

DEER CREEK  
SPECIAL HOA BOARD MEETING  
12/16/2020

- Meeting called to order at 5:45 pm.
- In attendance: Van Free, Henry Davis, Hasan Mahmud, Darrell Pearson, Shirley Brown, Yahnira Backus, and Thomas Marangoly (via Zoom)
- Starr Insurance was invited to this Special Board Meeting to discuss his proposal for insurance coverage. The total estimated annual premiums would be \$41,739 per year, compared to the approximate previous annual premium of \$18,000 under our original company. The reason the rate is so high is because of our multiple claims
- After Starr Insurance was dismissed, the Board continued with the working portion of the meeting. The Board discussed options and what is best under the circumstances.
- The water damage in the clubhouse has not helped. Additionally, the guard shack also needs to be repaired. Nothing has been done.
- Yahnira made the motion to go with Starr Insurance pending finding a cheaper option. Shirley second the motion. Vote was unanimous to move forward with Starr Insurance.
- Board discussed Annual Meeting concerns. Due to multiple emails from different pod reps concerning COVID and other concerns over the ballots, the Board discussed the possibility of postponing elections. Attorney Knox was contacted, and his counsel was to postpone the elections due to restrictions based on COVID. The ballot box purchased has been under lock and key. Hasan is the only person with a key. However, questions in the community have been raised about the ballots. Therefore, Van suggested that a new election take place once COVID restrictions are lifted in our area. This would allow the Board to follow the Bylaws, which state that the President has to help count ballots along with the Pod Rep. Van explained that he asked the attorney if he could recuse himself since he was running for re-election. However, attorney Knox explained that the Bylaws must be followed. There are no contingencies made for an epidemic. The only thing the Board can do is postpone the elections until all pod reps, residents, and Board members feel safe. Van explained that all of the previous elections were actually wrong/invalid. There are no records that a 10% quorum was achieved in the past. There are no records, no legal signature, no letterhead, and therefore they were invalid. According to the bylaws, the ballots have to go to the pod reps. Van explained that the bylaws need to be amended to do what we would like to do, which is to hold elections. Van would have to be with the pod reps and he does not feel safe in light of COVID. According to Van, Attorney Knox said we need new elections. Suggestion was made to do the future elections digitally or virtually. Van explained that for proxy voting, one person such as himself, could represent hundreds of residents if needed.
- Motion to postpone the election meeting until further notice was made by Shirley. Second motion made by Darrell. All board members, with the exception of Yahnira, voted in favor. Motion passed to postpone the elections until further notice.
- Yahnira asked about the timeline. She expressed her concern about how much time it would take. It was explained that we would need a minimum of 30-90 days to start off. At that point we can reassess based on the guidelines of CDC. Shirley explained that according to the bylaws, the Board can postpone the election meeting. Board agreed that we would need to let everyone know as soon as possible via email, regular mail, and website. This would need to be done before January 4. Shirley expressed concerns about those who do not use social media or email and suggested Pod Reps help with getting the word out. Thomas explained that we do not have all the correct emails for all

the residents. Therefore, getting it out on snail mail was necessary. Emails will need to say "due to COVID".

- Hasan made the motion to amend the bylaws to make an exception due to COVID as far as it pertains to elections. Darrell second the motion. Motion passed unanimously. Yahnira abstained from the vote.
- Hasan expressed concerns about DSI and how much they are paid. There were questions about why there were different rates for different employees. Van explained that they met with the board and requested a raise and it was approved. The supervisor makes more, the rest of the employees make the same amount. Additionally, we pay for gas, cellphones, etc..
- Meeting adjourned at 7:50 pm.