

WYNDEMERE HOMEOWNERS ASSOCIATION, INC.
Board of Governors Meeting
September 17, 2024
Minutes

A meeting of the Board of Governors was held in the Tabebuia Room at the Wyndemere Country Club. The meeting was properly noticed.

CALL TO ORDER

President Anderson called the meeting to order at 3:00 p.m. A quorum was present.

GOVERNORS PRESENT

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| Robert Anderson, President (Zoom) | Kathy Cosgrove (Zoom) |
| Ronald Coleman, Vice President (Zoom) | Georgette LeBlanc (Zoom) |
| Lloyd Wennlund, Secretary (Zoom) | Scott McDonald |
| Christina Lindgren, Treasurer (Zoom) | Elizabeth Murray (Zoom) |
| Roger Battistella (Zoom) | David Nourse |
| Al Chircop (Zoom) | Buzz Pelland (Zoom) |
| Morris Cooper (Zoom) | Larry Stone |

ALSO, PRESENT

Gary Lapidas, WCC President
Blair Foley, Civil Engineer
Heather Goodwin, Executive Director
Patty Scherry, Administrative Specialist

APPROVAL OF MINUTES

MOTION by Mr. Wennlund to approve the minutes for the June 14, 2024, meeting. Second by Mr. Pelland. MOTION CARRIED, Unanimous. MOTION by Mr. Chircop to approve the minutes for the July 9, 2024, meeting. Second by Dr. Coleman. MOTION CARRIED, Unanimous. MOTION by Mr. Chircop to approve the minutes for the August 19, 2024, meeting. Second by Ms. Lindgren. MOTION CARRIED, Unanimous.

CLUB UPDATE

Mr. Lapidas reported that the Club projects are on schedule and on budget. He will be stepping down from his role as Club President but will remain a Director.

PRESIDENT'S REPORT

Hurricane Protection Specifications – The Board reviewed the proposed specifications, including language that was added to clarify that generators are only permitted for homes, not condos and that owners should consult with their individual sub-associations for any questions regarding any supplemental Hurricane Protection Specifications and/or guidelines/requirements that may exist. **MOTION by Mr. Battistella to approve the Hurricane Protection Specifications as amended. Second by Mr. Chircop. MOTION CARRIED, Unanimous.**

Ambleswood Management Agreement – Ambleswood has approached WHOA about contracting with us again for management services. They have all new Directors and have also expanded their Board from three to five members. If approved by the Board of Governors, this would be effective January 1, 2025. Their current management company would be responsible for all 2024 financials, year-end reporting, and creating the 2025 budget. There would be a one-time set up fee of \$1,000 plus costs. Discussion on liability concerns regarding

anything that occurred while Amblewood was managed by the outside company. We will ask WHOA's attorney to include indemnification verbiage in the contract. **MOTION by Mr. Battistella to approve contracting with Amblewood to provide management services effective January 1, 2025 with a one-time set up fee of \$1,000 plus costs and indemnification language in the agreement. Second by Mr. Chircop. MOTION CARRIED, Unanimous.**

Legal Updates

Truck Parking – Discussion on new legislation effective July 1, 2024, that addresses the enforceability of certain parking restrictions, including driveway parking restrictions. WHOA's parking restrictions pre-date the adoption and effective date of this new legislation, which does not include any language establishing an intent to be retroactive to already existing homeowners association restrictions. Florida courts have previously held that new legislation cannot infringe upon a substantive vested contract right, like the rights/restrictions contained in WHOA's Governing Documents. The Board reviewed a draft letter to the community stating that the Board of Governors will continue to enforce all the existing restrictions in WHOA's Governing Documents, including the restriction which prohibits trucks from being parked in driveways from 12:00 a.m. to 7:00 a.m. **MOTION by Mr. Chircop to approve the draft letter to residents regarding WHOA continuing to enforce all restrictions in the Governing Documents, including the parking restriction pertaining to trucks. Second by Mr. Wennlund. MOTION carried 13-1 with Mrs. Murray opposed.**

Board Member Education Requirements – There are new educational requirements for HOA and condominium board members. A copy of the certificates of completion must be submitted to the WHOA office for tracking purposes.

Privacy Services for WCC - The Privacy Department has secured and unlocked the buildings at the Club for many years. Since the Club installed electronic entry devices at the Fitness Center and the Tiebreaker, Privacy has been providing this service for the Clubhouse only. Effective September 1, 2024, the Club staff took over this responsibility.

STORM DRAINS

Mr. Foley gave an overview of the storm drain system within the community. The system was designed over forty years ago and is operating well for its age. He inspected the system in 2023, and the overall condition was good. He works closely with WHOA on drainage issues in the community when they arise.

EXECUTIVE DIRECTOR'S REPORT

Temporary Staff Relocation - WHOA's office team has been temporarily relocated to the Maintenance building for the duration of the office renovation.

Irrigation Update - Grounds and Maintenance Manager TJ Serviss continues to work on the Lynx System, and we anticipate that all associations will be online in October.

2025 Budget Preparation - The WHOA team is presently working on the 2025 budget. This involves working closely with the Personnel, Facilities and Planning, and Finance Committees.

Rules and Regulations - In accordance with the new HOA laws, before October 1, 2024, every HOA must provide a physical or digital copy of the Association's rules and covenants to every member of the Association. HOAs may comply with this requirement by posting a complete copy of these documents on their website. WHOA will be sending a letter to all residents to inform them that these documents are available online.

Employee Holiday Fund - For the first time, the Club will be collecting funds on behalf of WHOA for the Employee Holiday Fund. This collaboration was the result of the efforts of Mr. Anderson, Heather Goodwin, Mr. Lapidis, and Ron Parris.

Newsletter - The graphic designer who has been assisting us with the newsletter is unable to do so going forward, and creating content has been challenging due to WHOA's limited staff. Ms. Goodwin asked if anyone would be interested in working on this or knew someone who might be able to assist us.

TREASURER'S REPORT

The Operating and Replacement Funds are on budget. The New Owner Assessment is contributing significantly to the Replacement Fund. We have collected \$146,250 year to date and expect to collect an additional \$24,855. The cumulative total is \$342,250.

COMMITTEE REPORTS

Facilities and Planning – The Facilities and Planning Committee reviewed and considered other technology options used in other Florida communities and concluded that these had minimal advantages to our community with very high capital and ongoing costs. The Committee recommended signage at the Privacy Gate visitor lane, noticeable to drivers waiting to enter, indicating that radar speed cameras are in use. This is in recognition of the Committee's observations that speeding appears to be more frequent by vendors/contractors and guests. The Committee also recommended including funds in the 2025 Operating budget to purchase 2 or 3 additional speed radar signs.

Landscape Committee – Bids have been requested to clear portions of the right of ways on the outside of the East and South walls. The fall/winter flowers for the front entry, street islands, and monument signs have been ordered. The hanging baskets are scheduled to be installed after Thanksgiving. Bamboo plants have been selected to block the view of the dirt pile and dump trucks on a neighboring property near the labyrinth.

OLD BUSINESS

None.

NEW BUSINESS

Brief discussion on golf carts. WHOA's Governing Documents do not permit driving golf carts in the community. However, there are no restrictions on driving low speed vehicles (LSVs), which resemble golf carts, provided they comply with all State laws, which require them to be registered, titled, insured, and equipped with specific safety equipment.

ADJOURNMENT

MOTION by Mr. Battistella to adjourn at 4:40 p.m. Second by Dr. Coleman. MOTION CARRIED, Unanimous.