

WRA Minutes
June 11, 2018

President Lana Freeland called the meeting to order at 7:02 pm, at the Whisper Creek Clubhouse.

Directors present: Matt Brown, Bob Christenson, Martha Culpepper, Lana Freeland, Debbie Gwaltney, Clay Hopcroft, Ellen Phillips, and Rene Straub. Directors absent: Jared Stehney, Steve Patterson, and Jim Wills. Guests: Financial Manager Julie Shull, Board Attorneys John Phillips and Phillip Whitaker, and 18 neighborhood residents (please see attached list).

The May 14, 2018 Minutes were approved by email.

Julie Shull presented the Financial Report, with the motion to approve made by Director Phillips and seconded by Director Straub; passage was unanimous.

1. 481 of 661 residents received their monthly invoices and newsletters via e-mail. One letter has been received stating that the resident did not have an e-mail address.
2. The WRA mail address change to 1724 Holden Farm Place, Ooltewah, TN, 37363, was announced several months ago, and mail is now being received at the new address. Financial Manager Shull will notify the post office of the official address change, and mail will be forwarded for one year from the date of notification.
3. The WRA currently holds an insurance policy with liability coverage in the amount of \$1M, and an umbrella policy in the amount of \$1M; however, the Board may wish to consider increasing those amounts to \$2M for each policy. Premium costs for the increased coverages will be available at the July Board meeting.
4. A claim related to attorney fees for Morris vs WRA in the amount of \$11,336.00 was submitted to the insurance company. Of this, \$5,056.00 has been paid directly to the Baker Donelson Law Firm, leaving WRA liable for the remaining \$6,280.00 of this portion of the legal fees relating to this case.
5. The Board may wish to consider raising WRA dues by \$20.00 per household per month, beginning in January, 2019. The Board may also wish to consider an increase in late fees between \$2.50 and \$5.00/month (currently 12% per annum or \$0.55/month), thus bringing the late fee structure more into alignment with current practices.
6. The road reserve monthly payment is still being held, pending further action by the Board.

No Business Manager report was given. Tim Haralson has resigned as Business Manager but is currently holding limited business hours until a new Business Manager can be found. Current office hours are 9 a.m. – 12 p.m., Monday, Wednesday, and Friday.

Unfinished Business

1. Lonesome Dove Lawsuit Update: Board attorneys John Phillips and Phillip Whitaker of Baker Donelson were introduced. Mr. Phillips presented a history of the Morris vs. WRA lawsuit. The WRA has won this case, and Mr. Morris has been given a period of six months ending on or around August 23, 2018, to comply with the judge's order to complete the house to the plans previously approved by the WRA Architecture Review Board (ARB), including, but not limited to, refacing the entire home with brick, removing all non-compliant windows and replacing them with windows approved by the ARB, removing an unapproved sunporch from the home, and cleaning and maintaining the lot to acceptable standards. Since the judge's ruling, Mr. Morris has failed to complete the majority of these actions, but has sent numerous settlement offers to Mr. Phillips, asking the WRA for relief from some or all of these requirements. These offers have all been rejected in favor of the judge's ruling. A question and answer session followed the presentation.
2. Playground Update:
 - a. A playground workday to renovate and re-open the playground was held in May. This event was well attended by both adults and children. At this time, the railroad ties surrounding the swing set/play structure area were removed, mulch was laid, and general clean-up of the playground was conducted. Exposed concrete at the base of the park bench has been covered with soil and planted with grass seed. Per the advice of the insurance company, two warning signs advising that adult supervision of children is required have been

ordered and will be erected soon. Additional improvements to the playground are currently under consideration.

- b. Director Culpepper stated that the previous unofficial Playground Committee has been disbanded. Director Christenson made a motion to create a standing Playground Committee, to be chaired by a Board Director and comprised of interested Windstone residents. This committee will oversee the site, monitor changes, and make recommendations to the Board via the current monthly board reporting process. This motion was seconded by Director Brown, and approved unanimously. Director Christenson has agreed to chair this committee, and requested residents interested in participating on this committee contact him.

New Business

1. Board of Directors:
 - a. Director Phillips tendered her resignation from both her position as Board Director and Board Secretary, effective immediately. Her resignation was accepted by the Board.
 - b. Director Freeland tendered her resignation as Board President, effective immediately. Her resignation as President was accepted by the Board, and she will otherwise remain on the Board.
 - c. A motion was made by Director Straub and seconded by Director Culpepper to appoint Director Gwaltney as Board Secretary. Director Hopcroft moved to nominate Director Straub as Board President, and Director Culpepper seconded the motion. Both motions passed. Director Brown moved to table the replacement of the Board Vice President position until the July 2018 meeting. Director Hopcroft seconded, and the motion passed.
2. Business Manager Search: Director Gwaltney moved that an ad hoc committee be formed to conduct a search for a new Business Manager. Director Brown seconded, and the motion passed. This committee will be tasked with identifying the type of management service provider for the WRA, interviewing appropriate candidates for the position, and making recommendations to the full Board for their consideration. This committee will be chaired by Director Gwaltney, as nominated by Director Brown, seconded by Director Freeland, and passed by the Board. The committee will also include Directors Brown and Christenson, as well as at least one at-large community resident. Interested residents should contact Director Gwaltney. Following the completion of this task, this committee will be dissolved.
3. Notices of important neighborhood information will be placed on the WRA website, and residents will be prompted to check the website via a blurb on the electric sign.
4. A homeowner on Hummingbird Hill has erected a non-compliant privacy fence on their property. The homeowner was notified several times that the fence did not meet the standards of the ARB, and was given until May 31, 2018, to bring the fence into compliance. This did not happen. Director Straub motioned that written notice be provided to the homeowner stating that they have until June 22, 2018, to bring their fence into compliance with ARB regulations. If they do not, they will begin to be fined, as per ARB regulations. Director Brown seconded the motion, and it passed unanimously.
5. Landscaping:
 - a. Dixie Landscaping, Inc. has failed to meet their contractual obligations for the maintenance of WRA-owned common property. Director Culpepper has met four times with the owner in an effort to improve the maintenance of these areas, which remain improperly cared for. As provided for in the original contract between the WRA and Dixie Landscaping, the WRA has now given Dixie Landscaping a written 90-day notice of our intent to end the contract early, on September 7, 2018. Weekly inspections will be conducted during this 90-day period to ensure all landscaping needs are met.
 - b. Charlie Stephens of Stephens Garbage Service and Director Culpepper are working to define the amount of yard waste which will be removed on the monthly yard waste pick-up day. Homeowners will be charged an additional fee by Stephens Garbage Service for amounts exceeding this limit.
 - c. Shrubs located on the corner of Circlestone and Windstone Drive need to be trimmed.
6. Security:
 - a. The resident front gate failed to operate correctly on the weekend of June 9th. The gate was manually opened by Director Christenson and Tim Haralson to allow emergency vehicles through. Traffic cones were placed in front of the gate to funnel all other traffic through the visitor's gate.

- b. Director Christenson has contacted residents recently affected by car break-ins, as well as local law enforcement. The security company is continuing to educate its staff on proper entry procedures for all visitors entering WindStone.
- c. On June 8, 2018, a tow truck tailgated through the resident gate in order to repossess a vehicle thought to be located in the neighborhood. The guards were instructed to tell all individuals wishing to conduct repossessions, serve legal processes, etc., that they need to be accompanied by an officer of the law, as WindStone is private property.
- d. The Security Committee recommends that a camera surveillance system be placed at the RV lot to improve security in that area. This will be further discussed at a later date.

Committee Reports

1. Lakes: Multiple power outages caused both fountains to recently go off-line, but electricity has been restored to both. The intake of the Lake Wisley fountain has become blocked, and is not currently operational. The fountain repairman has been contacted and will be onsite on June 12, 2018.
2. ARB:
 - a. The ARB Committee received and approved several applications in May, 2018, for the following home improvements.
 1. 2185 Holden Farm Place: major landscaping update.
 2. 2179 Holden Farm Place: update landscaping.
 3. 2059 Holden Farm Place: update landscaping
 4. 9707 Cloverleaf Place: installation of wrought iron fencing.
 5. 9435 Lazy Circles: removal of Masonite siding and replacing it with Hardy board
 6. 68 Hummingbird: removal of privacy fence and installation of new wrought iron fencing.
 7. 9800 Cattails: removal and replacement of tree and update landscaping.
 8. 9317 Ancient Oaks: update landscaping
 9. 1416 Oakhurst: installation of small antennae
 - b. During May, two projects were completed and deposits were refunded to
 1. 70 Sandpiper Trail
 2. 1416 Woodway Drive
 - c. Please also see New Business, Item 4.
3. Trash Service: Please see New Business, Item 5b.
4. RV Lot/Maintenance: Please see New Business, Item 6d.
5. Roads:
 - a. The pothole repair at the entrance to Whisper Creek is will occur soon. An announcement will be made when an exact date has been scheduled.
 - b. The Roads Committee has met with storm water design experts regarding the drainage issues on Lonesome Dove. Next steps will include presenting these findings to the WRA Board, and placing the job up for bid.
6. C&R:
 - a. Notices of unkempt lawns have been left with various homeowners following multiple visits throughout the month. The notices are being left at homes that are in poor condition on an ongoing basis.
 - b. Contacts have been made with specific homeowners whose homes need attention, e.g. new paint on wood surfaces. The homes are very close to the street and the repairs can easily be seen from the street as one drives by. Some of the home owners have requested specific lists of what is expected. Others are rental homes, whereby the tenant has requested that WRA contacts their landlord regarding needed repairs and maintenance.
7. Golf Course: No Report
8. Landscaping: Please see New Business, Item 5a.
9. Special Events: Please see Unfinished Business, Item 2a.
10. Security: Please see New Business, Item 6.
11. Sewer System: No report.

Guest Speaker: Resident Allison Bourg reported that she has spoken with PlayCorp regarding further improvements to the playground. She requested that all S-hooks on the swing set be replaced for a quoted price of \$88.56. Director Brown stated that he also has received a proposal from PlayCorp for this and other improvements, which he will be passing on to the newly formed Playground Committee, chaired by Director Christenson, for their consideration.

Director Freeland personally thanked all residents for their attendance and civility, and encouraged all residents to continue to attend future meetings. President Straub adjourned the meeting at 9:03 p.m. The next regularly-scheduled meeting is July 10, 2018, at 7 p.m., at the Whisper Creek Clubhouse.

Respectfully submitted,

Deborah S. Gwaltney, Secretary

Rene Straub, President

Windstone Board of Directors Mtg

11 June 2018

Guests

Bruce Phillips

Tom Freeland

Allison Bourg

Tonya Holland

John A. McMillin

Alan Waxenberg

Susan Waxenberg

Marlene Varney

Kwyna Kirby

Jepp Gallups

Kristie Gallups

Julie & Jose Castillo

Brent & Mike Schilf

Linda Afor

John Reeser

Darayne Bhanj