

# **Country Creek Homeowners Association of Manatee**

c/o Gulf Coast Community Management, LLC., 2201 Cantu Ct., Ste 106, Sarasota, FL 34232

Office: (941) 870-5600

GulfCoastCM.com

Info@GulfCoastCM.com

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## **Annual Membership Meeting**

March 20, 2023 @ 7:00 PM

Bayside Community Church - Youth Room 15800 FL-64,  
Bradenton, Florida 34212

### **AGENDA**

1. Call to Order
    - a. Determination of Quorum of Membership
    - b. Appointment of Meeting Chairperson
    - c. Confirmation of Proper Meeting Notice
  2. Approval of Minutes of Annual Meeting dated February 7, 2022
  3. Board and Committee Updates
  4. New Business
    - a. Election of Directors
      - i. Call for Final Balloting and Close of Balloting
      - ii. Appointment of Inspectors of Election
      - iii. Announcement of Results
    - b. Short-Term Leasing Amendment
  5. Homeowner Comments
  6. Adjournment
- 

### **BOARD OF DIRECTORS ORGANIZATIONAL MEETING AGENDA**

(immediately following the Annual Membership Meeting)

1. Call to Order
2. Determination of Quorum
3. Proper Meeting Notice
4. Election of Officers
5. Business
  - a. Board Resolution Approval
6. Next Meeting Date
7. Adjournment

**HOMEOWNER'S COMMENTS:** Time limit of three (3) minutes to talk on each subject per homeowner. The Board members may respond or choose to place on a future agenda for further discussion. The total time allotment for *homeowner's comments* will not exceed 30 minutes.

# **Country Creek Homeowners Association of Manatee**

c/o Gulf Coast Community Management, LLC, 9040 Town Center Parkway, Lakewood Ranch, FL 34202

Office: (941) 870-5600

Fax: (941) 467-3441

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## **Annual Meeting of the Members Minutes**

February 7, 2022 @ 6:00 PM
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1. The meeting was called to order by Eric Lawson at 6:18 pm.
  - a. Eric Lawson was appointed to be meeting chairperson.
  - b. Notice of the meeting was posted in accordance with the Statutory requirements.
  - c. A quorum of 79 homeowners in person or by proxy.
2. A motion by David Rosengrant to approve the 3/9/2021 Annual Meeting minutes, second by Todd Klyn, motion carries.
3. Business
  - a. Election of Directors
    - i. After a final call for ballots, balloting was closed.
    - ii. Yosvani Barreiro, Barry Serica, Louis Branning and Robert Goodyear volunteered to be inspectors of election.
    - iii. David Rosengrant and Ray Miller were elected to 2-year terms.
  - b. The Surplus Rollover was approved with 75 yes votes, 4 no votes.
  - c. The Board Size Increase Resolution did not pass. 32 yes votes, 44 no votes.
4. Homeowner Comments:
  - a. Nick Holmes thanked the Board.
  - b. Barry Serica reported that his mailbox post was changed.
  - c. Kerry Ford the Board to consider refurbishing the entrance signs.
5. A motion by Todd Klyn to adjourn, Ray Miller, meeting adjourned at 6:52pm.

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## 2023 BOARD OF DIRECTORS ELECTION BALLOT

**Vote for no more than three (3)**

☐

Todd Klyn

☐

Eric Lawson

☐

Jamie Rozek-Potter

☐

\_\_\_\_\_

☐

\_\_\_\_\_

☐

\_\_\_\_\_

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

Owner(s) Signature: \_\_\_\_\_

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## **Proxy**

The undersigned hereby appoints \_\_\_\_\_, or if I/we have filled in no name hereby appoints the President of the Association on behalf of the Board of Directors, with full power of substitution, as my proxy holder to attend the annual meeting of the members of Country Creek Homeowners Association of Manatee to be held on **March 20, 2023 at 7:00 pm, at the Bayside Community Church, Youth Room, located at 15800 FL-34, Bradenton, FL 34212.** The proxy holder named above has the authority to vote and act for me to the same extent that I/we would if personally present.

**Your Board of Directors recommends a "Yes" vote for both measures.**

- 1. PROPOSED AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND EASEMENTS, AND RESTRICTIONS OF COUNTRY CREEK SUBDIVISION ("DECLARATION")**

*New language is indicated by underlined type.*

*Deleted language is indicated by ~~struck through type~~.*

**A new Section 5.11 of Article V of the Declaration shall be added as follows:**

- 5.11 Leasing.** "Leasing" for the purpose of this Declaration, is defined as the exclusive occupancy of a Lot by any persons other than the Owner, without the Owner present, whether or not the Owner received any benefit, fee, gratuity or service.
- (a) Notice and Approval.** Owners shall provide a copy of all lease agreements and all extensions thereof to the Association and obtain approval from the Board of Directors before the lease or extension can be executed. The Board of Directors may require certain application procedures, including forms, background checks, and tenant interviews, and charge a reasonable fee therefor as permitted under the law. Owners are required to provide to the Association the Owner's current mailing address, together with the names of those residing on the Lot.
- (b) Term.** Leases shall not be for less than a six (6) month term, and all leases must be in writing. No more than two (2) leases may be executed per year for the rental of a Lot. No individual rooms shall be rented, and no transient occupants shall be accommodated in any residence.
- (c) Tenants Subject to Use Restrictions.** Every tenancy and lease shall contain or be deemed to contain a provision that the tenant is subject to this Declaration, the Articles of Incorporation, Bylaws and Rules and Regulations of the Association. Said documents shall be provided to the tenant by the Owner or the Owner's designated representative. The lease or rental of any residence shall not release or discharge an Owner thereof from compliance with any of his/her/its obligations

and duties.

(d) Violations. In the event of any violation by the tenant of this Declaration, the Bylaws, Articles of Incorporation or Rules and Regulations of the Association, the Association shall have the right to evict a purported tenant in the name of the Owner as the proposed landlord. The determination of whether a violation has occurred shall be within the sole discretion of the Board of Directors. The Owner shall be liable for all costs and reasonable attorneys' fees incurred by the Association in connection with the termination of the lease or tenancy and the eviction of the tenant.

*All other Sections remain unchanged.*

☐ FOR amendment

☐ AGAINST amendment

2. Should any excess of Membership Income over Membership expenses for the year ending June 30, 2023 (as defined in IRS Sec 277) be applied against the subsequent tax year members' assessments as provided by IRS Revenue Ruling 70-604? (If not carried forward, the excess may be subject to Corporate Income Tax.)

☐ FOR carryover

☐ AGAINST carryover

**If the home is owned by more than one person, all owners must sign.**

Name (print) \_\_\_\_\_

Name (print) \_\_\_\_\_

Signed \_\_\_\_\_

Signed \_\_\_\_\_

Dated this \_\_\_\_ day of \_\_\_\_\_, 2023

Address \_\_\_\_\_

This proxy is revocable by the unit owner and is valid only for the meeting for which it is given and any lawful adjournment. In no event is the proxy valid for more than ninety (90) days from the date of the original meeting for which it was given

**TODD KLYN**

I have been a resident of Country Creek for 5 years. Retired from Avery Dennison after 30 years as a Sr.Technical Specialist. I am running for reelection for the HOA Board. I have been on the board for 3 1/2 years. Making decisions with common sense and fairness to everyone. Also keeping a close eye on how money is spent but at the same time spending money on maintenance and improvements when needed to keep the community beautiful.

Eric Lawson is a 24-year resident in Country Creek. He lives with his Fiancé, Allison, has 2 children, Dylan and Mackenzie. Both of his children enjoyed growing up in Country Creek attending Gene Witt Elementary School. Eris is a 30 year employee at Florida Paints holding the position of Regional Vice President at the company.

Eric has been working with Community Associations for many years and has learned the challenges of managing an HOA. He has dealt with many Property Managers and Board Members throughout his professional career.

Eric became the HOA president in late 2021. His goal is to maintain property values for all homeowners in Country Creek. We live in a unique neighborhood with larger lots sizes and different home elevations in contrast to what is being built immediately around Country Creek. This only makes our property and neighborhood more desirable in the future.

## Jamie Rozek-Potter

Initially elected to the Board in 2019, I've been instrumental in:

- Obtaining a management company necessary to provide financial transparency, appropriate and timely notices to homeowners, 21<sup>st</sup> century recordkeeping, and expertise in association business.
- Contacting and arranging updated FPL street lighting which improved safety and cut costs.
- Forming and administering our homeowner only Country Creek of Bradenton HOA Official FB Site which is provided as a courtesy for increased communication, a resource for meeting dates, and an additional place to download documents.
- Updating the worn and tired wooden mailboxes, and replacing them with the fresh, updated black metal boxes.
- Obtaining vendors and quotes to enable moving forward in providing playground equipment for the Country Creek Park.

During my time away from board meetings, you'll find me in the classroom as I'm a Manatee County teacher. I have a master's degree in Administration and Leadership, and I am the only female on the board. The Board is a good team, and we all work together well.

As the other Board members will tell you, I'm the cross the t's and dot the i's person. I give my best effort to be fair and conscientious, stepping back to see the big picture, and taking notice on how both small and large decisions could possibly impact our community. I have a vested interest in our community and I have lived in Country Creek since its inception, more than 25 years now. I'm honored to serve on the Board of Directors, and if reelected, it would be my pleasure to continue.

If you have any questions for me, please reach out.

Warmly,

*Jamie*



## **RESOLUTION AUTHORIZING ELECTRONIC VOTING AND PARTICIPATION FOR ASSOCIATION MEETINGS AND ELECTIONS**

### **COUNTRY CREEK HOMEOWNERS ASSOCIATION OF MANATEE, INC.**

**WHEREAS**, Section 720.317, Florida Statutes (2022) provides that an association may conduct elections and other unit owner votes through an Internet-based online voting system if a unit owner consents, in writing, to online voting and if various requirements are met; and

**WHEREAS**, the Board of Directors has determined it to be in the best interest of the Association to enable the use of electronic voting in Association matters and to create the requisite authority required by the above-referenced statute; and

**NOW THEREFORE**, it is resolved as follows:

1. The Association may permit Owners who desire to do so the ability to utilize electronic voting in conformance with the above-referenced statute, as amended from time to time, as well as any applicable administrative rules of the Florida Department of Business and Professional Regulation, as may now exist, be hereafter adopted, or as the same may be amended from time to time.
2. The Board or its President may determine that utilizing electronic voting is not in the best interest of the Association as to any meeting or election. Accordingly, there shall be no obligation for the Association to utilize electronic voting at any meeting or election.
3. Notice to Owners of the opportunity to vote through an online voting system shall be provided as required by law.
4. The Association hereby adopts the following:
  - The "Consent to Electronic Voting and/or Consent to Receive Electronic Notice of Meetings," which requires the Owner to opt-in from the community website, for an Owner to be entitled to vote by electronic means and/or to receive electronic notice of meetings; and
  - The "Revocation of Consent to Electronic Voting and/or Revocation of Consent to Receive Electronic Notice of Meetings," which requires the Owner to opt-out from the community website, for an Owner to revoke their consent to electronic voting and/or their consent to receive electronic notice of meetings.
5. To implement electronic voting, the Association may contract with an outside vendor or other party that provides electronic voting services. The Board shall use reasonable judgment to ensure that such vendors' services comply with the requirements of law.
6. The Association or its agent shall notify Owners in meeting notice materials, as provided by law, of the ability to vote electronically, including but not limited to the provider's email address or website in a manner the Association reasonably believes to be sufficient to enable Owners to participate in electronic voting.
7. Owners who consent to vote by electronic means may still vote in person, if they choose, by paper means (use of proxies and ballots) or may send proxies to the Association by electronic mail, to the extent the Association otherwise receives and accepts proxies through such media. In the event of multiple votes cast by a Lot as to the same matter, the vote cast first in the election of Directors shall prevail, while the last vote cast will prevail with respect to non-election issues.

8. By affirming and otherwise choosing to vote electronically as enabled by this Resolution, each Owner recognizes that the Association cannot control the practices of third parties regarding internet communications and use of the Owner's email address. As such, and as a condition of the Association's agreement to permit electronic voting, each Owner who consents to electronic voting releases and waives any claim against the Association pertaining to such voting, including but not limited to the transmission or placement of "viruses," "malware," "spyware," "cookies," and the like. Each Owner who consents to electronic voting also consents to the Association's publication of their e-mail address, as well as other information (including necessary personal identifying information) to electronic voting service providers or other third parties to the extent and as may be reasonably necessary to enable the use of electronic voting processes.
9. By affirming and otherwise choosing to vote electronically as enabled by this Resolution, each Owner further recognizes that internet/electronic communications may be subject to failure, interruptions, or other problems due to a variety of reasons, including but not limited to Owner operator error, provider system or server failures, "spam" blockers, power outages, and the like. As such, and as a condition of the Association's agreement to permit electronic voting, each Owner who consents to electronic voting releases and waives any claim or challenge to such voting, including but not limited to situations where an Owner vote was not received or counted by the Association due to no fault of the Board of Directors or management.

This Resolution was adopted by the Board of Directors on the \_\_\_\_ day of \_\_\_\_\_, 2023 and is effective upon adoption. The meeting at which this Resolution was adopted was preceded by the required notice in advance of said meeting. An Affidavit attesting to such notice is kept amongst the official records of the Association.

There are \_\_\_\_ total Board members. The number of Board members who voted in favor of this Resolution is \_\_\_\_\_. The number of Board members who voted against this Resolution is \_\_\_\_\_.

The vote of each Director is reflected in the minutes of the meeting at which this Resolution was adopted.

COUNTRY CREEK HOMEOWNERS ASSOCIATION OF MANATEE, INC.

BY: \_\_\_\_\_

Print name: \_\_\_\_\_

Its President