



**Riverwind Cove Homeowners Association
Board of Directors Meeting
July 27, 2024 at 9:00am
16410 Oakview Circle**

Zoom: [https://us02web.zoom.us/j/89511326960?](https://us02web.zoom.us/j/89511326960?pwd=yB2XLP4cieoXFjAM0LSb5cHSwKopmW.1)

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Passcode: 095478

Call To Order: 09:01am

II. Welcome + Sign-In

**Zoom: Ben Crain, Dave Collins, Adele Smith, Dennis Hinojosa, Bryson Clark
Jonah Ketola (Board)**

Board Present: Mike Vitch, Cathy Hayes, Jonah Ketola (Zoom)

Community Members: Don Tate, Ron Defreitas, Mary Sizemore, Sue Bisplinghoff

III. Board Reports

A. Approve Minutes from 4/1/2024 and 6/29/2024 Board meetings (attached to email). The 4/1/2024 Minutes were delayed due to a technical issue with the Draft. [Approved unanimously \(3-0\)](#)

B. Financial Report - 7/24/2024: OP \$42,747 - RES \$157,205 - SAV \$3,055

C. CCR Violations Cited: Lot 4, Lot 33, Lot 48 - all landscaping

IV. Committee Reports

A. Sales / Welcome Committee - Joel Moss: 18240 Riverwind - residing at property. No return contact from the new owner of 16430 Oakview.

B. ARC: (all permit status as listed on 7/24/2024)

Construction Projects Currently In Progress:

- Stewart - 18110 Riverchase: in progress**
- Hinojosa - 18151 Riverwind: in progress**
- Haring - 16420 Oakview: ready - docs required / fees due**
- Smith - 18230 Riverchase: Roof closed [Delete from tracking](#)**
- Windows-doors - CC closed [Delete from tracking](#)**

- Harbaugh - 16730 Oak Grove: open
- Solar - payment required. Project status **delays with solar company - ARC follow-up.**
- Saltamartine / Seger - 16700 Oak Grove: siding / roof closed
- Delete from tracking**
- Presson - 18160 Riverchase: open Generator permits for electrical work and propane tank burial **Status unknown - ARC follow-up.**

New Projects:

- Hinojosa - 18151 Riverwind: pool with screened enclosure - permit issued - Board vote **Approved unanimously (3-0)**
- Haring - 16420 Oakview: awaiting County, State and Federal clearances before Board vote **Remains tabled pending permits**
 1. Dock repair planking with railings and water
 2. Enclosure around well / water filtration system - filtration system must be removed within 7 days from Drainage Easement - fees due

V. Old Business

ALL Old Business items reviewed by Board and community members present.

A. SFWMD Notice of Violation (NOV):

Awaiting SFWMD sending a settlement letter which will determine the enforcement settlement terms such as permitting requirements, civil penalties, remediation requirements, etc. After the settlement letter goes out and the terms are agreed upon, SFWMD will draft a consent order (CO) which will contain ordered actions and they will incorporate that into the HOA timeline as appropriate. Whenever the process is completed, the HOA will be under a 5-10 year reporting requirement to SFWMD for compliance, and they can verify by inspection at their discretion. Both RMEC and SFWMD anticipate a minimum 5-year remediation process. There will be civil penalties levied against the HOA. **Long community discussion re: Special Assessments and options for payments, given current RWC CCR's and Florida statutes. Will seek legal review of options.**

B. Engineering firms still in discussions with the HOA (25 initially):

- Earth Tech Environmental (ETE) - environmental only. Awaiting estimates; doubtful given long lack of response.
- Atwell Engineering - environmental and civil engineering. Time and material (T&M) estimate, with an upfront \$5,000 retainer to conduct a site visit. Boundary and topo surveys estimated at \$33,000 with rebar.
- RMEC - environmental and civil engineering. Conducted a site visit on 7/8/2024, through the entire community and those areas cited in the NOV. First phase initial draw estimate: \$13,750 + T&M

C. CCR Amendments: The recorded documents were sent to all residents on 6/29/2024, and are posted on the HOA website.

D. Aquagenix quarterly conservation easement, wetland maintenance and Preserve maintenance visit occurred on 7/5/2024 and 7/12/2024.

E. Lot 76 legal case Mediation scheduled for 9/6/2024.

VI. New Business

A. Fine Hearing Committee convened on 7/26/2024 - Fine Hearing Committee unanimously voted (3-0) to uphold the fines levied against Lot 76 for: unapproved filling of the rear drainage easement, and construction of a water filtration system within the rear/side drainage easement. Board unanimously approved (3-0) imposition of the fines. Letter will be sent early in the week by legal staff.

B. Reminder of timing to submit ARC applications before work is done. A letter was sent to ALL residents outlining the timing procedure 7/21/2024. Note multiple agencies involved, and their requirements.

C. Front Swales - must be maintained by the parcel owner, unless there is a drainage structure present; then it is an HOA responsibility. Tabled a due date pending Lidar studies for elevation grades. Will not occur during rainy season; and will seek a single company for residents to contract with to perform the work.

D. RO Waste Water Discharge - may not be discharged into the retention ponds. All owners will be sent specs for proper engineering of the RO discharge water filtration requirements. Specs will be sent to all residents for burying a filtration system specific for RO waste water discharge.

E. Expanded DE and CE contracts - awaiting estimates - ongoing

F. Contract with RMEC Engineering - Board discussion and/or vote Board unanimously approved (3-0) entering into a contract with RMEC Engineering for the SFWMD remediation project. Initial contract will require a \$13,750 draw fund plus a Time and Materials (T&M) schedule once basic estimates are used up. The contract is attached to these Minutes. There are six (6) total Tasks, and the initial draw is solely for Tasks 1,2 and 3.

G. Updating HOA CCR Enforcement rules and timeframes. The current policy allows for a Courtesy Letter (email) with a 72-hour remedy timeframe, followed by an NOV1 with a 24-hour remedy timeframe, and an NOV2 with a 30-day remedy timeframe. Thereafter, the Board will have to vote on a fine at an open Board meeting, and have the Fine Hearing Committee set a date for a Hearing which is at least 14 days into the future from there. The rules governing Fine Hearing Committee meetings and actions are set in Florida law.

- ALL new CE and DE violations receive only one (1) NOV, with a 7-day remedy timeframe before moving to a Board vote for fine, and then being sent to a Fine Hearing Committee thereafter (if the Board approved a fine).

- Since the CCR amendments were passed for boats and multiple personal trucks in driveways, the most common CCR violations are:

- 1. trash cans left out (these are generally cleared very quickly with a Courtesy email), and**
- 2. overgrown landscaping / weeds on vacant or developed parcels. These have often dragged on for months and gotten to the stage of fining; and in one old case, to the point of a lien placement on the property for remedy. Add unsightly objects to the list of most**

common violations

- Of note for this discussion: more complex and expensive CCR violations that clearly need more time to remedy (ie: roof repair, siding

repair, fence repair), given needed estimates and permitting; will likely be granted additional time by the Board before voting on a fine, provided the parcel owner is responsive to Board inquiries - which is not always the case. **The final HOA procedure will undergo legal review before being distributed. Board unanimously approved (3-0) a CCR violation remedy policy of 7-days following a single Notice of Violation being sent. Residents must communicate with the Board during this 7 days re: remedy efforts and progress. For the most common violations: trash cans and landscaping issues, this is usually handled in a timely manner. The policy is undergoing legal review, and will be sent to ALL residents once completed and signed off by legal staff.**

H. Board members must sign a certification form and/or undergo HOA legal training from an approved provider, in accordance with FS 720.3033. There is also now a yearly continuing education requirement of 4 hours, by an approved provider. This is an ongoing Board requirement, with new provisions in 2024 for legal training and annual continuing education.

I. Next Board Meeting: Saturday, August 31, 2024 - Board vote Unanimously approved (3-0) for the next Board meeting

VII. Final Public Comments/Questions - comments, questions and discussion was an ongoing process through the meeting.

VIII. Adjournment 11:17am

These Minutes were prepared according to the Florida Statutes