

Country Creek Homeowners Special Board Meeting

A Special Board Meeting of the Board of Directors of the Country Creek Homeowners Association of Manatee, Inc. was properly noticed and held on September 13, 2019 at 9:04 AM at the Bayside Community Church. Present were President Bob Meehan, Treasurer Carola Russell, and Secretary Jamie Rozek-Potter. Also Present were Telese McKay and Nicole Price from the law firm Icard Merrill, and Property Manager, Mike Manning from Premium Resource Management, Inc.

President Bob Meehan established meeting procedure and process for owner comments. A quorum of directors was present, and the meeting was called to order at 9:04 AM.

Attorney Telese McKay explained the purpose of the meeting was for the Board to consider certifying a Board Recall. Attorney McKay explained the legal process the Board must observe to determine the validity of the Recall.

-Country Creek is a community of 228 homes, and a majority is 115.

-34 Recall Ballots were hand delivered to the Management office on September 9, 2019 at 1:30 PM by homeowner and Respondent Glenn Martin.

-An additional ballot was postmarked on Sept 5, 2019 and received on September 9, 2019.

-One ballot, Mr. Robert Singer at 14703 1st Ave E, Bradenton, FL 34212 (lot 212) was received at the recall meeting on September 13, 2019, and not counted toward the tally of ballots.

-An owner, Mr. Lawrence Luh, at 215 147th St E, Bradenton, FL 34212 (lot 250) did not check any boxes for Recall, but hand marked his ballot with a "No" next to the Recall box of Carola Russell, and the Board was unable to determine the intent of the Ballot.

-Total of 35 Recall Ballots were received on September 9, 2019.

During the meeting the attorney, McKay noted the following:

-The Recall Forms meet the Florida Administrative Code (FAC) requirements.

-Service of the Forms must be by Certified Mail or by process server (FAC 61B-81.003 (1)(G)).

-FS 720.303 (10) states the Recall must contain a majority, and with 35 ballots does not meet the requirement.

Attorney McKay advised that the quantity of ballots presented are insufficient to certify a recall.

-The Current Board: President Robert Meehan, Treasurer Carola Russell, and Secretary Jamie Rozek-Potter, are each named on the Recall ballot. The next election is scheduled for late January or early February 2020, thus the Recall is not presented within 60 days of the next election. Voting Certificates are not utilized at Country Creek.

The Result of the Balloting to Remove Directors:

Robert Meehan	33
Jamie Rozek-Potter	33
Carola Russell	34

Attorney McKay also noted that the ballots contained more candidates than the number being recalled. The Voting for Replacement Directors did not comply with FAC 61B.81.003 (3)1g, as the ballot contained too many candidates.

MOTION: Robert Meehan motioned "to NOT certify the Recall." Second by Carola Russell. **3 Votes For, 0 Votes Against. MOTION APPROVED.**

MOTION: Robert Meehan motioned "to have attorney Telese McKay file a petition for Arbitration with the Department of Business and Professional Regulation." Second by Jamie Rozek-Potter. **3 Votes For, 0 Votes Against. MOTION APPROVED.**

Homeowners could comment with a 3-minute limit.

There being no further business, the meeting was adjourned at 10:24 AM.

Submitted for Country Creek Board of Directors,

Mike Manning, CAM, CBA
Premium Resource Management, Inc.