



Windover Farms Community Association
P.O. Box 658
Titusville, FL 32781

BOARD OF DIRECTORS' MEETING

Minutes

July 1, 2021

I. Call to Order

Meeting was called to order at 6:30 p.m. via Zoom. Vice President Koyama served as the Secretary at the meeting due to Logan Anderson's absence, and stated that attendees would be muted during the agenda until the end of the meeting, when each person who wanted to make a comment or ask a question would be given three minutes each to do so; if they needed more time, the Board would then allow more time after everyone had an opportunity to speak to ensure fairness.

II. Roll Call

The following Board members were in attendance:

Azmi Sultan – President
Joyce Koyama – Vice President
Lonnie Koyama – Treasurer
Glenda Sultan – Director

III. Certification of Proxies

No proxies were received.

IV. Proof of Meeting Notification

Meeting notices with current and proposed 2021 budgets were sent to members via the U.S. Postal Service to addresses on file with the WFCA, the notice of meeting was posted on the WFCA website at www.windoverfarms.org, and signs were also posted on Windover Way for the requisite 48 hours' notice.

V. Previous Meeting Minutes

Treasurer Koyama made a motion to waive reading of the minutes, Vice Director Sultan seconded the motion; motion carried. The reading of the minutes was waived by the President.

VI. Old Business

Deferred Maintenance at Long Lake Park – The deferred maintenance to structures and common areas issue was discussed. Long-delayed repairs have become unavoidable. A collapsed culvert over the drainage canal adjacent to the Long Lake Park needs repair. President Sultan introduced the topic of maintenance required at the recreation area, including the racquetball court ceiling and door, and Vice President Koyama gave an overview of work required and already accomplished. The Supervisor of Parks & Recreation for Brevard

County gave a courtesy visit at Vice President Koyama's request to inspect the playground, with suggestions for improvement, most of which has been implemented. The Board has received requests for additional playground equipment because we have had more families move into Windover Farms with small children; however, due to budget constraints, the first priority is to ensure the repair and safety of existing equipment. Corroded bolts and chains have been replaced on the slide and the swings, new seats on the older children's swings, and two new signs have been posted at the playground area designating for what age group the playground is intended. Additionally, the Board would like to purchase playground sand to be placed under the swings area and the slide to mitigate injury due to falls.

In addition, President Sultan stated that the pavilion roof and that of the shed/restrooms building needs to be replaced. With the ongoing storms, it was noted that the roof over the shed/restrooms is leaking and has damaged some equipment (tables, etc.) beyond repair. The Board has received two bids and a third is pending to repair or replace the roofs mentioned. Also, the clubhouse doors need new locks, and the racquetball court needs extensive repair to the ceiling and door. Director Sultan stated that the women's restroom sink is cracked and needs to be repaired or replaced.

Vice President Koyama made a motion to allow that the repairs be paid for, and Treasurer Koyama seconded the motion; motion carried.

President Sultan stated that the Board is asking for volunteers – It would be helpful to have more volunteers to clean the bathrooms and take the waste removal to the curb weekly or consider hiring another party to do that. A homeowner asked if the other party could be a homeowner receiving the funds to perform the work, and President Sultan affirmed that it could. There were no volunteers.

CC&R Update Committee – Treasurer Koyama gave the status of the proposed committee and stated that since COVID-19 had made meeting in-person unsafe, that plans had been put on hold. Treasurer Koyama will hold a **kick-off meeting on August 10, 2021, at 6:00 p.m. at the Long Lake Pavilion** with any volunteers who have notified the Board of their desire to participate. The Board has maintained the list of those who have initially wanted to participate and will contact those members for the kick-off meeting. Any other members who want to participate may send their name and contact information to the Board email (wfboard@windoverfarms.org) for inclusion on the committee.

Design Review Committee – There was a reminder to contact the DRC for approval of plans for renovation, changes to existing WFC A-covered property (Units 3, 3-A, 4, 5, 6, and 7) or new construction. The request form is located on the WFC A website at <https://www.windoverfarms.org/wp/wp-content/uploads/2021/06/Design-Review-Request-Form-Rev-6-2021.pdf>. The form must be completed and signed by the lot owner and forwarded via email to wfboard@windoverfarms.org.

The Board reminded attendees that lot owners may contact Brevard County Code Enforcement directly, which is outside of the Board's responsibility, by calling (321) 633-2086. More information pertaining to Brevard County Code Enforcement at https://library.municode.com/fl/brevard_county/codes/code_of_ordinances.

VII. New Business

New Director Position – Due to personal reasons, Logan Anderson, current Secretary, has resigned his position. The Board voted to accept his resignation. President Sultan nominated Edna Humphrey, a

homeowner who had previously volunteered to help the Board, and the Ms. Humphrey was voted as Secretary unanimously.

Website Redesign – In an effort to make the existing website more user-friendly, the website will be redesigned. The Board asked meeting attendees for their thoughts on redesigning the website and what kind of information they would like included. Vice President Koyama asked that suggestions be forwarded to the Board email at wfboard@windoverfarms.org.

Fall Newsletter Topics – Attendees were encouraged to send topics of interest for articles to be printed in the Fall Newsletter. Topics or questions may be sent to the Board email at wfboard@windoverfarms.org.

Fall Community Garage Sale – Vice President Koyama reminded everyone of the Fall garage sale that is scheduled for October 16-17, 2021, 8:00 a.m. – 3:00 p.m.

Revised 2021 Budget Discussion – The Board sent notifications, as stated in paragraph IV, of the current and proposed budget for 2021. Due to extensive repairs needed (see paragraph VI), a proposed 15-percent increase allowable by our By-Laws was voted and unanimously accepted by the Board. The new annual dues rate will be \$86.25 annually starting in 2021. The Board will not be soliciting for the outstanding amount of \$11.25 for 2021 until 2022, when annual dues solicitations are sent to lot owners. Therefore, the outstanding balance of \$11.25 will be added to 2022's new annual dues of \$86.25, making a total due of \$97.50 effective January 2022.

General Comments and Questions – Attendees were given a 3-minute period to speak their comments or questions. President Sultan and Vice President Koyama both repeated that if more time was necessary, then the Board would hear more from someone who needed more time. Despite ongoing interruptions to the Board of Directors' meeting by attendees throughout the meeting, the following synopsis of comments were made:

Werner Mihal – The WFCA is not an HOA and Units 1 and 2 are included in the WFCA. Multiple attendees corrected Mr. Mihal's misunderstandings.

Janiene Pape – The following list was forwarded for inclusion at this meeting:

1. "The CC&Rs and "Green Book" have aspects that are very outdated for an already developed community. Issues of house color, fencing, driveways, running a business from residence, add-on garages, etc.

Response: A CC&R Update Committee meeting will be held on August 10, 2021, at 6:00 p.m. at the Long Lake Pavilion. You have requested to volunteer for this meeting; therefore, we encourage you to attend the meeting.

2. "There is no way to uphold these aspects since there were so many deviations to them. A Board could not pick and choose which to uphold and which to ignore. In other words, no legal position, which remains today.

Response: You are correct in that the Board has a fiduciary responsibility to uphold the CC&Rs and By-Laws.

3. "Revitalizing got you back in legal good standing where you could take action, but does not help solve these issues, so your hands remained tied in upholding what is currently written in the governing documents.

Response: You are correct that prior to revitalization, the Board did not have enforcement authority; however, we are committed to upholding the CC&R's and By-Laws until approved changes occur.

4. "Most of the content of these CC&Rs were actually covered by County codes and that was the best place for enforcement. I propose that the design committee is no longer required as a result.

Response: In accordance with our By-Laws, Article V, a Design Review Committee is required. If you would like to volunteer to work on the DRC, please let us know by sending an email to wfboard@windoverfarms.org. In addition, lot owners may contact the Brevard County Code Enforcement office at (321) 633-2086.

5. "My proposal is to delete all "code" type aspects, modify what remains to make the focal point the common property owned by the collective – the Park, the unbuildable lots, and entrances only. That is really what the HOA has been for at least eight years. I suggest that this would resolve many of the issues with our current documents and the position is places on our HOA Board.

Response: Our CC&Rs and By-Laws dictate what aspects are included in our governance of this HOA. All property covered by the CC&Rs and By-Laws cover Units 3, 3-A, 4, 5, 6, and 7, Windover Farms entrance on Windover Trail, Windover Farms properties management by The Archeological Conservancy, and the Long Lake Park and trail. Prior to the revitalization which occurred on February 26, 2020, at least ten years prior the HOA's CC&Rs and By-Laws had expired through the oversight by a prior Board. Since revitalization, which is good for 30 years effective February 26, 2020, all CC&R's and By-Laws are in effect and ratified by the State of Florida. Any proposed changes to the CC&Rs require a two-thirds vote of the lot owners of WFCA in accordance with the CC&Rs, Article X, Section 2.

6. "A separate question and concern: The Park had a few problems many years back. But it was my recollection that the racquetball structure needed some work to ensure its safety and was to be kept locked until it received maintenance. Can you comment on whether this was just my bad memory or what has been done there, or whether previous concerns were unfounded?

Response: As discussed in paragraph 6, it is the Board's intention to repair existing structures at the Long Lake Park, including the racquetball court, pavilion, and playground. Prior to revitalization, the Board did not have the authority to solicit dues; however, some lot owners graciously paid them for the good of the community. However, because funds were seriously depleted after a 10-year period of neglect, it took time to rebuild the budget sufficient to cover the costs of repairs required.

7. "Thank you for your willingness to provide your leadership efforts. My suggestion remains to update the documents deleting all content regarding individual properties and put the focus on the maintenance of common properties. I believe this should be a top priority. For \$75.00 per year it is completely unrealistic that the HOA could ever function as a management firm and police a community this size, especially one that has been allowed to evolve away from the governing documents. I believe the residence and Board do not want what would be necessary to bring properties into compliance since there would be no value added. You shouldn't be expected to "pretend" otherwise. I really hope we could finally see this taken care of."

Response: Thank you for your comments.

Several attendees reiterated their desire to volunteer to help the DRC, CC&R Update Committee, or other projects. Vice President Koyama restated that the Board is comprised of volunteers only, but that she monitors the Board email and Google Voice telephone messages on a routine basis. Mr. Mihal stated that he had emailed and called the Board many times without a response; however, Vice President Koyama stated that she corrected a connections issue with the Webmaster several months prior and has not received any complaints about not receiving a response. She encouraged Mr. Mihal to again contact the Board at wfboard@windoverfarms.org or by calling the Google Voice message line at (321) 385-7201 with any questions or concerns.

VIII. Adjournment

The meeting adjourned at 8:18 p.m. The next meeting will be held on September 30, 2021, at 6:30 p.m. via Zoom. The instructions and meeting link will be posted on the WFCA website at www.windoverfarms.org.