0 (Motion Passed Unanimously)**

10. POOL RENOVATION REPORT — FINAL INVOICE (OASIS POOLS \$4,451.88)

Discussion Summary

Discussion resumed over whether the pool renovation project was completed to the required standards for full payment.

Rehj Hoeffner requested confirmation that the pool renovation project was fully completed. She asked for a walk-through to confirm the project was inspection-ready and signed off by officers. **Randal Hamilton** responded that such a report was not necessary. **Rehj** noted that the City of Lubbock inspection passed with temporary depth markers in place to allow the pool to open, and cited Texas Health & Safety Code §341.064 requiring permanent depth markers. **Marnee Bolen** stated that the city recommended adhesive markers, while **Karen Moorhead** said the city had suggested spray paint as an alternative, which she did not support. Member **Scott Hall** asked whether **Rehj** wanted the markers installed under the current contract, and she confirmed that she did. **Karen Moorhead** and **Randal** confirmed that permanent markers were not included in the original bid.

Tarp Anchors/Cleats

Discussion also addressed the pool tarp anchors and cleats. **Priscilla Elliott** raised concerns about the

ability to install the pool tarp without cleats around the pool. **Rehj Hoeffner** and **Karen Moorhead** stated that the cleats and embedded markers were present before renovation and removed during construction. **Buckie Dobson** confirmed that cleats were removed but not listed as a separate contract item. **Marnee** stated that the project liaison failed to ensure restoration of certain features, including cleats. **Buckie Dobson** stated that he would return to remedy the cleats for an additional charge.

Payment Structure and Contract Terms

The Board reviewed the payment structure and contract terms. **Rehj Hoeffner** explained that payments were made in lump sums tied to project milestones, not individual invoices, and that the final invoice represented the last five percent holdback. **Randal Hamilton** wanted to present the invoice as stand alone separate from the pool project. **Karen Moorhead** asked if the five percent was still being held, and **Rehj** confirmed that all payments except the final project invoice had been made.

Member Input and Influence on Deliberation

Member **Dan Gregory** commented that the situation should be considered a learning experience and recommended paying the \$4,451.88 and planning for tarp installation at the end of the season. During deliberation, **Karen Moorhead** referenced **Gregory's** comments as support for proceeding with payment, noting that members present also expressed agreement. **Rehj** reiterated that prior board approval of payment does not automatically require issuance of a check without verification of contract completion and proper documentation. **Karen** mentioned member **Jack Stoffregen** had told her the cleats were not in the contract, and she and **Randal** referenced this in support of their position, as well as agreement from members in the audience.

Board Deliberation and Objection to Payment

Randal Hamilton stated that the services on the invoice had been performed and that the HOA had a fiduciary duty to pay the bill. **Rehj** objected to issuing payment at this time, stating she did not feel comfortable signing the check under the current circumstances since the pool project was incomplete and received no walk-through to ensure completion of the project. **Randal** told **Rehj** to sign the check or resign. **Rehj** declined to resign and restated her objection to issuing payment. **Rehj** offered the opportunity for co-signatories **Karen Moorhead** and **Priscilla Elliott** to sign the check, however they showed no interest in doing so.

Final Resolution

Buckie Dobson confirmed that he would return to install cleats and assist with tarp installation. The Board proceeded with payment of the final invoice in the amount of \$4,451.88 to Oasis Pools. The check was signed by **Rehj** and co-signed by **Priscilla Elliott**, with **Rehj** signing under objection. The check was provided to **Buckie Dobson** at the meeting.

NOTE: *At the June 5, 2025 meeting, the invoice for \$4,451.88 was allocated to the Pool Renovation Fund and approved for payment from the same fund. As of this meeting, completion documentation required by Treasurer procedures has not been provided for payment authorization.*

Note: Before proceeding with **Item 11**, the Board temporarily addressed **Agenda Item 14**, which was taken out of order. Discussion of **Item 14** is recorded in its proper place below for consistency with the posted agenda.

11. POOL OPERATIONS

Discussion Summary

Randal Hamilton reported the pool had been open for a month and was generally well received, though there were isolated complaints about attendant conduct.

Karen Moorhead and **Marnee Bolen** described persistent problems with two attendants, including incomplete tasks, early departures, dishonesty, and unprofessional behavior, supported by surveillance footage. They also noted scheduling inefficiencies due to a two-and-a-half-hour overlap and patterns of avoidance and triangulation. **Marnee** raised a potential HIPAA concern involving the supervisor (details withheld for confidentiality).

Randal confirmed the board was leaning toward replacing two of the three attendants and reviewed pay rates: \$15/hour for regular attendants, \$20/hour for the manager. **Rehj Hoeffner** stated she would not be involved in personnel matters beyond payroll but emphasized maintaining continuous pool oversight.

MOTION: Appoint **Marnee Bolen** as the point person for employee supervision, including authority to hire and terminate attendants.

Motion: **Karen Moorhead**

Second: **Marnee Bolen**

Vote: **5-0-0 (Motion Passed Unanimously)**

MOTION: Terminate employment of the pool supervisor, effective immediately

Motion: **Marnee Bolen**

Second: [No Second] (Failed for Lack of a Second)

However, the board agreed termination was covered under the previous motion.

Notes:

- **Alan's Role:** Will remain on staff, max 40 hours/week at \$17/hour.
- **Scheduling:** Overlap reduced from 2.5 hours to 30 minutes.
- **Payroll Coordination:** **Marnee** to confirm hours before checks are issued.
- **Hiring:** Applications from residents may be considered case-by-case due to potential complications if termination occurs.
- **Staffing:** **Marnee** to work with Alan on coverage and applicant review. A male applicant known to **Randal** is under consideration.

12. POOL SERVICING

Discussion Summary:

Karen Moorhead confirmed that **Rehj Hoeffner** had been effectively handling pool chemical duties.

Marnee Bolen agreed, noting the pool's condition had improved to the point where the robotic cleaner could be used.

Randal Hamilton asked **Rehj** if she was willing to continue servicing the chemicals, as he had been unable to secure a commercial service. **Rehj** agreed, emphasizing that **daily servicing is essential** during the plaster curing phase.

Rehj volunteered to handle the evening brushing, provided someone was assigned to the morning session. **Randal** stated that once staff were in place, those duties could be reassigned.

MOTION: Approve the continued delegation of pool chemical responsibilities to **Rehj** and **Steve Hoeffner** and the twice-daily brushing schedule during the plaster curing phase.

Motion: **Karen Moorhead**

Second: **Marnee Bolen**

Vote: **5-0-0 (Motion Passed Unanimously)**

13. POOL HOUSE RENOVATION

Discussion Summary:

The Board discussed plans for the clubhouse renovation. **Randal Hamilton** noted that bids would be required, and **Karen Moorhead**, who has been involved in aesthetic planning, was asked to compile a scope of work and punch list identifying immediate and long-term renovation needs.

The discussion briefly shifted to pool servicing, confirming that Monday service would not be discontinued. The pool requires daily attention, including shock treatments, and Monday closures are used for this maintenance.

Notes:

- **Karen Moorhead** to prepare clubhouse renovation punch list.
- Pool service to continue daily, with Monday closures for maintenance.

14. POOL ACCESS FOR NIGHTLY RENTALS

Discussion Summary:

Randal Hamilton introduced a discussion on whether short-term rental guests (such as Airbnb or Vrbo occupants) are entitled to pool access. He noted the bylaws do not directly address this issue, as they were written before such rental models became common.

The Board reached consensus that short-term rental occupants do not qualify as tenants under the HOA's definitions and are not entitled to use common areas unless accompanied by the homeowner. Governing rules limit pool access to members and their guests, provided the member is physically present.

Key Points Raised:

- **Karen Moorhead** — Expressed concern about lack of accountability and inability to recover damages from short-term guests.
- **Rehj Hoeffner and Marnee Bolen** — Clarified that short-term guests are considered "guests" under HOA rules and must be accompanied by the homeowner to use the pool.
- **Priscilla Elliott** — Noted that Airbnb guests are typically unsupervised and not accompanied by the member.

- Member **Stacy Neudorf** (homeowner and short-term rental operator) — Voiced concerns about lost rental income due to lack of communication and enforcement; argued for flexibility and suggested enforceable options such as written rules and damage clauses.
- **Marnee Bolen** — Reiterated the Board’s responsibility to protect the community and that owners must accompany guests regardless of rental model.
- Member **Mike Murphy** — Asked for confirmation that this motion would not restrict long-term tenants; the Board confirmed it would not.

MOTION: Nightly rentals, to include Airbnb, Vrbo, and similar platforms, be classified as guests and are not permitted pool access unless accompanied by the homeowner.

Motion: **Marnee Bolen**

Second: **Karen Moorhead**

Vote: **5-0-0 (Motion Passed Unanimously)**

Clarification Provided:

Further proposals from short-term rental owners may be presented to the Board at a future meeting.

15. PERGOLA

Discussion Summary:

Two prior bids were reviewed:

- **Steve** Fleetwood— \$4,000 for labor and materials to tear down ⁷ haul off the exterior pergola frame, repair and repaint the frame under the shingled area, and replace rotted boards.
- **Patriot** — approximately \$17,000, including significant redesign.

The Board agreed **Steve’s** proposal met budget and scope needs, with no further bids required.

During this agenda item, **Marnee Bolen** suggested installing a bike rack outside the pool gate for better accessibility. **Steve Hoeffner** also raised the need to replace the door and frame on the small outbuilding in front of the pool for improved storage security.

MOTION: Accept **Steve’s** \$4,000 pergola repair bid (labor and materials) with no further bids to be solicited.

Motion: **Priscilla Elliott**

Second: **Rehj Hoeffner**

Vote: **5-0-0 (Motion Passed Unanimously)**

16. ARBORIST

Discussion Summary

The board reviewed multiple bids for trimming and removal of trees along Whisperwood Boulevard and the circle. The primary focus was removing three dead trees and pruning remaining live oaks. Bids varied in scope and cost, with some including nutrient injections and additional pruning in other areas. Concerns were raised about whether investment in trimming was worthwhile due to potential widespread oak decline from a fungus. The discussion also touched on HOA responsibility

for trees encroaching into private yards. The board determined that comparable bids were needed before a decision could be made.

Board members compared bids for tree trimming and removal. Questions arose regarding scope differences, necessity of work, and possible tree disease. The board tabled the decision pending receipt of comparable bids from all vendors.

MOTION: Table the arborist discussion until complete, comparable bids are received from all three vendors.

Motion: **Marnee Bolen**

Second: **Priscilla Elliott**

Vote: **5-0-0 (Motion Passed Unanimously)**

17. ADJOURNMENT

MOTION: Adjourn the meeting.

Motion: **Priscilla Elliot**

Second: **Marnee Bolen**

Vote: **5-0-0 (Motion Passed Unanimously)**

Post-Meeting Note:

Although not included on the posted agenda, the board discussed before and after the meeting that moving board meetings to the second week of each month would better accommodate the Treasurer's reporting schedule. The President confirmed this adjustment by email following the meeting.