

**Members of the Board of Directors:**

Bob White – President \*  
Tom Petrillo – Vice President  
John Painter – Secretary/Treasurer \*  
Darrell Lopez \*  
Vivian (“Viv”) Guerra  
Linda Dhennin

**Property Manager**

Dennis Kapsis – Sentry Management

**Communications Committee**

Tom Petrillo – Chair  
John Painter

**Architectural Review Committee**

Cheryl Restagno - Chair  
Siri Goberdhan – Vice Chair  
Linda Dhennin - Secretary

**Community Appearance Committee**

Siri Goberdhan - Chair  
Cheryl Restagno – Vice Chair

**Neighborhood Committee**

Viv Guerra – Chair  
Tom Petrillo - Vice Chair

Twin Rivers Homeowners Association Inc.

**Monthly Board Meeting  
Agenda  
and  
Continuation of  
Annual Meeting of the  
HOA Members**

**Thursday July 7, 2022**

**6:30 pm**

**Virtual Meeting via WebEx**

**Page 1 of 3**

\* Nominating Committee Members

**Because of the COVID-19 Issue, until further notice, all HOA Member and Board meetings will be held electronically. The public will have access to all electronic HOA 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=md52a3916d800aea7f06508b610a4d278>

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 squealing/feedback thru your mic when it is not muted.

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

**Dial in by phone:** 1-415-655-0001 US Toll, Meeting number (access code): 2556 182 7699, Meeting password: m2BPAsAC8A8 (62272722 from phones and video systems)

**Join by Mobile Device:** Tap [+1-415-655-0001,,25561827699#62272722](tel:+1-415-655-0001,,25561827699#62272722) US Toll

**Join by video system, application, or Skype for business:** Dial 25561827699@webex.com\_. You can also dial 173.243.2.68 and enter your meeting number.

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

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**1. Call to Order**

**2. Proposed Agenda Modifications if Any**

**a. Other agenda items?**

**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. Fining Process (Please see Attachment A)**

i. Strategy for Improving Compliance

**ii. No Action Anticipated or Required**

**b. Collection Policy (Please see Attachment B)**

**c. Request for Variance to Install a Fence on a Golf Course Lot (Please see Attachment C)**

**d. ARC, Community Appearance, and Enforcement Issues**

i. Student Housing Complaint

ii. Silcox Matter – Update

iii. Collection efforts

iv. Payment Plan Requests (If any)

v. Other Matters from Management Report

vi. Discussion: Feb 3 Email from Board Member re: Enforcement

vii. Other

**5. Minutes from Prior Meetings**

a. May 2022 Meeting – See Draft at end of package

**6. Reports**

a. President’s Report

**Members of the Board of Directors:**

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- 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. Adjournment**

## **Strategic Direction in the Coming Months**

### **1. Develop rules changes necessary to implement the fining system.**

- a. The Board's attorney is planning to present a recommendation as to necessary Rules changes in August
- b. By the time all is done to approve and communicate the Rules changes to the HOA Members it will be late Q4 2022 or even Q1 2023.

### **2. Review/Refine Board Processes**

- a. Review Board's compliance with the HOA's documents – assure we are not overstepping.
- b. Set out in plain language posted to the website a listing of Rules (checklists) that must be met for ARC approval of each type of property modification and for Rules Compliance by topic (i.e., painting a home, adding a shed, condition of home, fence installation, etc.).
  - i. The Board needs to approve each check list and provide clear delegation of authority to use the list, which will require more work on the resolutions we approved in April.
  - ii. These lists need to be specifically approved by the Board.
- c. Consider only the requirements on the list mentioned in 2.b. above in determining whether to approve an application or find someone to be non-compliant with the Rules.

### **3. Focus on Priorities**

- a. Board must establish and stick to priorities – identify only the rules that truly matter – avoid disputes as to taste – and uniformly try to enforce those key items.
- b. Board and ARC/Community Appearance must provide direction to Sentry as to priorities
  - i. Develop checklists for Sentry to use in surveying the neighborhood.
  - ii. Sentry's assessment of the neighborhood will need to be more consistently conducted and documented.
  - iii. The inspection process may need to rotate by sector rather involve a survey of the entire neighborhood.

### **4. Conduct the Fining process effectively**

- a. Follow (stick to) the fining process set forth in the rules very carefully.
- b. Waive fines liberally if the HOA member will correct the problem and keep the problem corrected.

Association Name: \_\_\_\_\_ Association Number: \_\_\_\_\_

Work with your Boards to formulate their Assessment Management Policy. Carefully review and complete the below sections to document and establish a policy that is in compliance with the Association governing documents and State statutes. Check the box that stipulates these requirements and select the proper criteria. Any associated fees correspond to the management agreement addendum.

**Regular Assessments** (Select 1 and fill in the following)

- Monthly assessments shall be due and payable in full on the first day of \_\_\_\_\_ and of each month thereafter ("Due Date").
- Quarterly assessments shall be due and payable in full on the first day of each calendar month \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_.
- Semi-annual assessments shall be due and payable in full on the first day of \_\_\_\_\_ and \_\_\_\_\_ ("Due Date").
- Annual assessments shall be due and payable in full on the first day of \_\_\_\_\_ ("Due Date").
- Annual assessments may be paid in a lump sum by the first day of \_\_\_\_\_ ("Due Date") or in installments, which shall be due on the first day of each calendar month of \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_.

**Delinquency Date & Late Fee/Interest** (Select up to 2 and fill in the following- State/Document driven)

- Late Fee:** If payment is not received by the Association within \_\_\_\_\_ days of the applicable due date ("Grace Period"), the account shall be deemed late and a late fee of \_\_\_\_\_ will be added to the delinquent unit owner's account.
- Interest:** If payment is not received by the Association within \_\_\_\_\_ days of the applicable due date ("Grace Period"), the account shall be deemed late and interest of \_\_\_\_\_ percent per annum will be added to the delinquent unit owner's account.

**Reminder Statement** \*Best Practice is to send on any balance greater than \$4.00

A Reminder Statement reflecting the unit owner's current account balance shall be mailed to the unit owner's last known address when the account is not brought current on or by the above delinquent date.

**Notice of Late Assessment** (\*Required 30-day Notice)

- Board selects to send Notice of Late Assessment Late Notice via    Regular Mail    Certified Mail
- Greater than a specific \$ \_\_\_\_\_.                       Greater than the Assessment Amount.

A notice shall be mailed to the owner at their last address as reflected in the association's records. If that address is not the unit address, a copy will also be sent to the unit address that still has a delinquent balance 10 days after the mailing of the Reminder Statement. A cost for the Late Assessment Notice will be assessed to the unit owner by the Association. Failure to provide the owner with this 30-day notice will preclude the association from recovering its legal fees and costs related to a past due assessment, i.e., any expenses incurred in the collections/foreclosure process. **\*This is a one-time notice per delinquency cycle.**

**Optional Late Notice** (Select 1 and fill in the following)

- Board selects to send Optional Late Notice via    Regular Mail    Certified Mail
- Greater than a specific \$ \_\_\_\_\_.                       Greater than the Assessment Amount.

An Optional Late Notice shall be mailed to a unit owner last known address that still has a delinquent balance 10 days after the mailing of the Reminder Statement. A cost for the Optional Late Notice will be assessed to the unit owner by the Association, unless state/documents direct otherwise.

- Board does not select to send Optional Late Notices.

**Notice of Intent to File Lien (ITL)** (Select 1 and fill in the following)

- Automatic (recommended to protect against selective enforcement)

If payment in full, including late charges, is not received by the Association by the \_\_\_\_\_ day after the due date, a Notice of Intent to File Lien shall be mailed to the unit owner’s last known address by certified, if requested or required, and by 1st class mail. This notice shall inform the delinquent unit owner that a Lien will be placed on the unit if payment is not received. The Notice of Intent to File Lien shall result in a charge being added to the delinquent unit owner’s account for the time and preparation of the document.

- Board selects when to send Intent to Lien.  
(not recommended as it may enable selective enforcement)

**Notice of Lien** (Select 1 and fill in the following)

- Automatic (recommended to protect against selective enforcement)

Record a Claim of Lien \_\_\_\_\_ days after the preparation of the Notice of Intent to File Lien.

Upon the expiration of the ITL period, the Association will record a Claim of Lien, mailing a notice by 1<sup>st</sup> class mail advising the unit owner that a Lien was recorded against the property. The Notice of Lien shall result in a charge being added to the delinquent unit owner’s account for the time and preparation of the document.

- Board selects when to send Notice of Lien.  Non-applicable.  
(not recommended as it may enable selective enforcement)

**Accelerated Lien Language** (Select 1 and fill in the following)

- Per the governing documents, all assessments, special assessments and other charges may be accelerated through the end of the year if payment is not received or for a period of \_\_\_\_\_ months.
- No acceleration Lien language in governing documents.

**Payment Plans** (Select 1 and fill in the following)

- Board elects to allow managing agent to offer one of the following payment plans:  
 6 months                       12 months                       18 months                       24 months

It is understandable that hardships may occur and therefore the Board may vote to approve a payment plan that is negotiable for up to \_\_\_\_\_ months. The installment amounts will be in conjunction with on-going assessments that come due.

- Board will not offer payment plan.

**Attorney/Collection Agency Turnover**

Unit owners that remain delinquent after the above process will be turned over to the Association’s attorney or collection service at the written direction of the Board.

All Association legal costs and other incidental costs associated with the Delinquency Management Process shall be charged to the Association and added to owner’s ledger and shall be part of the delinquency satisfaction.

**Board Signature (Required):** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Printed Name (Required):** \_\_\_\_\_ **Effective Date:** \_\_\_\_\_



May 31, 2022

**VIA UNITED STATES MAIL AND CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Bob White, President  
 Twin Rivers Homeowner's Association, Inc.  
 c/o Sentry Management  
 2180 W. State Road 434, Suite 500  
 Longwood, Florida 32779

**Re: *Twin Rivers Homeowners Association – Rapacciuolo – 978 Big Oaks Drive***

Dear Mr. White:

Our firm represents Kymberly and Anthony Rapacciuolo, who are the owners of property located at 978 Big Oaks Drive and are members of Twin Rivers Homeowner's Association, Inc. ("Association"). I am reaching out to the Association regarding the ongoing trespasses upon, and damage to, our clients' private property by users of the Twin Rivers Golf Club ("Club") and other third parties. Our clients have previously attempted to bring such matters to the Association's attention, but no resolution or solution has been forthcoming to address the issue. Thus, our firm has been retained to assist in trying to get this matter amicably resolved.

Briefly stated, our clients' property is located at the end of the cul-de-sac on Big Oaks Drive and the rear yard backs up to the fairway for the 5th hole of the Twin Rivers Golf Course. On a recurring basis, the Club's invitees and others will enter and trespass upon our clients' private property. In so doing, the Club's invitees and others have caused substantial damage to our clients' rear yard and landscaping, resulting in our clients incurring thousands of dollars in repair and replacement costs. The Club's invitees have also urinated on our clients' private property and have harassed our clients by yelling expletives (e.g., "b\*\*\*h," "c\*\*t", "f\*\*k", etc.) and directing other inappropriate language (e.g., "suck my n\*ts", etc.) toward our clients and their private property. Such routine and recurring actions have deprived, and continue to deprive, our clients and their child of the full use and quiet enjoyment of their home and private property. In fact, our clients' child can no longer play in the rear yard without an adult male family member being present due to the obscenities and harassment directed toward our clients.

<p><b>Tallahassee</b>            433 North Magnolia Drive            Tallahassee, Florida 32308            (850) 224-7332            Fax: (850) 224-7662</p>	<p><b>Orlando</b>            1809 Edgewater Drive            Orlando, Florida 32804            (407) 347-5388            Fax: (407) 264-6132</p>
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Bob White, President  
Twin Rivers Homeowner's Association, Inc.  
May 31, 2022  
Page 2

While the Association's governing documents and rules may disfavor the erection of fences along golf course properties, nothing in the Association's governing documents and rules requires that a property owner abutting the golf course incur thousands of dollars in damages, be subjected to lewd language and constant harassment, and be deprived of the full use and quiet enjoyment of their private property. Moreover, the installation of shrubs and bushes along the rear of the property to deter trespasses has proven to be both ineffective and costly, as golf carts simply run over the plantings and drive into our clients' rear yard. Thus, given the circumstances discussed herein and the recurring damage and harassment that our clients have experienced, and continue to experience, a solution must be reached and implemented that recognizes our clients' right to the safe and quiet enjoyment of their private property, while also respecting the *reasonable* need for golfers to occasionally retrieve an errant shot that encroaches slightly upon our clients' rear yard.

Accordingly, in attempt to abate any further damages to and trespasses upon our clients' property, and to abate (or at least minimize) the vitriol being directed at our clients, we hereby request that the Association authorize a variance for our client to install a five (5) foot high, rod-iron style aluminum fence or other "open style" fence along their rear property line or setback a certain distance from their rear property line. The installation of a fence, as opposed to additional plantings, will prevent further damage to our clients' rear yard and landscaping by golf carts, reduce trespasses upon our clients' private property, and hopefully reduce the harassment of our clients. Such fence would also help create a safer environment for our clients' child to play in the rear yard. To the extent a formal application is required to be submitted for the Association to approve such fence variance, I hereby request that the same be forwarded to me at our firm's Orlando address.

I appreciate your prompt attention to this matter and the Association's assistance in getting this serious matter amicably resolved. Please do not hesitate to contact me if you have any questions or would like to discuss this matter further.

Sincerely,

*S. Brent Spain*

S. Brent Spain



# Monthly Board Meeting Agenda

## Minutes

Thursday May 12, 2022

**Members of the Board of Directors:**  
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Darrell Lopez \*  
Vivian (“Viv”) Guerra  
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**Architectural Review Committee**  
Cheryl Restagno - Chair  
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Dennis Kapsis – Sentry Management

**Communications Committee**  
Tom Petrillo – Chair  
John Painter

\* Nominating Committee Members

### A. Meeting Record

- Meeting was called to order by 6:35 pm by John Painter
- Board Members present were as noted below under “Motions.”
- A quorum was present throughout the meeting.
- The Board meeting was recessed at 7 am briefly to continue the 2022 HOA Members’ Meeting long enough to adjourn that meeting.
- Dennis Kapsis, Property Manager, with Sentry Management was in attendance.
- HOA Members in Attendance – approx. 10
- 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.
- Meeting was adjourned by John Painter at approximately 7:25 pm.

### B. Agenda

**Note:**

**The HOA Board meeting will be held beginning at 6:30.**

**At 7 pm, the Board meeting will be continued briefly and the Annual Meeting of the HOA Members will be called to order for a brief 5 minute update on election of Board Directors.**

**After adjournment of the HOA Annual Meeting of the Members, the HOA Board Meeting will resume.**

**Agenda - Annual Meeting of Twin Rivers HOA Members (Beginning at 7 pm)**

- I. Call to Order
- II. Brief discussion re: Election of Directors
- III. Adjournment

**Monthly Board Meeting  
Agenda**

**Minutes**

**Thursday May 12, 2022**

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Committee**

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\* Nominating Committee Members

**Agenda of the HOA Board Meeting (Beginning at 6:30 pm)**

- 1. Call to Order**
- 2. Proposed Agenda Modifications if Any**
  - a. Other agenda items?**
- 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. Fining Process (Please see Attachment A)**

- i. Brief Update
- ii. No Action Anticipated or Required**

**b. ARC, Community Appearance, and Enforcement Issues**

- i. Shed Recently Installed without ARC Approval
- ii. Complaints re: Swings (Dennis)
- iii. Enforcement Process (Brief Discussion, Q&A of Dennis/Community Appearance Committee)
- iv. Silcox Matter – Update
- v. Collection efforts
- vi. Payment Plan Requests (If any)
- vii. Other Matters from Management Report
- viii. Discussion: Feb 3 Email from Board Member re: Enforcement
- ix. Other

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\* Nominating Committee Members

**5. Minutes from Prior Meetings – (Please see Minutes toward the back of the package)**

- a. Apr 2022 HOA Board Meeting (Organizational Meeting)

**6. Reports**

- 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. Adjournment**

**C. Decisions**

#	Motion Title	Motion		Vote									
		By	Seco nd	Bob	Tom	Darrell	John	Vivian	Linda				
				B	T	D	JP	V	L				
	Board Members Present?			NA	Y	Y	Y	Y	Y				
1	Move July meeting to 7/7	D	V	NA	Y	Y	Y	Y	Y				

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Twin Rivers Homeowners Association Inc.

## Monthly Board Meeting Agenda

## Minutes

Thursday May 12, 2022

\* Nominating Committee Members

#	Motion Title	Motion		Vote									
		By	Seco nd	Bob	Tom	Darrell	John	Vivian	Linda				
				B	T	D	JP	V	L				
	Board Members Present?			NA	Y	Y	Y	Y	Y				
2	Shed Issue: Send a letter stating the shed is not approved by the ACRC suggesting he can contact the ARC and file a complaint with the City about code concerns	J	T	NA	Y	Y	Y	Y	Y				
3	Single rope swings in front yard not prohibited by Rules 12.2	J	T	NA	Y	Y	Y	Y	Y				
4	Approve April Minutes	D	L	NA	Y	Y	Y	Y	Y				
5	Pay \$69 for HOA Leader ARC on-line seminar	J	D	NA	Y	Y	Y	Y	Y				
6	Adjourn	J	D	NA	Y	Y	Y	Y	Y				

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*Cheryl Restagno – Vice Chair*

**Neighborhood Committee**

*Viv Guerra – Chair*  
*Tom Petrillo - Vice Chair*

Respectfully submitted,

John F. Painter  
HOA Board Secretary and Treasurer

**Attachment A**  
**For Discussion with Counsel**  
**Violations that could be Fined**  
DRAFT v2 of May 2, 2022  
*Redline v Version Discussed at April Meeting*

Page 1 of 3

1. General

- a. Each violation would be fined separately
- b. Fines would typically be \$100/day accumulating each day until each issue is resolved but be capped at \$1,000.
- c. Upon reaching \$1,000, the fine would become an assessment against the property that could be collected by means available to the HOA (e.g. liens, foreclosure).
- d. Process
  - i. Board would consider info gathered about a complaint by the HOA's association manager and potentially other parties.
  - ii. Board would notify the HOA member or resident of intention to consider a fine.
  - iii. Board would decide whether to impose a fine at an open meeting at which the HOA member or resident would be allowed to present its case to the Board
  - iv. If the Board decides to fine, the matter would be referred to the Fining Committee for review. The Fining Committee could either approve the fine or reject the fine and remand the matter to the Board for further consideration.
  - v. Both the Board and Fining Committee would prioritize achieving compliance over imposing financial penalties.

2. Nuisance

- a. Offenses that significantly detract from the neighborhood and the rights of surrounding neighbors to enjoy their property or that involve safety or security matters
  - i. Home appearance
  - ii. Home activities (e.g., running a business that brings customers to the home, performing maintenance in driveways, etc.)
  - iii. Persistent failure to control and manage pets per HOA Rules
  - iv. Failure to abide by rules intended to avoid encounters with bears
- b. Generally, creating a nuisance, particularly in the area of failing to maintain the home's appearance, would involve multiple violations but could involve a severe single violation (e.g.,

**Attachment A**  
**For Discussion with Counsel**  
**Violations that could be Fined**  
DRAFT v2 of May 2, 2022  
*Redline v Version Discussed at April Meeting*

Page 2 of 3

failure to control an aggressive pet) or to remove the pet from the community upon a demand by the HOA to do so.)

3. Landlords

- a. Failure to provide to the HOA copies of each lease prior to allowing a renter to occupy the home
- b. Failure of a lease to comply with HOA Rules prior to allowing a renter to occupy the home
- c. Failure to provide to the HOA an executed Agreement to Abide prior to allowing a renter to occupy the home.
- d. Allowing tenants to occupy the home in violation of leasing restrictions in the HOA's rules  
  
(e.g., lease shorter than one year, leasing rooms while occupying the house (e.g., running a boarding house), leasing to more people than allowed, allowing renters for formally or informally sub-lease)
- e. Renting a home if a balance is due for fines or if violations of lease related Rules have not been resolved to the HOA's satisfaction
- f. Failure to terminate a lease when required by the HOA under HOA Rules (in this case, penalty may include forfeiture of rights to lease the home for up to a year in lieu of a fine)

4. Tenants

- a. Agreements to Abide would include provisions providing for termination of a lease if Rules are repeatedly violated the renter creates a nuisance by violating HOA Rules.
- b. For instance, the following could be added to the Agreement to Abide renters are to execute at the time of signing a lease:
  - i. I understand and agree that this Renter's Agreement to Abide is incorporated into and is a part of the Lease between me and the Owner(s) as to the Property.
  - ii. I understand and agree that the HOA is a third-party beneficiary of the Lease between me and the Owner(s) of the Property, and as such, is entitled to enforce the Lease, including seeking eviction for violation(s) of the terms of the Lease in accordance with applicable Florida law.
  - iii. I understand and agree that upon a third violation of the Twin Rivers Homeowner Association Rules and Regulations, having been duly notified in writing sent by certified

***Attachment A***  
***For Discussion with Counsel***  
**Violations that could be Fined**  
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***Redline v Version Discussed at April Meeting***

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mail to the address listed herein of each such violation, the Lease shall immediately terminate and I may be evicted if I fail to surrender the Property.

5. ARC Approvals

- a. Making of a modification that requires approval of the ARC without first seeking and obtaining approval. (e.g., painting a home or placing a shed on the property without prior approval)
- b. Existing Deed restriction violations (e.g., sheds on lots abutting the golf course)
- c. Fine may accumulate until approval is sought and obtained and modifications are made to comply with the HOA's Rules, standards, and criteria.

6. Parking of Commercial Vehicles in the Neighborhood

7. ~~Significant violations~~Violations involving parking of boats, RVs, or autos.