

CALL TO ORDER:

The Country Creek HOA Meeting was called to order by HOA President Ray Miller at 6:59PM on Tuesday May 22, 2018 at the Christ Presbyterian Church at 515 Upper Manatee River Road East, Bradenton. Roll call was made, and quorum established with the following directors' present: Ray Miller, Jerry Wesley, Carola Russell and Pete Senchyshak. ARC Chairmen Bob Meehan and Lance Davis were also present.

Note: Residents Barry Serica and Glenn Martin have previously advised the Board that they intended to video tape all HOA meetings. They have been asked to set up in a way that will not disrupt the meeting per our webpage instructions.

RM announced that HOA Vice President Cara Misiewicz had tendered her resignation and he requested that long time ARC Chairman Bob Meehan be nominated to take over the vacancy on the Board of Directors. JW nominated BM and he accepted. CR seconded. All approved with AYE, none opposed. **MOTION PASSED.**

Bob Meehan asked that Lance Davis formally take over as the ARC Chairman and he was asked to give a synopsis of the ARC responsibilities. LD advised that along with reviewing any ARC submissions and coordinating with the homeowners, periodic neighborhood reviews are accomplished. LD added that he walks the neighborhood every day so is very much in tune with what is going on in the area. JW motioned for LD take over as Chairman and CR seconded. All approved with AYE, none opposed. **MOTION PASSED.**

OFFICERS / COMMITTEE REPORTS:

JW reported that the Proof of Notice for tonight's meeting had been established by publishing the date on the CCHOA Web page on or about 5-16-2018. Entrance signs were hung up and the event was posted on the community Facebook page on 5-18-2018. An email blast was accomplished on 5-19-2018.

RM reported that the last meeting minutes had been reviewed by all and CR made a motion to accept and approve. BM seconded, and all approved with, "Aye", none opposed. **MOTION CARRIED.**

Treasurer:

- CR reported that as of tonight's meeting, the CCHOA has \$17,789.80 in our checking account and \$10,108.95 in the savings.
- We have one homeowner that has not yet paid for this year, but their house is now in foreclosure. The community attorney has accomplished the lien against the property which will at some point cover the dues, late fees and interest.
- We received one completed estoppel adding \$125 to our savings.
- We received and paid for the usual and expected invoices covering landscaping, FPL, and The Lake Doctors. Additional expenses received included the annual Directors Insurance (\$1829), Bradenton Insurance (\$566.29) and Green Thumb Landscaping

- (\$226.25) for irrigation repairs, additional trash pickup and additional mowing at the park.
- The next fiscal year's annual HOA dues (\$330) letters will go out at the beginning of July. Payment is expected by the end of July.

Secretary:

- Twelve letters were sent out since our last meeting because of a recent neighborhood ARC review and homeowner complaints. Parking on the lawn, trailer and boat storage, and commercial vehicle parking continue to be persistent problems. Of the twelve letters only three have been resolved at this time. Additional letters will need to be sent out. Two homeowners are to the point that they are ignoring the Board's letters and any additional violations will have to be handled by the community lawyer.
- JW made a motion for additional meeting signs, specifically the banner that has the day and time on it. We do not have any for Tuesdays or Fridays requiring arts and crafts skills that he does not possess and no one wants to see. CR seconded, and all approved with, "Aye", none opposed. **MOTION CARRIED.**
- JW advised that he had updated the website to fix some of the older links as they had been linked to old and no longer recognized formats.

ARC:

Address	Name	Request	Arch	Board	Comment
14802 7 th Ave E	Chavez	Fence	Yes	Yes	Approved

- BM explained the process of review for all ARC Forms received. Some requests take little or no effort for approval as they are well within the deed restrictions. Some requests are denied, and the ARC will try and work with a homeowner to rectify whatever the underlying problem for the denial may be. Some requests are never approved. If an issue can be resolved the homeowner resubmits the request and it is reviewed again. If it is approved by the ARC, then it is brought to the Board and a vote will be accomplished.
- The fence request above went through this process and it was denied based on the original ARC form. The homeowner made changes to his plans and it was approved by the ARC. Tonight, it was brought to the Board for review. JW made a motion to approve, PS seconded. A vote was accomplished with JW, BM and PS voting for and CR against. **MOTION CARRIED.**

OLD BUSINESS:

- New and replacement shrubs were planted by Green Thumb at the 3rd Drive entrance. Green Thumb had previously alerted the Board to a freeze in March that had taken its toll on several shrubs at that location. Some had bounced back but many had died.
- The dues increase was covered again with the reiteration that the Board had voted at the last meeting to raise the dues by the allowed amount of 10%. The dues for this next fiscal year will now be \$330. The most immediate goal is still to have the funding available to replace some of the ageing equipment at the park. Unexpected costs, such as the new plantings, much needed irrigation repairs over the course of the year, legal fees and other expenses rising due to inflation have taken their toll on our savings.

NEW BUSINESS:

- The recent resignation of one of the Directors was previously discussed and addressed.
- ARC was previously discussed and addressed.

Social:

- Nothing currently. Need volunteers.

Communications:

- A homeowner wanted the HOA to be aware of a possible incursion into preserve areas by another homeowner on 141st CT NE. It had appeared that they might be cutting into some of the protected area. LD had reviewed the plat maps and visually inspected the area and determined that the homeowner was not cutting into the protected area and were working within their property boundaries.
- A homeowner asked about guidelines and guidance for installation of a shed. They were directed to the ARC Form that is required and the applicable deed restrictions on the website.
- A homeowner asked about the approval process for painting their house. They advised that the colors would be nearly identical. Their contact information was passed on to the ARC team. BM advised that he had requested they complete an ARC form.
- A homeowner on 3rd Drive East advised of continuing problems with neighbors in that area continuing to park on the grass with personal vehicles and what appears to be commercial vehicles. He was advised that additional letters were going to be sent.
- A resident requested that the HOA provide him with the breakdown of attorney fees paid by the HOA from 2016 to the present. The community attorney was contacted and advised that the request had been made one business day prior to tonight's meeting and that the figures would be available for our next meeting.

Input from the floor:

- Resident Marilyn Mendez introduced herself as a long time Country Creek resident. She said it was her first time attending a meeting but felt compelled to do so after seeing all the postings on Facebook. She said that one of the things she wanted to pass along was that if you have an issue and you bring it to the meeting then you should also bring a solution. Only in cooperation and understanding another person's point of view are we going to be able to sort out our issues together. She questioned the bylaws and how exceptions can be made and how they are kept track of. She wanted to know why, if changes were made or exceptions were made how come the bylaws had not been updated or changed. BM asked to respond and used the previously approved fence as an example. He said that through interactions with the homeowner an exception was made. Although on the face of it the fence is in violation, exceptions can be made at the discretion of the Board. The bylaws do not change. MM said that she thought that this would be problematic. She said that the bylaws need to be updated to avoid issues. It was pointed out that to do so it would have to go to a vote for the whole community and it was always a problem to get anyone to even come to a meeting let alone trying to get a majority vote from the homeowners.
- MM next question was in regard to the recent Board approval of a rate increase. She asked if there was a cap to the amount that can be raised. It was pointed out that the bylaws allowed the Board to raise the dues annually by 10 percent if they felt a need existed. Any raise beyond 10 percent would require a community vote. MM asked if we could do this every year and she was told that the last increase was several years ago, and the Board did not foresee having to raise it again the following year.
- MM wanted to know if it was listed anywhere where the money was being spent. She was directed to the minutes from the previous meetings where it is addressed.
- MM said her final question was directed at the whole Board and if we ever disagree on anything and if we are fair. The previous fence issue was brought up again pointing out that not all of us wanted an approval on the request. So, no we don't always agree.
- Bob Singer wanted to know why the dues were being raised. He said that as a previous Board member they were able to get things accomplished with very little money. It was pointed out that we had previously answered this question. CR continued that everything was now more expensive than when BS was on the Board. He said that in the past neighbors would take care of each other and any needs that arose volunteers would always be available. RM stated that everything was cheaper then. BS said that the HOA needs to live within its budget. RM invited BS to look at our expenses and if he saw something that could be trimmed then we would take it into consideration.
- Resident Dale Barrow announced that he had an issue with HOA because of his disability. He said that the Board had paid around \$7000 to an attorney due to his fence being installed. He said a Board member yelled at him from a car, he thought it was the treasurer. CR said that she had never met him before. DB said that he has a comfort dog. He said he wanted to construct a wooden fence for his dog. Instead he put in a vinyl fence at great expense. He said the Board questioned his disability and now it

wants him to replace and install the most expensive fence that they could find. He said he had upgraded the fence and even asked his neighbor if they had any issues with it for which he said he was told, "no". He said now HUD had launched an investigation into the HOA. DB continued saying that the Board wanted to go to mediation and that was going to cost him a lot of money. He said that he wanted the HUD investigator to act as his mediator. He said that, "We are the homeowners", "We should mind our own business". Someone asked how much the attorney fees were and they were told that it is an active investigation and that the Board was instructed not to discuss it. RM added that \$7000 was not a realistic number.

- DB wanted to know why we didn't have a management company. RM suggested that if he was that interested in a management company he was encouraged to research it and bring his findings to our next meeting.
- Glenn Martin questioned the earlier fence approval. He said that he had a similar request and the Board had denied it. He asked about variances that the Board had approved in the past and questioned the fairness of the process. RM pointed out that if GM recalled, before a complete discussion could be accomplished regarding his fence request, GM had become very frustrated and argumentative and had stormed out of the meeting before any decision could be made. RM added that since he has been on the Board he has never tried to be unfair or unwilling to hear anyone out. RM added that unfortunately, some of the things that are existing in our community had been approved by the original builders, before an HOA was even established. We now are living with those past decisions. BM added that all ARC requests have been on a case by case basis. GM said that it is not fair as some have it and some don't. He added that is why we now have a HUD investigation.
- MM reiterated that if you have an issue that you want to bring to a meeting then you should also have a solution. She said we all need to be respectful to our neighbors. CR said that we can always use volunteers. We have been asking for help at every meeting. We need folks to help with the ARC, and with the social committee. It was brought up by another resident that as a rule we only have about four or five residents coming to the meetings. MM said that the Board is the foundation of the community. She said people want to vent their frustrations, but we need to be respectful to each other.
- Barry Serica wanted to make a suggestion about the way violation letters were handled. He said that he heard us talking about on again off again violations from some of the same households. He suggested that the last letter sent should be certified mail. Otherwise someone could say that they never received any of the letters. It was pointed out that some of Boards prior experiences have shown that some folks will never accept the letter anyway.
- BS said that he had some questions about the Boards statements concerning the original builders giving permissions for things that we are now having to answer for. He said that he thinks we need to think about getting a different community lawyer. He said

that he has gone to the law library and researched the law and he believes that the statements made about builder's exceptions is no longer valid. He has volunteered for various things in the past and wants to volunteer for things now in our community. He said that there are things that he doesn't like but he is still part of this community.

- Finally, a homeowner asked what if anything could be done about the impending construction for the roundabout at Rye Road and SR 64. He said that traffic through the neighborhood was already bad enough. Folks had discovered that they can cut through our neighborhood to avoid that intersection completely. He wanted to know about speed bumps or extra law enforcement presence. JW suggested that everyone needs to start calling the Sheriff's hotline (941-723-5197) and ask for extra traffic control. Only when they start to get enough complaints are they going to look closer at the issue. RM suggested that we add the issue to our next meeting's agenda.

BOD ADJOURNMENT:

At about 8:19PM RM thanked everyone for their participation. BM motioned to adjourn, and CR seconded, and all Directors voted Aye, none opposed. **MOTION CARRIED.**

Our next meeting has not been scheduled.