

WHISPERWOOD HOA

Board Meeting Minutes

September 11, 2025

Location: Groves Branch Library

Time: 6:00 PM

Minutes Audio Recorded

Submitted by: Rehj Hoeffner

Board Members Present:

Randal Hamilton, President

Karen Moorhead, Vice President

Rehj Hoeffner, Secretary/Treasurer

Priscilla Elliott, Member At Large

Marnee Bolen, Member At Large

General members of the association attended the meeting.

CALL TO ORDER

The meeting was called to order at 6:05 PM by **Randal Hamilton**. All directors were present giving the Board a quorum.

GOVERNANCE

Randal Hamilton explained that agenda items may be added by the president, three directors, or one director with ten member signatures.

APPROVAL OF MINUTES

The minutes of the previous meeting were reviewed.

MOTION: **Rehj Hoeffner** moved to approve the minutes as presented.

Second: **Marnee Bolen**.

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

MEMBERSHIP COMMENTS

Questions were asked about how directors are added. **Randal Hamilton** explained vacancies are filled by board appointment if quorum is not met at an annual meeting.

PRESIDENT'S REPORT

Randal Hamilton clarified prior minutes regarding pool servicing, noting appreciation for **Steve Hoeffner's** work. Discussion followed regarding dues delinquencies, liens, and ownership of common areas such as medians and signage.

TREASURER'S REPORT

Rehj Hoeffner reported balances of:

Account	Balance
Checking Account	\$7,089.88
Money Market	\$183,903.80
Total on Hand	\$188,793.68
Outstanding Dues	(\$6,000.00)

Twenty properties remain delinquent for dues. The Board discussed methods for addressing unpaid assessments, including reminder letters, certified mail, and possible legal action or liens. No formal action was taken, but Directors agreed the matter should be reviewed further at a future meeting. Board members discussed the current pool party deposit process. It was agreed that the policy should be reviewed prior to the next pool season to ensure consistency and fairness. Board agreed to revisit policy on deposits for pool party rentals next season.

OUTSTANDING BILLS

Discussion began on outstanding invoices. **Rehj Hoeffner** presented routine budgeted reimbursements, including pool chemical expenses from the prior and current month. Additional receipts were submitted by **Randal Hamilton** for budgeted HOA purchases, including signage and faucet handles, as well as for unbudgeted planters intended for placement around the pergola. No specific funding source was discussed for the unbudgeted expense; however, because the pergola is located within the pool area, the cost will be recorded under **Pool Maintenance**.

Marnee Bolen submitted a receipt for an employee gift card. Although this purchase was not included in the adopted budget, the Board agreed to record it as a **Pool Expense**.

Directors briefly discussed planting and maintenance responsibilities, but no action was taken.

An invoice from the sprinkler contractor was raised regarding a May service call. **Randal Hamilton** indicated the bill may need to be resubmitted with clearer reference to the date of service.

The Treasurer, **Rehj Hoeffner**, reported that attorney **Mike Carper's** August statement, addressed to **Randal Hamilton** and sent to his personal email address, was later forwarded to the Association's official email account by the attorney's office at **Randal Hamilton's** request. The one payment made by the Association shows to be credited to Randal Hamilton and not the Association. No invoices and no other regular monthly statements have been issued to the Association. **Rehj Hoeffner** emphasized that the statements were addressed to **Randal Hamilton** and not to the Association.

Randal Hamilton explained his belief that prior board action permitted him to consult attorneys on the Association's behalf, although no record of such a motion exists in the minutes. **Rehj Hoeffner** noted that no such authority would extend to Association expenditures, whether budgeted or unbudgeted, without a board vote or limitations set. She further stated that she was duty-bound to bring the matter to the Board's attention for awareness, but no payment could be processed against personal accounts. **Randal Hamilton** continued to assert that the account in question was not his personal account but the Association account as authorized by the Board.

PROCEDURAL NOTE: Under **Texas Property Code §209.0051(e)–(h)**, the spending of Association funds and any related authorization must occur in an open meeting for which proper notice has been given. Any action taken without proper notice or

recorded vote is therefore void to the extent of the inconsistency under §209.004(b).

Discussion followed regarding the waiver drafted by counsel, its enforceability, and its cost. The Board disagreed as to whether the waiver provided meaningful protection, whether it was consistent with insurance obligations under the bylaws, was in violation of the bylaws themselves, and that related charges—estimated at approximately \$5,000 to date—had not been properly authorized and were billed to **Randal Hamilton**.

MOTION: **Rehj Hoeffner** tabled discussion – not an HOA obligation.
Second: **Karen Moorhead**
Vote: Passed unanimously **(5-0-0)**

RATIFY EMAIL VOTE TO MOVE \$10,000 FROM MONEY MARKET TO CHECKING

The Board discussed ratification of a prior emergency e-mail vote authorizing the transfer of funds to maintain operating liquidity.

MOTION: **Randal Hamilton** moved to ratify the prior e-mail vote authorizing the Secretary-Treasurer to transfer \$10,000 from the money market account to the checking account to maintain basic liquidity for current operations.
Second: **Rehj Hoeffner**
Vote: Passed unanimously **(5-0-0)**

AUTHORITY FOR TREASURER TO TRANSFER FUNDS AS NEEDED

The Board discussed establishing authority for the Treasurer to transfer funds from the money market account to checking as needed through year-end 2025. Transfers are limited to \$10,000 per occurrence, with Board notification and documentation provided by e-mail after each transfer. A total of up to \$50,000 may be transferred in this manner, maintaining the \$140,000 operating reserve balance.

MOTION: **Rehj Hoeffner** moved to grant the Secretary-Treasurer authority to transfer funds from the money market to the checking account in tranches of up to \$10,000 each, not to exceed a total of \$50,000, through year-end 2025.
Second: **Randal Hamilton**
Vote: Passed unanimously **(5-0-0)**

POOL OPERATIONS AND SERVICING

Discussion was held regarding ongoing pool operations, the performance of skimmers and the pump system, and observations about plaster imperfections. **Steve Hoeffner** noted vacuum pressure was low, and both he and **Rehj Hoeffner** expressed concern that the pump was under strain due to inoperative skimmers and inlets. Areas of plaster roughness and small aggregate exposure were reported; and it was noted that the contractor (Buckie) stated he would stand behind his work and recommended diamond polishing after pool closure if necessary. The Board also discussed the need for electrical improvements in the pump room, including replacing extension cords with permanent outlets. Bids will be obtained.

ACTION: **Randal Hamilton** to get bids from licensed electricians for needed work.

ACTION: **Randal Hamilton** to set up a time to get **Steve Hoeffner** and **Buckie Dobson** together to troubleshoot the skimmers and plaster issues. (This later happened outside the meeting, but the "setup" was mentioned during the meeting itself.)

No formal motions were made on pool operations.

POOL CLOSING AND WINTERIZATION

The Board discussed options for pool closing and tarp installation, including uncertainties about anchor points and related costs. Contractor bids are pending.

MOTION: **Karen Moorhead** moved to table contracting for tarp and anchor installation until bids are received in October.

Second: **Priscilla Elliott**

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

PERGOLA

The Board reviewed bids received for pergola replacement, each approximately \$17,000. Alternatives, including reducing the structure or leaving the area landscaped with flower pots, were discussed. Concerns were raised about prior expenditures and safety hazards.

CONSENSUS: The Board deferred further action on pergola replacement until a later date, with the option to revisit in future budgeting.

SPRINKLER REPAIR ON CIRCLE

The Board discussed a sprinkler system leak affecting two islands in Whisperwood Circle. Bids were presented for leak detection services. Leak detection companies quoted *\$265 flat or \$350 for two hours plus \$150/hour thereafter*. The Board considered the cost in relation to the budget, potential homeowner input, and the possibility of postponing repairs. Directors also noted uncertainty regarding ownership and maintenance responsibility for medians and signage, and agreed to review subdivision maps and records for clarification.

ACTION: **Randal** said he would **talk to the neighbors on Whisperwood Circle** about the islands and whether they wanted the sprinklers repaired or left off.

ACTION: Randal also to **follow up with leak detection options**.

MOTION: **Randal Hamilton** moved to table sprinkler repair on Whisperwood Circle until October, pending further homeowner input.

Second: **Priscilla Elliott**

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

POOL ACCESS FOR NIGHTLY RENTALS, TENANTS, OR GUESTS

Discussion was held regarding pool access for short-term rental tenants. **Rehj Hoeffner** stated she wished to change her prior vote, citing personal legal advice that a lease—regardless of term—creates a tenant relationship, they are not guests. She expressed concern about enforcement, due process, and the absence of filed or posted guest rules. Directors noted inconsistencies in past rules (guest limits of 5 versus 10) and debated fairness, enforceability, and legal guidance. No new motion was made. **Randal Hamilton** objected stating you cannot change a previous vote. **Rehj Hoeffner** agreed and requested that the record reflect her

opposition to limiting short-term rentals as guests, stating her belief that Texas law recognizes such occupants as tenants.

MEMBERSHIP SURVEY

Directors discussed compiling questions for a membership survey. Several directors had already submitted draft questions; others agreed to finalize and forward theirs to **Randal Hamilton** for compilation. No motions were made.

ARBORIST

The Board discussed diseased oak trees along the boulevard and neighborhood. Directors noted oak wilt disease, prior professional opinions, and the inevitability of tree loss. Bids had been received for both treatment and removal. Prior quotes noted: Rodney (tree removal, price not stated in meeting), Tom's Tree Place (full service, amount not read into record), Toby (\$650 for deep root feeding/spraying). Concerns were raised about liability for falling dead trees.

CONSENSUS: The Board agreed to seek additional quotes for removal of dead trees and deferred action until more information is available.

ACTION: Randal to contact the City regarding tree responsibilities along the boulevard before any removals.

ADJOURNMENT

MOTION: **Priscilla Elliott** moved to adjourn.

Second: **Marnee Bolen**

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

The meeting adjourned at 7:50 p.m.

Audio Recorded

Submitted by:

Rehj Hoffner

Approved as corrected on October 9, 2025

Attested to by:

Rehj Hoffner

November 11, 2025