

Riverside Village Estates  
July 9, 2019  
Board Meeting  
PO Box 1420  
New Port Richey, FL 34656  
Email: [rsveboard@yahoo.com](mailto:rsveboard@yahoo.com) Website: [rsvehoa.com](http://rsvehoa.com)

## **1. Call to Order 7:03 pm – Pledge of Allegiance**

In attendance:

Steve Anderson, Pres

Jessica Bebe – VP

Linda Braithwaite – Secretary

Lori O'Dell – Architectural Committee

Marianne Wiemer – Architectural Committee

Doug Butler – Board Member

There were 4 homeowners in attendance.

## **2. Approval of Minutes - approved**

## **3. Reports**

a. Treasurer's Report – Heather was out of the country

b. Committee Reports

-Architectural Committee – All house paint requests have been approved.

## **4. Unfinished Business**

a. SwiftMud and Joe's property – Jessica reported that Joe had reached out and asked that someone from the board come out and look at his property – the easement and the drain on his neighbor's property. The drain going into the pond is collapsed which causes a backup in the drain system causing the drainage ditches in front of our home to get really full. SWIFTMUD has said that it would be in our interest to meet with him and Joe. Joe feels that the only way his pond will stop receding is to dredge all of the ponds. Jessica spoke to Pasco County Storm Management and the only part they are responsible for is the front drainage pipes.

b. Status of HOA fees – tabled until the next meeting.

c. Speeding – Jessica has talked to the county. Everyone needs to continue calling 847-8102 to report speeders and the make and model of the car as well as the license plate if you can get it. We are waiting for approval from road and bridge to get the speeding sign showing the speed of the vehicle.

d. Front wall – Jessica has been getting estimates, but the estimates have been incredibly high. It was recommended that we seek a handyman to revitalize the wall or that we establish a budget for supplies. The first estimate was \$637 to replace the mulch and trim the palms.

## 5. New Business

a. Dina Avriantakis, Esq. – review of the Deed Restrictions

The last record activity – May 8, 1990. They will expire May 8, 2020. Once the 720.3032 (Marketable Record Title Act) Notice to Preserve Covenants and Restrictions is filed, we need to send them to all owners. There was discussion about the boards ability to amend the CCRS.

### Summary from Dina's Presentation:

The board of directors of an HOA can preserve the covenants for an additional 30 years by filing a summary notice of preservation in the public records of the county where the subdivision is located. The covenants may also be preserved by an amendment to the covenants and restrictions that is indexed under the legal name of the property owners' association, references the legal name of the property owners' association and references the recording information of the covenant or restriction to be preserved.

**New Requirement for all HOA boards** under §720.303(2)(2), "At the first board meeting, excluding the organizational meeting, which follows the annual meeting of the members, the board shall consider the desirability of filing notices to preserve the covenants or restrictions affecting the community or association from extinguishment under the Marketable Record Title Act (MRTA), chapter 712, and authorize and direct the appropriate officer to file [notice of preservation]." Thus, strict compliance with the new statute would require that your board consider annually the impact of MRTA, even if the 30-year deadline is years away and regardless of whether a preservation notice has already been filed. The minutes of those meetings should reflect a discussion of the relevant dates and events relating to MRTA.

The to-do list for the HOA:

- The filing of a summary notice as required under Section 720.3032(2)
- Amend the Declaration and make it more relevant
- Set up a fining committee and follow F.S. Section 720.305 when imposing a fine. Specifically, 720.305 (2)(b) states:

A fine or suspension levied by the board of administration may not be imposed unless the board first provides at least 14 days' notice to the parcel owner and, if applicable, any occupant, licensee, or invitee of the parcel owner, sought to be fined or suspended and an opportunity for a hearing before a committee of at least three members appointed by the board who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. If the committee, by majority vote, does not approve a proposed fine or suspension, the proposed fine or suspension may not be imposed. The role of the committee is limited to determining whether to confirm or reject the fine or suspension levied by the board. If the proposed fine or suspension levied by the board is approved by the committee, the fine payment is due 5 days after the date of the committee meeting at which the fine is approved. The association must provide written notice of such fine or suspension by mail or hand delivery to the parcel owner and, if applicable, to any tenant, licensee, or invitee of the parcel owner.

- Enforce the rules equally with all homeowners to avoid "selective enforcement" defense
- Document homeowner's violation. Keep good records, notes and pictures. You never know when they may end up in an exhibit.

b. Chicken Coups at 4417 Wimco Court – The board will send a letter to owner to them know they are in violation of various restrictions – let them know it can be \$100 per violation – address that there are more than pet, coup on the side of house, neighbor complaints, livestock. The violation letter should refer to 720.305 and ask them to present any evidence that would excuse them from the deed restrictions. If the violation continues, there will be a hearing and the homeowner will be permitted to defend against the fine. If the fining committee decides that there is a violation, payment must be made within 10 days.

c. Amending the Bi-Laws and Covenants – Dina will provide us with a retainer letter providing us with an estimate of the cost for her to prepare and file the Notice to Preserve as well as work with the board to amend the CCRS.

c. Coyote issues – county will need to give permission to the trapper to remove them. The trapper's "service" call is \$500 and then \$100 per animal. Steve wants to talk to the treasurer to see if we have the money and then decide if the board wants to approve removal. If any homeowner has had issues with the coyotes, please contact the county.

d. Pond Maintenance – Jessica has been working with the Lake Doctors for a couple of months. She will meet them and has seen that they are not fully treating our ponds – only the shoreline issues that they can reach. Jessica has requested permission to seek other estimates from other companies.

6. **Open Forum.** During open forum, each attendee may address the board for up to three minutes. A director may briefly respond to statements made or questions posed. Speakers must observe rules of decorum and not engage in other disruptive behavior. If a speaker is in the middle of a sentence when time is called, he/she may finish their thought before sitting down. The time guidelines ensure that others will have an opportunity to speak. Speakers may not allot their time to others. All persons must follow the Meeting Rules listed at the bottom of this agenda.

**7. Adjourn – 8:42 pm**

**MEETING RULES:** No [audio or video recording](#) allowed by attendees. However, the secretary may record the meeting to aid in the preparation of minutes. The recording is deleted once the minutes have been prepared. As provided in the "Open Meeting Act," members may observe the meeting but do not have the right to participate in the board's deliberations or votes. Members may address issues during the open forum portion of the meeting. If attendees become disruptive, they may be expelled from the meeting and/or fined.

**NEXT MEETING:**

The next meeting will be held on September 3, 2019 at Trinity Presbyterian Church at 7:00 pm. Park in back and you should find us.

Animal Control – 813-929-1212

Swine and Livestock – Pasco County Code Compliance – 727-847-8171 x8430

Nuisance Alligators – 866-392-4286

Non-Emergency Policy Pasco County – 727-847-8102

*For information on Pasco County Sheriff's Subdivision Activity, you may find a record of all calls and actions by the Sheriff's Department on its website.*