

## **MINUTES OF THE WHITTIER OAKS BOARD MEETING AUGUST 15, 2023 7:00 PM**

A meeting of the Board of Directors was held on Wednesday, August 15, 2023, 7:00 PM at the Parkland Library, 6620 University Drive, Parkland, Florida. Those Board Members present were Lisa DePace, President; Chuck Bencomo, Vice President; Kevin Burger, Treasurer; and Dominick Peri, Secretary. Dan Nicoliason, Director was present via phone. Present from RMC were Kerri Brooks and Marie Palombi. Lisa DePace called the meeting to order at 7:00 PM.

**INTRODUCTION:** Lisa DePace thanked all the owners that were in attendance for coming to the meeting. She introduced two guest speakers, Steve Alter from Branch Managers and Guy Shir from Shir Law Group.

**BRANCH MANAGERS:** Steve Alter explained he is the owner of Branch Managers and has been working in Whittier Oaks for over 15 years. He described in detail the process of trimming trees in Whittier Oaks. The regular tree trimming is done to open up the trees and allow sunlight to come through and for air to flow/pass in the event of a storm. Additionally, the trees must be cut in line with the proper standards and is monitored by the City of Parkland. Many owners are concerned about branches hanging over their homes and the size of the tree canopies. The tree trimmers try to trim back as much as legally possible over homes and structures but reducing the size of the trees is very difficult as by law only a small percentage of the tree can be trimmed at a time. Reducing trees is significantly more expensive as well. However, there are some trees on common areas that may need to be reduced at some point in the near future.

**SHIR LAW GROUP:** Attorney Guy Shir explained that he was asked by the Board to attend the meeting to discuss how the Board works and what their responsibilities are to the Association members as a whole. Mr. Shir explained that the Board received an email from a person named Tom Paine who is not only not a member of the Whittier Oaks community but not a listed owner of any property in Broward County. This person claimed to be working on behalf of the members of Whittier Oaks and was looking for transparency and better communication however, the Board has no way of verifying the legitimacy of the email or survey from this person who is hiding their identity. Mr. Shir explained that the proper and best way for residents to voice their opinions to the Board is to attend a Board meeting. Several residents felt that many owners don't have time to attend meetings due to personal and/or work commitments. Mr. Shir explained that the Board provides an hour or two monthly and attend in person, face to face for exactly the reason of allowing owners to have the ability to discuss their concerns. Some owners questioned the ability to use a hybrid in person and zoom meeting. Attorney Shir explained that the Florida HOA Statutes allow for Board's to use electronic meetings only during a declared state of emergency. Otherwise, the Statutes are clear that the intention is for meetings to be in person. Many owners did not believe this to be true as zoom is used very commonly now. Mr. Shir further explained that if the Association's documents were amended to allow zoom meetings, they could then be held that was as well. A discussion ensued about the front entrance maintenance project. The Board revealed that the Association's survey resulted in over 60 responses and the majority were in favor of Option A. The Board explained that they have been researching the options for the front for almost two years and that the numbers collected and sent to everyone has been from various sources over that time frame. There was no final bid that was

approved nor was any work approved or scheduled. Many owners felt that they should be given a list of each item with its cost so they can pick what they want to be done or if they don't want anything done that should be an option as well. The Board stated that several surveys that came back did have notes with suggestions on them. Mr. Shir also explained that this process of approving the bids is not the responsibility of the owners but the Board has a duty to all 162 members of the community to maintain the common areas in the proper way and it is ultimately what they are elected to do. They are always open to and welcome owner opinions. The Board was happy to hear from all the residents and to know that several were not in favor of a pedestrian gate to replace the original one that was there, a flag pole to replace the guard house posted flag and also a new bulletin board for posting notices. Some residents also felt that the fence and brick columns could be repaired instead of replaced. The Board explained those are original to the community and the fence is well beyond repair as it has been repaired and painted numerous times over the last 30 years. The Board explained they will now go out and get bids to perform the routine regular maintenance needed and once completed that will become part of the special assessment along with the reserve refund and irrigation/sewer repairs needed. All owners will receive information about the special assessment in the mail before the meeting takes place. One owner requested the Board provide a financial reconciliation of all the line items in the budget. The Board explained that the year-end audit by the independent accounting firm is on the Association's website for all owners to see and they will also look into creating a password protected area for owners to view the monthly financials as well. The Board also thanked all the owners for their feedback and stated that they did not realize that the letter and survey sent to all owners about the front entrance project did not provide enough detail and/or was not clear. They will work on trying to be more thorough in the future with correspondence.

There being no further business before the Board, Lisa DePace moved to adjourn; seconded by Chuck Bencomo. All in favor. Motion carried. The meeting was adjourned at 8:25 PM.

Respectfully Submitted,  
On Behalf of the Board of Directors  
Whittier Oaks Homeowners' Association, Inc.