

**Members of the Board of Directors:**

Bob White – President  
Tom Petrillo – Vice President  
John Painter – Secretary/Treasurer  
Cheryl Restagno  
Stephen LaRocca  
Darrell Lopez  
Eric Basilo

**Property Manager**

Jamie Bowling – Sentry Management

**Architectoral Review Committee**

Cheryl Restagno - Chair  
Siri Goberdhan – Vice Chair

**Community Appearance Committee**

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**Community Outreach Committee**

Eric Basilo – Chair  
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**Twin Rivers Homeowners  
Association Inc.**

**Board of Director's  
Meeting**

6:30 pm, Thursday January 14, 2021  
Electronic Meeting

**Meeting Access Info**

Page 1 of 3

**Because of the COVID-19 Issue, until further notice, all HOA Board meetings will be held electronically. The public will have access to all electronic HOA Board meetings as explained below.**

**You are invited to join the meeting using either a computer or phone per the following instructions.**

**1. Option to Join using a Computer (Preferred because we may be sharing files you will want to view)**

Please ensure your speakers are turned on but your mic is muted until you are recognized to speak.

Join by clicking the following link or copying and pasting the link into the browser on your computer.

<https://johnfpainter.my.webex.com/johnfpainter.my/j.php?MTID=m75c0f2989fc3d8219e0cb81767ea1935>

When you activate the link, your browser should open, you will see an option to

[Join from your browser](#)

Click on that link and you will be asked to enter your name and email address (needed to identify you), and then click a button labeled "Join Meeting". You also will have the option to download an app.

If you join using your browser, no software will be installed on your computer. The entire meeting will occur within your browser. For the best experience, please join using either Firefox or Chrome browsers updated to the latest version. Other browsers also will work if you do not already have one of those preferred browsers on your computer.

To be recognized to speak, prior to the meeting, please send an email to: [Board@TwinRiversHOA.com](mailto:Board@TwinRiversHOA.com) to let me know you would like to be recognized. Please put Request to Speak in the subject line. When you hear your name called, un-mute your mic and you will have the floor. When done speaking, please mute your mic again.

Keeping your mic muted when you are not speaking will prevent background noise from your location disrupting the ability of other participants hear.

Also, please be sure your speakers are adjusted to a mid-range volume setting. If speakers are set to a max or high-range volume setting, your speakers will cause a squealing feedback thru your mic when it is not muted.

**2. Option to Join by phone or video system**

**Join by phone:** 1-415-655-0001 US Toll, Meeting number (access code): 126 997 8320

**Join by video system, application, or Skype for business** - Dial [1269978320@webex.com](tel:1269978320), You can also dial 173.243.2.68 and enter your meeting number.

Meeting password: 2021\_01 (2021001 from phones and video systems)

**See next Page(s) for the Meeting Agenda.**

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**AGENDA**

Page 2 of 3

**1. Call to Order**

**2. Proposed Agenda Modifications if Any**

**3. Voice of the Members**

*HOA members are encouraged to make comments or raise issues of concern during this portion of the meeting. Speakers will be encouraged to be to the point and respectful. The time taken by Speakers may be limited by a motion duly passed by the Board. Comments of HOA Members may be allowed during other parts of the Meeting upon concurrence of the President and/or the Board Member(s) speaking.*

**4. Discussion Topics**

**a. COVID**

- i. At the November meeting, the Board passed a motion to extend COVID-19 Stand down thru Feb 1, deal with only most egregious issues and compliance matters which were already in process.
- ii. Would the Board like to:
  1. Extend the less complete compliance practices?
  2. Continue with virtual Board meetings?

**b. Planning for the Annual Meeting:**

- i. Date (Mar 11?)
- ii. Agenda item suggestions
- iii. Elections

**c. Fining Program Update** (Please see attached discussion document)

**d. Enforcement Issues**

- i. Plan for Dealing with Magnolia Tree Damaging the Wall
- ii. Silcox Matter – Update
- iii. Kelly Creek Complaints
- iv. Payment Plan Requests (If any)
- v. Other Matters from Management Report
- vi. Other

**e. Community Appearance Matters**

**5. Minutes from Prior Meetings** (Dec 2020 – See attached proposed Minutes)

**6. Reports**

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**AGENDA**

Page 3 of 3

- a. President's Report
- b. Treasurer's Report
- c. ARC Report
- d. Community Appearance Committee Report
- e. Property Manager's Report
- f. Other Reports as Appropriate - Special Project Management, Communications, Nominating, Community Outreach, Budget and Finance, Community Activities

**7. Closed Session, if needed**

**8. Adjournment**

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**Rules/Fining Discussion**

Page 1 of 3

## 1. Fining Process – Purpose and Objectives

- a. To provide an additional tool to compel compliance with regard to:
  - i. Extreme offenses that significantly detract from the neighborhood and the rights of surrounding neighbors to enjoy their property
  - ii. Safety or security matters
- b. Objectives
  - i. Fines should be used to address only the most serious compliance issues.
  - ii. Fines and processes must comply with By-laws and State law. Establishing the correct approach will require obtaining advice of counsel.
  - iii. Any fining program should be viewed as a fair and helpful approach by the Board, most HOA Members, and Sentry Management. If not, we do not have the right balance.

## 2. Potential Fining Process

- a. Complaint with a reasonably detailed listing of the facts provided to the Board from one of the following entities:
  - i. Board member;
  - ii. Committee of the Board; or
  - iii. Sentry.

Note: Investigation by one of the above may start with a complaint from an HOA Member.

- b. Notice to HOA Member/Hearing (Section 8.3 of By-laws and Section 720.305(2) of FL Statutes)
  - i. Description of the issue provided to HOA Member
  - ii. At least 6 days' notice of date and time of a special meeting of the Board (could be on Board meeting night) during which Owner can present reasons why penalties should not be imposed. (Section 8.3.(a) of By-laws)
  - iii. Board would then refer the matter to a Fining Committee to either confirm or reject the fine.
  - iv. FL Statute paragraph 720.305(2)(b) requires 14 days' notice to owner and occupant, if applicable, and an opportunity for a hearing before a Fining Committee consisting of at least 3 HOA Members not related to any Board member or Sentry.

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Page 2 of 3

- v. The Fining Committee's role is to either accept or reject the decision of the Board to impose a fine. The Committee does not itself determine to impose a fine. The Committee is like an appeal process that occurs prior to the fine being finally levied.
  - vi. If a fine is imposed, the process could provide a clear path for the fine to be waived or forgiven if the matter is corrected within a reasonable time although this is not required.
- c. Fine amounts
- i. By-laws (Section 8.3(c))
    - 1. All fines are special assessments.
    - 2. Amounts not in excess of \$100 for first violation, \$500 for second, \$1,000 for third violation or violations of a continuing nature
  - ii. State Statute (Paragraph 720.305(2))
    - 1. A fine of less than \$1,000 may not become a lien against a parcel.
    - 2. Amounts not in excess of \$100 per violation.
    - 3. Fine can be for each day of a continuing violation but cannot in aggregate exceed \$1,000.

### **3. Examples of Violations for which Fines May be Appropriate**

- a. Extreme Property Neglect
  - i. Multiple property condition-related violations that together cause the property to be a nuisance. These could include activities that present a nuisance in addition to very bad appearance of property.
  - ii. Situation should be "bad" enough for the property to be ranked in the worst 2% to 4% in the community (approximately, the worst 25 to 50 homes in the community)
- b. Rental in Violation of HOA Rules
  - i. Renting single rooms – Boardinghouse violation – or otherwise violating current rental related rules
  - ii. Failure to comply with rental registration and limit requirements (new rule)
    - 1. Board would adopt a new rule allowing all HOA Members 3 months to register property for rental.
    - 2. Rental limit would be set at greater of 275 homes (23% of total in HOA) or total of HOA Members that register, plus 10.

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**Rules/Fining Discussion**

Page 3 of 3

- 3. Registration would require active rental or active effort to rent in compliance with current HOA rules, and would require copy of actual or proposed lease, and renter compliance agreement.
- 4. if the total number of rentals reaches the limit, a rental waiting list would be established and managed. HOA Members seeking to rent would then be required to wait for a spot to open on the list to begin renting their property.
- c. Non-Compliance with rules that provide HOA access to easements to maintain walls and other common property or that involve failure to remove trees and other plantings that are damaging the walls
- d. Violation of Bear preventions rules (new rule)
  - i. Board would establish a new rule that would track portions of the Seminole County ordinance applicable in bear prone areas. Basically, the ordinance requires garbage to either be secured in the garage and put out the morning of pick up or secured in a bear proof can.
  - ii. Board could consider sharing cost of one can per household (25% to 50%) for those that would like to purchase a can.

**4. Potential Process Going Forward**

- a. Discuss further at Feb meeting
- b. Seek input from attorney
  - i. Fining Process
  - ii. New Rules
- c. Develop policy
- d. Approve policy
- e. Establish fining committee
- f. Implement

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**TWIN RIVERS HOA**

**December 2020**

<b>ASSETS</b>		<b>LIABILITIES</b>		
Cash in Bank - Operating	342,123	Payables		17,476
Cash in Bank - Reserves	173,769	Estimated Expenses		3,070
Maintenance Fees Receivable	8,749	Deferred Annual Assessment		83,655
Prepaid Insurance	11,453	Prepaid Assessments/Insurance		0
Deposits	411	Reserves net		173,769
		Equity		258,535
<b>TOTAL ASSETS</b>	<b>536,505</b>	<b>TOTAL LIABILITIES</b>		<b>536,505</b>

	<b>Current Period Actual</b>	<b>YTD Actual</b>	<b>YTD Budget</b>	<b>VARIANCE (Under)</b>
<b>TOTAL INCOME</b>	<b>21,923</b>	<b>264,935</b>	<b>268,106</b>	<b>(3,171)</b>
<b>EXPENSES:</b>				
Grounds	33,373	138,240	156,160	(17,920)
Administration	7,502	78,316	93,946	(15,631)
Reserves	1,500	18,000	18,000	0
<b>TOTAL EXPENSES</b>	<b>42,375</b>	<b>234,555</b>	<b>268,106</b>	<b>(33,551)</b>
<b>SURPLUS/(DEFICIT)</b>	<b>(20,452)</b>	<b>30,380</b>	<b>0</b>	<b>(30,380)</b>

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**Electronic Meeting**  
**Minutes**  
Page 1 of 3

**Property Manager**  
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**DRAFT XX**  
**Approved by the Board** \_\_\_\_\_

## Commencement of the Meeting

### Call to Order

- Meeting was called to order by John Painter at 6:35 pm.
- Board Members present were as noted below under “Motions.” A quorum was present throughout the meeting.
- Dennis Kapsis, Property Manager, and Jamie Bowling and Leigh Quinn with Sentry Management were in attendance.
- HOA Members in Attendance – approx. 3
- Meeting was held electronically due to COVID-19 using WebEx. Links to the meeting were distributed via email to all HOA Members on the mailing list.

## Agenda

1. Call to order
2. Proposed Agenda Modifications if any
3. Voice of the Members

*HOA members are encouraged to make comments or raise issues of concern during this portion of the meeting. Speakers will be encouraged to be to the point and respectful. The time taken by Speakers may be limited by a motion duly passed by the Board. Comments of HOA Members may be allowed during other parts of the Meeting upon concurrence of the President and/or the Board Member(s) speaking.*

4. Matters Expected to be of Special Interest to HOA Members in Attendance or that Require Special Priority for the Meeting
  - a. **2021 HOA Budget – Operating and Reserve Account – See Attached Proposed Budget Package**
  - b. **Sentry Contract Renewal for 2021**

Please see the attached contract for 2020. We expect the 2021 contract to be identical, except that the rates in Addendum I will likely be updated. I expect Sentry to provide the specific contract for 2021 on or before Thursday, if Sentry suggests any changes I will so advise. The proposed management fee for services of \$3,165.00 per month in Section C.1.



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Page 2 of 3

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will be the same is 2021 as for 2020. In fact, Sentry has held that fee constant now for several years.

**c. Community Appearance Matters**

**d. Enforcement Issues**

- i. Kelly Creek Complaints
- ii. Fining Committee Update (No new info this month)
- iii. Payment Plan Requests (If any)
- iv. See Management Report for other topics
- v. Other

**e. Silcox Matter - Update**

**5. Normal Business of the Board**

- a. Minutes from Prior Meetings (Nov 2020 – See attached proposed Minutes)
- b. President’s Report
- c. Treasurer’s Report
- d. ARC Report
- e. Community Appearance Committee Report
- f. Property Manager’s Report
- g. Other Reports as Appropriate - Special Project Management, Communications, Nominating, Community Outreach, Budget and Finance, Community Activities

**6. Closed Session, if needed**

**7. Adjournment**

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 Page 3 of 3

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**Motions**

#	Motion Title	Motion		Vote						
		By	Second	Bob	Cheryl	Darrell	John	Tom	Stephen	Eric
				B	C	D	J	T	S	E
	Board Members Present?			NA	Y	Y	Y	NA	NA	Y
1	Approve 2021 budget as submitted	D	C	NA	Y	Y	Y	NA	NA	Y
2	Approve Sentry contract as submitted	D	J	NA	Y	Y	Y	NA	NA	Y
3	Seek attorney direction re: Magnolia at corner of Ekana and Lockwood	D	C	NA	Y	Y	Y	NA	NA	Y
4	Approve Nov Minutes as Submitted	D	E	NA	Y	Y	Y	NA	NA	Y
5										

**Key to voting notes:** Y=Yes, N=No, A=Abstain, NA=Not Present

**Adjournment**

Meeting was adjourned by John Painter at approximately 815 pm.

Respectfully Submitted,



John F. Painter

HOA Board Secretary and Treasurer