

CALL TO ORDER:

The Country Creek HOA Annual Meeting was called to order by RM at 7:00PM on February 19, 2018 at The Bayside Community Church at 15800 SR 64, Bradenton. Roll call was made, and Board quorum established with all directors' present: Ray Miller (President), Bob Meehan (Vice President), Carola Russell (Treasurer), Jerry Wesley (Secretary) and Peter Senchyshak (Director at Large). Lance Davis, ARC Chairman was unavailable tonight.

Note: Florida Statutes, Division of Florida Land Sales, Condominiums and Mobile Homes define the Division Rules on Videotaping, any unit owner may tape record or videotape meetings of the board of administration, committee meetings, or unit owner meetings, subject to restrictions which can be found on the HOA page of our website. Prior notice (24 hours) is required.

Resident Barry Serica gave his 24 hour notice via the Country Creek website advising the Board that he intended to video tape tonight's HOA meeting. He set up in a way that did not disrupt the meeting per our webpage instructions.

OFFICERS / COMMITTEE REPORTS:

RM asked for a volunteer to act as a Chairperson for tonight's meeting and resident Don Enright graciously accepted. Three Board seats were up for election.

RM acknowledged that Proof of Notice for tonight's meeting had been established as two mailings had been sent out in January to all residents as well as notifications on our webpage. Entrance signs were hung up a week prior.

JW motioned that the last meeting minutes be accepted as they had been shared via email amongst the Board members. BM seconded and all approved with AYE. **MOTION CARRIED.**

Secretary:

- JW reported that he had sent out 3 letters for violations since our last meeting. All were 2nd notifications. A letter was sent to a residence on 141st Court NE due to hedges on the property that were dead, dying and in need of care.
- A letter was sent to a residence on 7th Ave E due to a fence that was installed without an ARC form or any prior approval from the HOA. The matter has been resolved with the fence being modified to come into compliance.
- A letter was sent to a home on 7th Ave E (unoccupied dwelling) due to the overall lack of maintenance and upkeep. The letter also asked what the long-term plans were for the property. No response. The issue continues to be a challenging.
- One new estoppel was accomplished for a home on 141st Ct NE
- Seasonal tree trimming was accomplished last week. Electrical issues found at the park have been fixed so the lights are on again. Green Thumb advised of electrical issues at the 3rd Drive East entrance and an electrical contractor has determined that the landscaping transformers there are failing and will need to be replaced.

- Electrical issues (GFCI, breaker) were corrected at the park. The lights are again working at the pavilion. We received a proposal (Owens Electric \$995) for electrical repairs at the 3rd Drive E entrance. The two landscaping transformers there are failing and will need to be replaced. They are causing the breakers to trip when the irrigation timer turns on the sprinklers. JW motioned for proceeding with the repairs. PS seconded and all approved with AYE. **MOTION CARRIED.**

Communications:

- A resident wanted the palm trees cleaned up and trimmed at the Mill Creek Entrance. Green Thumb was contacted and contracted with someone to accomplish the task.
- Some questions about re-roofing that were directed to our ARC Chairman.
- A resident asked about propane storage tanks and they were advised that they would be considered as “equipment” in covenants and that underground seemed to be the norm.
- A resident asked about mailbox replacements and they were told it was still an open issue. Requested if they found something similar in their searches to advise the board as the search continues.
- A couple of residents wanted to know why the Board had approved a fence that was in violation for a home on 147th St NE. They were advised that the fence was not approved as it had been proposed and the residents ignored the Board and installed it anyway. The matter has since been turned over to our community lawyer.
- A resident wanted to encourage the Board to enforce the covenants as far as maintaining the appearance of one’s yard and home. They advised that they live between two houses that they believe do not live up to the standards in our covenants. I advised that it would be brought up at this meeting.
- A resident wanted the Board to start fining a resident that was continuing to raise chickens even though the Board had advised them that they were not allowed by our covenants. He also advised that they were now in possession of a rooster. He was advised to contact Code Enforcement as roosters are prohibited in residential areas of Manatee County.
- A resident wanted to know about parking an RV on their property. She was advised that short duration parking was not a problem, but our covenants do not allow long term storage of RV’s, boats, trailers or campers. She also wanted to know if there were certain breeds and/or numbers of dogs that were prohibited. I advised there were no breed restrictions and that two dogs were allowed.
- A resident wanted the agenda to include her ideas for changing the bylaws regarding sheds, fences, solar collectors and Recreational vehicle storage.

Treasurer:

- CR reported that amazingly we still have 29 residents that have not paid their annual dues of \$330 that were due the end of July 2018. She continues to try and bring those accounts current.
- All costs continue to rise, and last year's budget was hit hard. As this was our annual meeting and the fiscal year runs July through June, CR provided the breakdown as follows for fiscal year 2017 through 2018:

4:16 PM
02/19/19
Accrual Basis

Country Creek Homeowner's Association
Profit & Loss
July 2017 through June 2018

	<u>Jul '17 - Jun 18</u>
Ordinary Income/Expense	
Income	
Collection Costs Recovered	773.50
Estoppel Fee Reimbursement	2,250.00
Homeowner Dues	68,700.00
Interest Income	51.23
Late Fees & Interest Charged	845.94
Total Income	<u>72,620.67</u>
Gross Profit	72,620.67
Expense	
Bank Service Fees	11.85
Computer and Internet Expenses	59.95
Insurance Expense	4,309.81
Lake Maintenance	11,940.00
Landscaping-Special Projects	2,470.00
Landscaping and Groundskeeping	
Additional Lawnscapeing	350.00
Irrigation	4,084.63
Landscaping and Groundskeeping - Other	32,527.26
Total Landscaping and Groundskeeping	36,961.89
Legal Fees	14,798.25
Licenses & Dues	61.25
Meeting Expenses	45.00
Office Supplies	40.73
Postage and Delivery	1,332.55
Professional Fees	360.00
Repairs and Maintenance	125.00
Signage	192.00
Storage	1,090.38
Taxes - Property	460.45
Utilities	5,260.98
Total Expense	<u>79,520.09</u>
Net Ordinary Income	<u>-6,899.42</u>
Net Income	<u><u>-6,899.42</u></u>

ARC:

- ARC Chairman Lance Davis was unavailable for tonight's meeting

Call for Nominations:

RM called for nominations from the floor. Jamie Rozek-Potter stood, introduced and nominated herself. She said that her and her family have been here for 22 years and have been an integral part of the community for all those years. She gave a brief description of her qualifications and asked for our consideration when voting.

RM announced that although he was up for reelection and his name was on the ballot, he has had second thoughts and asked that his name be removed from consideration. All in attendance were offered a chance to recast any votes that were already turned in.

William Weber, Terri Wesley and Pete Senchyshak were all in attendance and were on the ballot. They were all given the opportunity to present their backgrounds and reasons for wanting a position on the Board.

Votes were tallied by Ted Enright with assistance from his lovely wife Sandy. The top three after counting were Terri Wesley, Pete Senchyshak and Jamie Rozek-Potter. Congratulations to all three. All nominees were thanked.

Input from the floor:

- Resident WW questioned why the legal fees were so erratic and high. BM answered stating that they were mostly attributed to compliance issues and a single issue could increase our costs substantially. WW then asked what cost projections the Board foresaw in our future. Playground equipment and main entrance repairs are both longer-term big-ticket items. WW wanted to know if there was any consideration of hiring a management company at some point. He was told the Board has been seriously working towards hiring a company and that we had received three proposals. However, the cost increase at this time would exceed the 10 percent the Board in and of itself could impose. A quorum of the community would need to sign off now. WW wanted to know if the Board had explored the cost projections and future costs of replacing the playground equipment. He was told that the equipment is inspected yearly and that we expected to get a few more years of useful and safe usage out of it before it would have to be replaced.
- Resident Sandy Townsend suggested that if the Board was interested in going door to door to gather enough proxies for an issue that required a community quorum she could volunteer.
- Resident Shawn Hodge questioned a recent fence that had been constructed on 3rd Drive East. He said that it did not appear to be in compliance with our deed restrictions. In addition, this residence was also raising chickens in violation of our deed restrictions. He was told that the homeowner had gone through the process of submitting an ARC Form and the fence they had proposed was within our current guidelines. RM volunteered to look at

the property to determine if the residents had indeed followed what they had proposed. The owners of this residence have been sent two previous letters notifying them the raising of poultry was prohibited by our deed restrictions. Board members agreed that a third and final letter should be sent advising that legal actions would be the HOA's next step in rectifying this issue.

- WW questioned grandfathering of violations and things previous Boards may have allowed. He wanted to know if the current Board was doing anything to try and bring properties into compliance. He was told the Board was trying to solve those issues when they became evident.
- Resident BS said he wanted to disagree with the Board once again stating that he sees the same issues coming up all the time and that he considered it, "selective enforcement". He said that he once again wanted to point out that if we (HOA) get involved with Court issues the neighborhood was going to lose. He said that a resident was granted a variance for a fence and was not told to come into compliance when she replaced the fence. He said legal fees were getting out of hand due to inconsistencies.
- Resident Monica Ausborn questioned a fence on 7th Ave that appeared to be allowed and was in violation of our deed restrictions. She was advised that our ARC Chairman would have to verify if the fence was in compliance.
- MA wanted to know how the bylaws could be so outdated when many residents agree that they need to be changed and updated. She was told that to change the bylaws a community quorum had to be established. RM said that he agreed completely that some of the bylaws needed to be brought up to date as they were originally drafted more than 10 years ago.
- MA wanted to know how she was supposed to address the Board if meetings are not more frequently held. RM apologized stating that due to the holidays we were not able to get everyone together until now. She went on to say that she had submitted her fence proposal and that it was turned down. She was told to resubmit but had received an email from the ARC telling her that the Board would not approve her fence. RM responded telling her that the ARC is simply there to recommend or not recommend proposals and that the Board is the approving authority on these matters. She should have re-submitted.
- RM explained the ARC process and the steps that are involved. CR added that her (MA) fence as it is now is not approved and she installed it anyway. MA said that she feels as though she is being singled out and she has a packet of violations she has observed throughout our community that she wanted to submit.
- Resident TP said that not everything is always recorded as he had observed recently with a fence near his home that was out of compliance. He said he watched as RM and the ARC Chairman spoke with the homeowner. They shook hands and a couple of days later the fence was in compliance. He said that the issue was resolved without any problems.
- Resident WW said that the ARC is the first step, but the Board has final say. He said that he recently installed his own fence. He said that he worked with the ARC Chairman, made sure everything followed our established restrictions and was given approval. He said there is no ambiguity in the bylaws as the rules are very clear and concise as to where you can put a fence on your property.
- Resident BS questioned the installation of solar panels on a resident's property. PS stated that the nomenclature was incorrect as they are photovoltaic panels that convert the sun's

energy into electricity. BM stated that State Law superseded our HOA rules and that the panels could not be prohibited. BS wanted to know why it was never mentioned anywhere that the panels were being constructed. PS pointed out that photovoltaic panels are not covered anywhere in the deed restrictions.

- WW pointed out that the deed restrictions should be consistent with State Law and that they should be brought up to date.
- Resident Jim Long said he wanted to thank the Board for everything they did. He said he knows it is a thankless job and we (Board) sit in front and only here everyone complaining. He said if folks were following the rules there would be no issues. Simple as that. He said that if there are big issues that need to be addressed then canvassing and educating the residents would be a good idea.
- Resident ST said that maybe the Board should not be so rigid with the deed restrictions. RM said that it is a no-win situation. If we relax something, then we hear plenty from those that think we are not rigid enough.
- WW said that updating the deed restrictions can be a double-edged sword. A very tricky proposal. It can cause conflicts in other unintended areas.

BOD ADJOURNMENT:

As it was now 8:35 PM RM motioned to adjourn the Annual BOD meeting, CR seconded, and all Directors voted Aye, none opposed. **MOTION CARRIED.**

Our next meeting has not been scheduled but is pending.

INFORMATION:

- The Sheriff's traffic complaint hotline is (941) 723-5197. Complaints about nuisance animals can be made to (941) 742-5933 Ext 1. County link for traffic related issues:
- <https://www.mymanatee.org/home/government/departments/public-works/traffic-management/traffic-operations.html>