

**WHISPERING PINES HOMEOWNERS ASSOCIATION
SPECIAL CALLED MEETING:**

MONDAY, NOVEMBER 3, 2025 @ 6:00 P.M.

Minutes of the Special Called Meeting of the Whispering Pines Homeowners Association held at 105 Ponderosa Pine Ct., Georgetown, FL 32139.

I. CALL TO ORDER

The Special Called Meeting was called to order by Scott Marks at 6:02 p.m.

II. PRESENT

Members present included Elaine Michels, Choya Dalton and Scott Marks as well as legal counsel for the Whispering Pines Homeowners Association: Mark Hulsey of Ludwig Hulsey, P.A.

III. GENERAL DISCUSSION ON FUTURE OF WHISPERING PINES HOMEOWNERS ASSOCIATION

Scott Marks called the meeting to order at 6:02 p.m. He clarified that the meeting was for informational purposes only to discuss a potential solution to the HOA's current state (the HOA has been defunct for several years due to a past lawsuit which rendered the HOA unable to obtain affordable liability insurance making the use of community properties problematic).

Mr. Marks recommended that the HOA be temporarily reactivated for the sole purpose of taking a vote on converting to a social club which would include transferring all the HOA's assets to the social club. This would enable the club to affordably obtain liability insurance which would subsequently allow for the community properties to be reopened (pool, rod and reel club, etc.).

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Multiple property owners in attendance sought clarification on the identity of the current HOA president and expressed frustration with how Mr. Marks was appointed treasurer.

It was clarified that Elaine Michels was the current HOA president who appointed Mr. Marks as treasurer due to the defunct state of the HOA currently and its inability to achieve a quorum.

Legal Counsel to the Board of Directors of the Whispering Pines Homeowners Association, Mark Hulsey of Ludwig Hulsey, P.A., was present and introduced himself formally. He clarified to those in attendance that the purpose of the meeting was informational and that no decisions would be made in any capacity. He suggested that the residents allow the Board to present their suggestions for the HOA's future which would be followed by a question and answers segment for the sake of structure.

Legal Counsel clarified that a new not-for-profit corporation was filed with the Division of Corporations (State of Florida) should the residents wish to proceed with considering the conversion of Whispering Pines Homeowners Association to a social club as proposed (if the proposal is well received) but that no action has been taken beyond that.

Mr. Hulsey clarified that the creation and existence of this new 501(c) does not currently serve any purpose nor does it hold any authority. He gave assurances that it has simply been filed and it is an option should the membership agree to proceed with today's proposal.

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He further confirmed that Whispering Pines Club, Inc., is the only legal entity that has any rights, assets or membership associated with the Homeowners Association.

Following an inquiry from a resident, Mr. Hulsey clarified that he was hired as legal representation to the Board of Directors of the Homeowners Association (not any one individual associated with the Board).

Scott Marks discussed his connection to the HOA noting that he maintained the HOA's community pool professionally for approximately five years before becoming a property owner.

An unnamed citizen advised that the way Mr. Marks came to be on the Board is likely why many have grievances with his position on the Board as it did not flow through a nominating committee. Additionally, it was noted that it had taken some time to get this meeting scheduled, which upset many.

Mr. Marks discussed difficulty he experienced in securing legal representation with no conflict of interest which contributed to the delay of today's meeting. He also clarified his intent to bring the residents together to appoint membership and noted that was the goal was always (even if that meant his removal of the Board) as his motive is to see Whispering Pines functional again.

Mr. Marks referenced the untrue rumors and attacks on him circulating on a Whispering Pines Facebook account.

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Mr. Hulsey also raised concerns regarding a multitude of rumors and misinformation being spread on the community's Facebook page and discussed the options available.

He explained the risks involved with continuing on the HOA's current path without liability insurance. He also explained the current options at hand:

- reinstating the HOA and continuing with its current structure and enforcement of collecting dues
- converting to a not-for-profit social club which would elect a new board and could obtain liability insurance.

Mr. Hulsey also noted the need for the HOA to take action to prevent the rod and reel club from returning to the County's ownership. He urged those in attendance to listen to the suggestion being presented.

Following an inquiry, Mr. Hulsey clarified that he represents the Board of Directors of the Homeowners Association (not Mr. Marks or any other individual exclusively) and stated that no action would be taken without a vote.

He also firmly denounced all the rumors circulating on a Facebook group made up of Whispering Pines residents which falsely suggest a number of allegations including that he is attempting to perform a "land grab" involving the rod and reel club. He explained that his interest as a property owner in Whispering Pines is seeing the community properties able to be safely used again by residents.

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A citizen who brought a copy of the by-laws to the meeting stated that no business can occur without a seven-member board which is not present tonight. He also referenced the requirement of a nominating committee when choosing members.

He stressed that no decisions can be made at this meeting. *(Let the record reflect that it was clarified at the beginning of the meeting that no action was being sought at this special called meeting. The intent was purely for the purpose of discussion)*

Concerns were raised regarding Mr. Marks' purchase of a lot in Whispering Pines and whether that purchase was legal. Mr. Marks discussed his path to purchasing said lot from Elaine Michels.

Further discussion took place on this subject with some residents expressing frustration at how Ms. Michels was able to sell a lot without required Board approval.

Ms. Michels advised of permission granted to her at a previous Board meeting to sell lots which the HOA took possession of due to liens. Further discussion on this subject ensued.

It was noted that the HOA is running out of funds due to collection of dues ceasing years prior. Citizens sought clarification on expenditures. Discussion ensued.

Kimberly Robbins, resident, questioned why a cease-and-desist petition which she submitted to remove the Elaine Michels and Scott Marks from the Board.

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Mr. Hulseley advised he has never seen or received this document, therefore, cannot provide a response at this time.

Ms. Robbins subsequently requested that a motion be considered to remove present Board members.

Legal Counsel once again clarified that no action can be taken at this time as no quorum is present. He confirmed that he will review a cease and desist submitted by Ms. Robbins.

Further citizen input was heard regarding their dissatisfaction of the current sitting Board members.

Mr. Marks further reiterated his intent to bring Whispering Pines back to a state of functionality and prevent the rod and reel club from escheating to the County.

The Board was unable to hold order during the meeting, which devolved into a multitude of residents speaking over one another and the Board rendering portions of citizen comments difficult to take note of by the Clerk.

Multiple residents expressed dissatisfaction with Elaine Michels' authority and expressed grievances over the general discussion of reactivating the HOA.

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Kimberly Robbins questioned when a date would be set to hear her petition to remove Board members.

Ted Turner, resident, stated that all residents have the same goal. He clarified he may not agree with Mr. Marks; he does agree that board members need to be

appointed. He suggested that a meeting be scheduled to determine membership so that a path forward can be identified.

Kimberly Robbins suggested that a meeting be scheduled on December 8, 2025 to discuss and vote on membership. Brief discussion ensued regarding this but was not formalized due to additional questions being posed and discussion evolving into other subject areas.

Questions arose surrounding a dirt pile Mr. Marks had placed at the gate. He reassured the residents that this was done for safety reasons to restrict access as there is no liability insurance is currently in place which is a great risk. He also advised that the rod and reel club cannot get power turned back on until it meets code requirements.

Paul Ruth, resident, doesn't agree with current membership but expressed frustration at the stress caused by residents shouting at one another in the meeting preventing productive discussion. Concurred that a meeting does need to be scheduled to discuss membership appointments. He also expressed dissatisfaction with having to pay HOA dues in the past for facilities he did not use.

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Following input from several unnamed residents, it seemed the consensus that the resident body wished for the Board to schedule a future meeting to discuss appointments.

Several residents expressed that they wished the Board to stop any outgoing payments including bills until a new membership can be appointed.

Jane Ruth, resident, questioned bills currently do which require payment. No answer was given as the discussion transitioned to the subject of properties sold to recoup whispering pines funds.

Mr. Marks further discussed his suggestion to convert the HOA into a social club and transfer its' assets.

Multiple residents expressed concerns with this new social club being created by Mr. Marks which devolved into heated exchanges and yelling amongst a multitude of those present.

Following an inquiry, Ms. Michels clarified that the HOA currently holds approximately \$ 8,600.00 in funds.

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Citizens once again began talking and yelling over one another and the meeting lost all order. The Clerk was unable to make out a multitude of conversations occurring in the room as there were several ongoing at once.

Due to the heated nature of the meeting and the Board's inability to restore order, the meeting was abruptly adjourned at 7:14 p.m.

No official meeting of the Whispering Pines Homeowners Association was formalized due to the abrupt adjournment of the meeting due to the argumentative nature it had evolved into. Therefore, there are no future scheduled meetings to note.