



Windover Farms Community Association  
P.O. Box 658  
Titusville, FL 32781  
[www.windoverfarmshoatitusville.com](http://www.windoverfarmshoatitusville.com)

## Board Meeting Minutes

12\_07\_2024

### **I. Call to Order**

Meeting was called to order by President Randy Wilhite at 10:03 a.m. at the Long Lake recreational center. President Wilhite chaired the meeting.

### **II. Roll Call**

Board members present: President – Randy Wilhite, Vice President – Joy Bryant, Treasurer – Sue Langin and Secretary Susan Alderfer

In addition, 7 members of Windover Farms Community Association were present.

### **III. Meeting Notification**

Notice of the Board meeting was posted on the WFCA website [www.windoverfarmshoatitusville.com](http://www.windoverfarmshoatitusville.com) and physical signs were posted at the park and the north entrance.

### **IV. Previous Meeting Minutes**

- a. Motion was made and seconded to waive reading the previous meeting minutes

### **V. Member Question Responses**

- a. No questions put forward by the members
- b. Numerous complaints on debris pickup damage. The president provided the Brevard County phone number and updated the members that the first pass of debris pick up was complete. The second pass is underway and there are expected to be three passes for debris pickup.
- c. Several positive comments on the communications for the document revision and the savings identified with new legal counsel.

### **VI. Treasurer's Budget Report**

- a. 2025 dues update
  - i. To date 108 members have paid 2025 dues
  - ii. 18 have made donations for a total of \$830.
- b. Treasurer Sue Langin reported on the current account levels. The total of the recreation and association accounts are \$14,980 whereas the contingency is \$49,245.

### **VII. Votes and Discussions**

- a. Board member replacement – The 4 board members unanimously voted to accept Jenny Ramia-Ramos as the new Director at Large. Welcome Jenny.



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- b. President Wilhite reported that Attorney Rob Manning is estimating \$2,000 for completing the review of the document revisions.
- c. President Wilhite reported that 60% of the members responding were in favor of going forward with revising the documents. 14% of the members that responded were interested in pursuing dissolution of the HOA so Randy set up a meeting with the attorney to discuss the implications of the dissolution.
- d. President Wilhite summarized Attorney Rob Manning's conversation concerning dissolution of the HOA. Randy will be sending out an email communication to inform the members of the complications of dissolving the HOA.
  - i. The Association has the ability to enforce its restrictions and requirements by recording them in the plat books of Brevard County and these are recorded as part of the official records maintained by the Brevard County Clerk of Courts Office. Each deed for properties within Windover Farms Community Association refers to the plat book that lists restrictions on the individual deed. The plat book for our HOA runs to 137 pages. Dissolution of the HOA would require many hours of attorney time to amend each page of the plat books to delete the restrictions recorded against each individual lot. Once that is done, each lot owner would then have to hire an attorney to amend their individual deed and re-record it.
  - ii. But that is not the worst of it: restrictions on a deed that are deleted due to dissolution of an HOA is considered a material alteration of the terms and conditions of the deed and would almost certainly require written agreement of every financial entity holding a mortgage or loan on each member's property.
  - iii. What about receivership? So, if all the Board members resign or if the Association becomes financially insolvent, the State of Florida will appoint an individual receiver. These are usually real estate attorney specialists with current set rates of between \$300 to \$500 per hour who become the de facto sole "governors" of the association. They have the ability to levy involuntary assessments against the members every month to pay for their time. Receivership does **NOT** mean the HOA is dissolved, only that someone else is running it. Receivership does not have a defined end. This is the worst of all possible outcomes.
  - iv. Our attorney observed that while it is theoretically possible to dissolve an HOA, to his knowledge this has never been successfully done in the state of Florida.
- e. Discussion / Clarifications on proposed document revisions



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- i. New Director at Large Jenny Ramia-Ramos summarized some of her concerns on the proposed revisions that she had put forward during the review process. Her concerns were in the areas of ensuring that the proposed revisions resulted in restrictions that were consistent with Brevard County RR-1 restrictions. The examples discussed were set backs, commercial vehicles and residential use specifically mechanical repair.
  - ii. Through open discussion the Board was able to determine that each of the concerns Director Ramos was presenting were indeed addressed in the proposed document revisions. President Wilhite noted that although the Board intended to address each set of questions via discussions not every comment received a specific response. He apologized for any frustration that resulted from our document revision communication process.
- f. Joint meeting planning overview
  - i. There will be a Joint meeting on January 4<sup>th</sup>, the first Saturday of January.
  - ii. The notice will be sent with a 20 day notice.
  - iii. The Joint meeting will only have one item of business and there will be no agenda
  - iv. The item of business is the limited and specific purpose of adopting amendments to the Association By-Laws.
  - v. Successful adoption of the amendment to the association By-Laws will require  $\frac{3}{4}$  Board of directors vote followed by a simple majority of the members present.
- g. Annual meeting planning overview
  - i. There will be an annual meeting on 1 February at noon at the Titusville Civic Center
  - ii. There will be no election of officers as the Board will be in place for two years from the previous annual meeting election.
  - iii. The board is researching the capability to Zoom the meeting.
- h. A No Trespassing sign was installed at the LLRA. This sign is required to allow further incidences of trespassing to be addressed by the authorities. Without the property being posted there can be no involvement from the county authorities should the community continue to have problems with trespassing.
- i. Playground swings that were disconnected were repaired with new links. The remainder of the swing links will be replaced with the assistance of Mr. Ramos.
- j. Vice President reviewed the updated Monthly goal calendar for 2024 and debut a 2025 format to simplify to a single page.



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### **VIII. Committee Update**

- a. Events – discussion on the Christmas decoration contest resulted in a decision to communicate to the members a judging day and time with recognition although not monetary this year due to budget constraints.
- b. Welcome – pushed to next month
- c. Email –. Electronic communication consent forms - continue to be received thanks to efforts of Steve Foster and member outreach. The current total is 276 members representing 295 lots. This form of communication reduces our mail out costs which will be a benefit with each communication. Thank you for all your efforts.
- d. Fine – no activity
- e. DRC – Reported two pool requests reviewed and approved.
- f. Governing Documents – No further update
- g. Unscheduled topic – updating the board meeting signs due to degradation of the white board material. Board took the action to research the cost of two feather flags that could be used generically as the meetings will nominally held on Saturdays at 10:00 and will always be posted on the website. Susan Alderfer took the action to work with a local supplier to determine costs.

### **IX. Adjournment**

Meeting adjourned at 11:50 a.m. The agenda was completed. Next meeting will be a joint meeting and has been reserved for the first Saturday in January. The meeting will be planned to be 10:00 on 4 January 2024 and will be posted on the website 20 days before the meeting date and roadside signs installed preceding the meeting.