



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

Board Meeting Minutes

04_27_2024

I. Call to Order

Meeting was called to order by President Tom Nuthall at 10:05 a.m. at the Long Lake recreational center. President Nuthall chaired the meeting.

II. Roll Call

Board members present: President - Tom Nuthall, Vice President – Joy Bryant, Secretary Susan Alderfer, Treasurer – Sue Langin and Director at Large – Randy Wilhite

14 members of Windover Farms Community Association were present.

III. Meeting Notification

Notice of the Board meeting was posted on the WFCA website at www.windoverfarms.org and the new website www.windoverfarmshoatitusville.com. Additionally, signs were posted two days prior to the meeting. The old website will be automatically directed to the new website in the future.

IV. Previous Meeting Minutes

- a. Previous meeting minutes were summarized by the Vice President Joy Bryant.
- b. No questions were asked.
- c. Motion to approve meeting minutes was made and seconded

V. Questionnaire Response

- a. Real Estate signs Question - asked via email concerning placement of real estate signs on Windover Way to advertise for properties located on side roads in Windover Farms.
Answer –
 - i. Placement, size and height restrictions on real estate signs are governed by Section 62 of the Brevard County Code of Ordinances. The Windover Farms Community Association does not have the authority to grant variances to Brevard County Ordinances. In accordance with that Code, you may post a real estate For Sale sign on your own property of no more than four square feet. Signs not located on your property are considered “off-premises” signs and are prohibited by the Brevard County Code of Ordinances.
 - ii. Placement of temporary signs for open house events are specifically governed by Section 62-3317 (2). Those signs may only be posted during the actual hours of the open house event and must be immediately removed upon conclusion of



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the event. There are also limitations on size, height, number and location of such directional signs.

- b. Assessment Question – What happens to the payment? Has the payment increase been addressed? Answer – President Nuthall summarized the mail out addressed the assessment increase and asked for the members to vote for the increase and send the response back in the stamped self addressed envelope. To date we have only received 179 responses out of 402 with 2 responses for No.
 - i. The Board will post a new president’s letter requesting a response to the assessment increase by 20 May 2024. The members suggested that the letter be specific on the consequences of a no vote or abstention vote.
 - ii. Tom went on to point out that if the increase is not approved that nominal incoming budget for the 2025 HOA financial year would have to decrease to \$20,000 so as to provide a credit for members who paid the \$99 assessment. This dollar figure is inadequate to operate the HOA. The insurance and lawn maintenance of the part alone exceeds this reduced total.
 - iii. Tom pointed out that the board would be reviewing the status of the lawn maintenance recompute later in the meeting.
 - iv. Bill Swearingin asked if there was any thought to considering lowering the vote threshold.
 - v. Bill’s question was addressed by the Documents Revision Committee members. Randy Wilhite who said they were looking at reducing the 2/3 vote requirement to a majority requirement in the new CC&Rs review that was underway; however, that change in addition to any other change will be held to a quorum vote requirement of 2/3. Janiene Pape indicated that all HOAs are struggling with obtaining a quorum vote. She further said, the board is at a stalemate at this point and must get past this hurdle.
- c. Newsletter Question - Monthly or quarterly newsletters being created? Answer Susan Alderfer answered that a quarterly newsletter is in work and will be posted on the new website that will be review later in the agenda. President Nuthall encouraged everyone to review the website and in particular to volunteer for a committee.
- d. Committee Question – Bill Swearingin asked why the HOA is renewing the Fines committee. Treasurer Sue Langin answered that there are clarifications needed for example on how to calculate late fees. Additionally, the board needs guidelines for when members have not paid the assessment. The Board approved that the Treasurer should send a certified letter on the third notice to delinquent members informing them



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that further legal action will be pursued such as a lien on the delinquent member's house. Bill mentioned that he raised the concern so that "fines" don't get out of hand. Laura Coven asked if the fine committees recommendations would be viewed and voted on by the membership and President Tom Nuthall said Yes the members would be able to vote on changes to the fine committee.

VI. Electronic Voting Resolution

- a. President Tom Nuthall reminded the members that the Board was voting on the electronic voting resolution during this meeting. The resolution merely means that the board is voting to allow usage of an electronic voting system in the future. This resolution is summarized below.
 - i. In compliance with the requirements of Florida Statute 720.317(4), members were notified that the Board of Directors of Windover Farms Community Association, Inc. will vote on passage of an enabling resolution for possible future use of electronic voting by the membership of the Association.
 - ii. The resolution will be voted on by the Board of Directors at the 27 April board meeting that was duly announced Board of Directors meeting convened more than fifteen days or more after the date of the member's notice.
 - iii. The enabling resolution does NOT institute electronic voting for Windover Farms Community Association. The enabling resolution is required by law and allows the current or future Board of Directors to adopt use of electronic voting should such be deemed by the Board of Directors to be cost-effective and beneficial to the Association.
 - iv. Under Florida law, use of electronic voting is totally voluntary by members of the Association. Should a member chose not to participate in any future electronic voting system, if such is adopted for use, they will still have the right to cast votes using paper ballots or proxies.
- b. The affidavit was signed and filed as required. The forms are available on the website.
- c. The board voted unanimously to approve the electronic voting resolution.

VII. Priorities and Goals

- a. Monthly Goal Calendar review
 - i. VP Joy Bryant reviewed the Monthly Goal Calendar electronically with the members present.
 - ii. Multiple members asked if the Monthly Goal Calendar was going to be posted on the website. VP Joy Bryant answered that the Monthly Goal Calendar was going to be posted on the website and future revisions will replace the latest calendar as elements change. There will be changes to the calendar as the



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board worked their way through the goals such as the budget development will be future expanded after votes on assessment increase are obtained.

- iii. Bill Swearengin commented that he appreciated the open communication approach that the current Board had introduced.
- b. New Website overview and status
 - i. Secretary Susan Alderfer – walked the members present through the new website, www.windoverfarmshoatitusville.com.
 - ii. The board unanimously encouraged the members to visit the new website and provide any comments / suggestions to the windoverfarmshoatitusville@gmail.com.
- c. Committee Update
 - i. President Tom Nuthall encourage members to volunteer for committees
 - ii. Doroles Passarella asked what was the Welcoming committee purpose. Susan Alderfer provided multiple examples of her previous experience for another HOA. The first purpose will be for the committee to set the guidelines for the welcoming committee and make a recommendation back to the board for what the committee should be providing to each of the new members of the community.
 - iii. Doroles Passarella said she was willing to be on the Welcoming committee.
Thank you Doroles
- d. Design Review Committee (DRC) Status
 - i. DRC committee chair Tom Nuthall passed out a summary of the DRC. This summary is a first cut authored by Bill Swearengin to capture the DRC's approach. Janiene Pape suggested that she and Bill talk offline to ensure the Governing document revision committee and the DRC were consistent in describing the DRC approach.
- e. Governing Document Revision Committee Status
 - i. Chairman of the Document Revision Committee Randy Wilhite reviewed the recommended changes to the By Laws. The recommended changes are summarized below:
 - ii. Sue Langin expressed a concern with the logistics of two signatures. Janiene Pape commented that there could be an exception such as invoiced checks that were released by the accounting firm.



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- iii. Tom objected to language in the final draft allowing future boards to revert to what was used in the past such as combining Secretary and Treasurer duties into one person's responsibilities.
- iv. Additionally, Tom reminded the board that adding language to prohibit any kind of foreclosure on an individual homeowner was an additional commitment that the board made to the membership during February 6 election meeting.
- v. Document Revision Committee member Janiene Pape commented that there is one instance where a foreclosure may be required that is captured in the revised documents.
- vi. Randy Wilhite said the next steps are the review and comments by the Board of Directors. The Revision committee has proceeded on to review the CC&Rs. The By-Laws revision awaiting further discussion when the responses from the Directors are received by the Revision Committee.
- vii. Janiene Pape commented that getting the CC&Rs revision approved could be very difficult and could require funding to get it past.

VIII. Other Business

- a. Laura Covey brought up a concern about non HOA members using the Long Lake Recreation Center especially in lieu of the apartment buildings being added close to the north entrance.
- b. Carrie Wilhite clarified that the neighborhoods allowed to join the HOA were specified in the Governing documents and did not include this proposed apartment buildings.
- c. President Tom Nuthall commented that this future abuse of the park is only a speculation and that the board would deal with the problem if it occurred.
- d. Laura Covey requested confirmation that her consent for email communication had been received. Receipt has been confirmed

IX. Treasurer's Report

- a. Treasurer Sue Langin reviewed each of the budget line item status and the current balance in all three of the association accounts as of 27 April 2024.
- b. Bill Swearingin asked if the audit had uncovered any discrepancies. Sue Langin said there were not discrepancies found by the audit.
- c. President Nuthall cautioned the members that the only thing keeping the HOA afloat was the contingency fund and the HOA cannot rely on the contingency fund.
- d. Bill Swearingin commented that the lack of maintenance in the past is the source of the contingency fund.



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- e. Randy Wilhite commented that the board needs 269 votes to approve the assessment increase where the board has only received 177. If the increase is not approved the board will have to revert to the \$75 assessment.
- f. Janiene Pape asked how the Board was asking for the vote. President Tom answered that website would be used for a president's letter asking for the vote form again with a deadline of 20 May 2024. Additionally, the board will put a pointer to the president's letter on Nextdoor. In general, the board is against putting the HOA business on Nextdoor yet this would be a good use of Nextdoor to point Windover farm members to new website and president's letter. At this time the board does not have a Plan B.
- g. Laura Covey asked about the motion made at the 6 March 2024 which intentionally left the timeline requirements stated as ASAP for the revised budget. Tom indicated that the revised budget could not be created until the recompetes were accomplished for Lawn service and Insurance but the main delay was the vote from the members on the assessment increase.
- h. Lawn Maintenance Recompete
 - i. VP Joy Bryant summarized the lawn maintenance recompetes. Joy recommended selecting JB's Lawn Control
 - ii. Treasurer Sue Langin recommended adding a termination clause to the SOW to protect both parties.
 - iii. The board voted unanimously to accept JB's Lawn Control proposal.
 - iv. VP Joy Bryant took the action to add the termination clause, complete the agreement with JB's Lawn Control and notify all competitors
- i. Clarifying Question – Laura Covey asked for clarification that this meeting was a Board meeting where the Board only was voting on certain elements such as the lawn maintenance. Randy Wilhite confirmed that this was a board meeting vote and the meeting was open to the members.
- j. Insurance Recompete
 - i. VP Joy Bryant summarized the current state of the insurance recompetes. The board discussed the need to increase the theft coverage in the general liability coverage to the Florida Statue level from the current \$25,000.
 - ii. The board discussed the appropriate level of property insurance for the three building at Long Lake Recreation Center. The board preferred reducing the coverage to either self insured or removing the Racketball court from the insurance. VP Joy Bryant took the action to downselect to the appropriate coverage once the quotes came in the following week.



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iii. Insurance coverage will be renewed on or around May 10, 2024.

X. Adjournment

Meeting adjourned at 12:37 a.m. Next meeting will be targeted for the first part of June depending on the status of the on-going activities. The meeting time and date will be posted on the website well before the meeting date and roadside signs installed immediately preceding the meeting.