

Riverwind Cove Homeowners Association



Board of Directors Meeting  
October 26, 2024 at 9:00am  
16410 Oakview Circle

Zoom:

<https://us02web.zoom.us/j/84244307257?pwd=BPAKOgWp8v9qEhhshWapDziL6s95SR.1>

Passcode: 339393

Zoom:

Adelle Smith, Dennis Hinojosa, Pat Picco

In-Person:

Donna Marie Collins, James Spires, Don Tate, Charles Thomas, Ben Crews

I. Call To Order @ 9:02

Board members present are as follows:

Michael Vitch (President) @ 9:00

Denise Fitzpatrick (Secretary) @ 9:00

Jonah Ketola (Director) absent

Cathy Hayes (Treasurer) @ 9:00

II. Welcome + Sign-In

III. BOARD REPORTS @ 9:04

A. Approve Minutes from 9/28/2024 Board meeting (attached)

*Motion by Vitch to approve Minutes from 09/28/24*

*Motion seconded by Kathy*

*Unanimously Approved*

*Motion approved @ 9:04*

B. Financial Report

10/26/2024: OP \$28,635

RES \$127,959

SAV \$2,055



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IV. COMMITTEE REPORTS @ 9:10

A. Sales and Leases / Welcome Committee:

16460 Oakview - closed on 10/4/2024

Defreitas->Bohlen (reside in MD)

B. ARC: (all permit status as listed on 10/24/2024)

*Construction Projects Currently In Progress:*

18110 Riverchase (Stewart)

in progress

16420 Oakview (Haring)

new build

docs required / fees due

1. Dock repair planking with railings and water - awaiting Federal, State, and County clearances before Board vote.

[Remains tabled pending permits](#)

2. Enclosure around well / water filtration system filtration system must be removed within 7 days from Drainage Easement

fees due

Collins: Could a fourth option be proposed, which would be going through the county to enforce the violation?

16730 Oak Grove (Harbaugh)

Solar project - ready - docs required - HVAC replacement

permit issued

18160 Riverchase (Presson)

Generator permits for electrical work and propane tank burial

permit closed



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*New Projects:*

18240 Riverchase (Tate)  
Pool enclosure window retrofit  
ready

18041 Riverchase (Spires)  
dock remodel and boat lift  
Permits received from Lee County and DEP/SFWMD  
Awaiting ACOE

16420 Oakview Circle (Haring) - new home construction plan submitted to ARC  
Tabled pending ARC review and permitting.

V. OLD BUSINESS @ 9:29

A. SFWMD Notice of Violation (NOV) and Settlement Terms negotiations. Awaiting the DRAFT Consent Order from SFWMD.

Adelle: What is our deadline to submit this plan? [surveying will occur during 12/2024, and an engineering conceptual plan for remediation will evolve from there.](#)

Collins: What is it going to take to satisfy SFWMD? [this is an ongoing process between SFWMD and our engineering firm, along with Board input, to reach agreement on what is required. a Consent Order has not been signed as of yet.](#)

Collins: Are we moving to a new engineering firm? [we are contracted with RMEC and happy with their work to date and progress](#)

Picco: Are we getting refunded for survey if it was done incorrectly? [No. the Galdo Survey was validated by an independent survey firm, and found to have one data set point off, on one parcel only.](#)

Adelle: What is our plan to try to get enough votes to pass? [door-to-door discussions, telephone calls and texts](#)

Picco: When will we have an idea of the assessment? [the assessment will be \\$1,220 per year, per parcel, for 5 years. it is only expendable for SFWMD remediation items as outlined on the proxy. it will be held in a statutory RES fund for that purpose only](#)

Collins: Can this be a part of a MSBU? [this has been previously explored](#)

Spires: Membership meeting instead of a board meeting? [11/30/24](#)

Collins: Town Hall Meeting - [the 11/30/2024 meeting is a Board meeting. It can be called a](#)



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membership meeting or a town hall meeting. However, routine monthly board business must be conducted. Proxy votes must be turned in by 9am on 11/30/2024 for counting and certification

Tate: We need to get this done immediately.

Kathy: Can I take something door to door to explain what is going to happen? yes

Adelle: When we pay this \$1200, will this go into a separate account, paid with a separate check? It will go into a statutory RES account. It will appear as a special assessment on the 2025 billing summary, along with 2025 HOA dues and 2025 HOA internet fees (where applicable)

Spires: There is some concern that the law is not being communicated properly, and there is a legal way to compute the statutory reserve. Our HOA attorneys have deemed this to be legal, as the primary purpose is for deferred maintenance and not long-term depreciation of a roof or roadway, etc.

B. HOA Long-Term Financial Health: solely dependent upon passage of Special Assessments to finance the SFWMD remediation, as noted in the last two Budgets and repeatedly in HOA Board meetings. Discussed at great length at the 9/28/2024 meeting with engineering and legal.

C. Legal options for Special Assessment payments - this will occur via the establishment of a Statutory Reserve Fund specifically for SFWMD remediation costs from year to year (attached to email with Agenda).

D. Crosscreek Environmental is scheduled on 10/24/2024 for retention pond, littoral zone and large drainage easement monthly maintenance.

E. Lot 76 legal case Mediation 9/6/2024 - no resolution. Remains adjourned to an unknown later date. Last attorneys contact 10/23/2024. Revised demand letter during the past week demanding \$563,000 for damages on his vacant lot.

F. Expanded DE and CE contracts:

Aquagenix CE maintenance contract not renewed on 9/29/2024, as voted on at the 9/28/2024 Board Meeting

Crosscreek Environmental contracts signed for quarterly CE maintenance throughout the community (\$17,280), as well as special projects for clearing and removing



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vegetation in DE's currently overgrown and hindering water flow, volume and percolation (\$2,250); and a one-time project to eradicate all non-indigenous species growth in all conservation and preservation areas (\$8,640). A ten percent (10) discount was negotiated for all new services, including the use of GPS tracking devices on wetland maintenance personnel to assure all areas are being maintained. Crosscreek currently holds the contract for Retention Pond maintenance (\$4,200), which will expire in 2/2025.

In November special projects will commence in western DE's and all CE's to bring back to non-indigenous permitted specifications.

G. Tree Trimming - work commenced and completed on 10/1-10/4/2024 at a discounted rate (\$10,000).

H. Crosscreek routine retention pond maintenance is scheduled for 10/24/2024

#### VI. NEW BUSINESS

A. Extend ARC / Board decisions to 30 days; as Board meetings are monthly, and these decisions can only be done at an open meeting.  
Presently, ARC responds within 14 days, but the HOA Board can only vote on matters at open meetings.

*Motion by Vitch to approve ARC/Board decisions*

*Motion seconded by Kathy*

*Unanimously Approved*

*Motion approved @ 10:50*

B. Halloween Contest - judging on 10/27/2024

C. Next Board Meeting: Saturday, November 30, 2024, @ 9am  
There will be a Special Assessment vote at the 11/30/2024 meeting for SFWMD remediation issues. Notice will be distributed to the community.  
Statutory Reserve language is attached to this email.

*Motion by Vitch to approve Special Assessment Meeting*

*Motion seconded by Kathy*

*Unanimously Approved*

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*Motion approved @ 10:50*

Pat Picco has volunteered to create flyers that can be presented with a proxy to present succinct information relevant to the Special Assessment.

VII. Final Public Comments/Questions

Collins: How long has the board been working on this issue with SFWMD?

Collins: Is there a pathway to file an extension date?

Picco: Why would you be forced to sue the board?

Picco: Pat has offered to come forward as Vice President

VIII. Adjournment @ 10:58.

Denise Fitzpatrick, Secretary  
10/26/24