

Board Meeting Minutes
June 22, 2022
10:00am
7180 Winding Cypress Drive Naples, FL 34114 - Event Room

[https://zoom.us/j/95027053505?
pwd=TXRHd3RscEIBc284T2dPQVI3ajQzUT09](https://zoom.us/j/95027053505?pwd=TXRHd3RscEIBc284T2dPQVI3ajQzUT09)

Meeting ID: 950 2705 3505
Passcode: 246814

1. The meeting was called to order by President Powell at 10:01

2. Attending: Mr. Powell-present, Mr. Bell-present, Dr. Boriss-present, Dr. Schopp-present, Mrs. Ballard-absent, Quorum present. Also present: Mr. Diaz (Property Manager), Roy Hyman (SW Property), Kyla Thompson-via Zoom (Attorney with Goede, DeBoest & Cross) 46 residents in person and 39 on Zoom.

3. Board Meeting Protocol: Dr. Schopp explained how a board meeting is different from a town hall meeting. By statute, a town hall meeting is a public meeting and a board meeting is a meeting that must be held in public. The statute mandates at least one public comment section on the meeting agenda and the Winding Cypress agenda has two.

4. Public Comment: (Note: 3 minute limit per person regarding an agenda item)
None

5. Reading or Disposal of Minutes from May 10, 2022, and May 16, 2022 Motion to approve: Dr. Borris, Second - Mr. Bell - passed unanimously

6. New Business (to better utilize Ms. Thomson's time - the Board decided to move items b and d to the beginning of "new business").

a. Approval of landscaping contract - Mr. Powell explained the processes used and reviewed the town-hall meeting. Dr. Borris then discussed how board members and committee members met with several contractors. We were looking for vendors who would be all inclusive and had a good reputation for customer service. Brightview has been very responsive.

Mr. Powell discussed the financial projections where WC will have a large savings by going with Brightview.

Motion - Dr. Borris moved to accept Brightview (pending approval of our attorney), Second Mr. Bell - unanimously passed

b. Approve Resolution Concerning Strict Enforcement of Governing Documents - Kyla Thompson presented the purpose for the enforcement of our governing documents. In the past, the builder didn't always enforce the rules and regs. Now that the community has turned over to the residents it's time to look forward rather than backward. We will be pursuing violations that were received prior to this resolution. (Resolution Document Exhibit A). Dr. Boriss moved to approve, Mr. Bell second - unanimously passed

c. Approval of paint colors and plant lists for inclusion in ARC guidelines
Dr. Schopp informed the board that this approval will formalize a process that was used by the builder. The paint colors and plant lists will be "living documents" as they can be changed as needed. Motion to accept: Dr. Schopp - second Mr. Powell -unanimously passed

d. Approval of Enforcement and Collection Policies as recommend by attorney

Kyla explained that this document formalizes and gives specific procedures within the enforcement policies. Makes management, board, and residents aware of the process and timelines. Ms. Thompson also discussed why rules and regulations are important. Collections are necessary as this is how we run our community. So if a resident doesn't pay their quarterly assessments, the rest of the residents are "carrying" the load. She then outlined the process used for collections.

Collections for quarterly assessments will be different than collections for fines.
Moved to approve Enforcement, Dr. Boriss, second Mr. Bell - unanimously passed
Moved to approve Collection Policy, Moved by Dr. Boriss, second by Mr. Powell - unanimously passed.

7. Committee Reports:

Finance (Mr. Powell) - Co-chair Mr. Sullivan - May financial statements arrived - discussed the operations budget including overall budget and Shady Palm budgets. (See Appendix A)

Access and Security (Mr. Bell) - The chair, Cary Tambourino updated. Looking at updating cameras - getting estimates for further security at gates. A traffic control report is being put together with recommendations for the Board. Traffic management - should not be used for speeding control. Other options: speed bumps, speed shelf. Recommendations will be cost effective.

Activities (Dr. Boriss) We hired a new activates director, Maribeth Jones. There have been changes in library and the committee is looking at some activities in SP. Also looking at options for maintenance of the tennis courts.

Communications (Dr. Boriss) The monthly newsletters have been issued. They are also working on the web site with links to our other areas.

Buildings and Grounds (Dr. Boriss) - new landscaping company - downspout diversions are causing some problems with erosions. Only 4 out of 55 downspout diversions have been done with approval. We will be looking for companies who can advise us on direction to take to avoid further pond erosion. Our maintenance cart is in bad shape so we're looking for replacement. We also need a storage area for tools.

Shady Palm (Mrs. Ballard) Susan Abbiati, Chair of the SP committee spoke, via Zoom, regarding changes and accomplishments at SP (see Appendix B).

ARC (Dr. Schopp) this committee has been very active. They meet at least twice a month to review all ARC applications. The committee is currently creating a book of approved colors with SW paint chips so that resident can peruse the colors in person as computer monitors can vary.

Compliance (Dr. Schopp) - the committee has been issuing violations. These violations will continue with the resolution passed today.

Appeals/fining (Dr. Schopp) - the committee is ready to process any appeals and/or fines but at this point there have been none.

8. Other

Mr. Powell discussed items to be purchased for the SP.

Proposed schedule changes to eliminate over-time and opening on Sat. evening.

Looking at a tip payment process

Menu charges - a new system that will allow for a more exact process to decide how to charge for menu items.

Motion to approve Mr. Powell, second Mr. Bell unanimously passed

Mr. Powell also announced that Delta Engineering will begin their site study a month early.

Dr. Schopp discussed the need to apply for a credit card for Maribeth Jones (new activities director) and canceling the credit card for M. Polara (the out-going activities director)

Motion to approve, Dr. Borris, second Mr. Powell unanimously passed

Dr. Borris announced that there will be meet and greet for residents to meet our new employees.

9. General Public Comments

Note: 3-Minute time limit per speaker

1. Has the capitol monies from Pulte as been given to WC? Yes - and they are still working on a turnover financial report.
2. Drainage and erosion from ponds - restrictions for areas not on the ponds?
3. I think asking for donations for a golf cart is disrespectful
4. Management at SP - would be good to have a dress code.
5. Should be moving away from thinking we are 3 phases towards one community
6. Are violations public knowledge?
7. Google is sending vendors to the back gate. What can be done?
8. Lakes - in phase 3 - erosion is a problem
9. CDD is in charge of lakes - but Pulte did some of the current work "flattening" the sand around the ponds.
10. Why is our maintenance man bringing his own tools? WC doesn't own the tools
11. Is the new financial system updated as SAS? Yes

12. Has there been any movement to remove tips from SP from the \$600 we are all assessed? That is under discussion

10.. Adjournment - Moved by Dr. Boriss, motion second Mr. Bell

Signed: _____

Dr. James Schopp - Board Secretary

Appendix A

Preliminary May Financial information Year to Date for today's Board Meeting:

- HOA Operating income including Shady Palm \$1,656,000 vs Budget \$1,680,000 - \$24,000 short principally due to fewer home closings to date.
- HOA Operating expenses including Shady Palm \$1,626,000 vs Budget \$1,718,000 - \$92,000 less than Budget principally due Tree Trimming \$37,000 and spending in general.
- Shady Palm (only) Revenues \$333,000 vs. Budget \$310,000 \$24,000 ahead of budget principally due to Food Sales.
- Shady Palm (only) Net Loss to date \$42,000 vs. a Budget loss of \$38,000 principally due to higher food cost \$40,000 and labor \$10,000. Food costs were originally budgeted too low and increasing food costs compounded to the loss. Labor increased due to staffing changes and economic conditions resulting in increased salaries. Many improvements at Shady Palm are in the implementation stage and are expected to provide on-going savings. Provide some details?
- The Reserve Balance is \$190,000 an increase from year end of \$60,000. No expenditures were made to date. (Note: Dec & Jan 2021 contributions were not recorded until January 2022).
- Cash flow is as budgeted levels year to date.

Appendix B

1. The Shady Palm passed inspection by the Florida Department of Business and Professional Regulations. (I have attached the inspection report.)
2. Kaitlin O'Dubhd, Shady Palm manager, passed the ServSafe Food Manager exam.
3. The hot side of the Shady Palm kitchen was thoroughly cleaned by Fat Free on May 31.
4. The ice maker was replaced was replaced on June 7.
5. The beer tap was replaced on June 13.
6. Chef Tech (hot side) and Air Conditioning by Commercial (cold side) did cleaning and maintenance the week of June 13.
7. HMI Cleaning will be cleaning the restaurant and bar area soon. This includes the ceiling and screens of the Shady Palm.
8. We are implementing an automated weekly TIP payment system that will deposit server tips earned directly to the Bank Account of the servers and avoid the time

consuming and manually intensive process of check requests, making runs to the bank and making payouts through Petty Cash.

9. We are implementing a new software program that integrates with the Shady Palm POS System (Touch Bistro) that will give us better visibility to Profit Margins, Menu Pricing, supply chain costs, inventory and provide up to date financials covering Food, Alcohol and Labor costs.

10. We are also happy to report that we are finalizing details on adding Saturday night Dinners to Shady Palms hours of Operation. Details will be provided in the coming weeks. This was the number one request from the focus group feedback for the Shady Palm.

On behalf of the Shady Palm Committee and the board; we would like to thank the community for its patience and support as we work through changes at the Shady Palm. We also want to especially thank Kaitlin, Jacques and the Shady Palm staff for their hard work and commitment to making this a restaurant we can all be proud of. On your next visit, be sure to let them know how much they are appreciated.