

COUNTRY CREEK HOA MEETING

MARCH 2019

CALL TO ORDER

The Country Creek HOA meeting was called to order by HOA President Robert “Bob” Meehan at 7:02 pm on Friday, March 22, 2019 at the Christ Presbyterian Church at 515 Upper Manatee River Road, Bradenton, FL. Roll call was made and a quorum was established with the following Board members present:

President: Robert Meehan
Vice President: Terri Wesley
Treasurer: Carola Russell
Secretary: Jamie Rozek-Potter
Director At Large: Pete Senchyshak
ARC Chairman: Lance Davis

Absent from this meeting was Ray Miller, member of the Architectural Review Committee (ARC).

OFFICERS/COMMITTEE REPORTS

TW acknowledged that Proof of Notice of tonight’s meeting was established as the signs announcing the meeting were put up at the Country Creek entrances Monday, March 18, 2019 and that an email blast had been sent out to the residents as well.

RM motioned that the minutes of the prior meeting be approved as they had been shared with all the Board Members via email. TW motioned and CR seconded and all approved with an AYE. MOTION CARRIED.

TREASURER

* CR reported the balances in our checking account was \$31,519.53 and the savings account was \$10,111.49.

Dues: Amazingly, as of March 23,2019, 22 residents have still not paid their HOA dues of \$330 per household . 6 residents are still behind the times paying \$300 (old fee amount) and owe the \$30 balance. Letters will go out assessing interest and penalty late fees as these dues are 9 months+ past due.

Estoppel Letter Fees:

14731 1st Ave E – Joshua & Tassila Czerepka

Invoices Received February/March 2019:

\$2,769.20 – Green Thumb March

Extra landscaping fees incurred: \$90 palm trimming, \$124.20 mowing retention ponds.

\$995 Lake Doctors March

\$356.61 FPL

\$90.78 Storage

\$88.50 Lori Dorman/Cease & Desist Letter to M. Ausborn

\$2265.77 Telese McKay/ Fence violation M. Ausborn

It was mentioned that it is sad that our legal expenses keep increasing when residents choose to ignore the rulings and bylaws of our neighborhood by putting up unapproved fences, sheds and other structures, which, in turn, lead to expensive litigation fees which then drive up the legal costs for our entire community. This, then leads to an increase of HOA dues for every resident owning a house in Country Creek.

ARC CHAIRMAN/COMMITTEE

ARC Chairman, Lance Davis, brought up that currently, 4-5 houses are in a transition process undergoing the selling/buying process.

It was mentioned that this is a good time to update the potential buyers at closing if their future property has any violations (fences, sheds, etc.) that don't comply to the rules and bylaws of the neighborhood, now is the time for these issues to be brought back into compliance with the neighborhood's guidelines.

The use of chickens as "therapy/comfort animals" was also discussed as therapy/comfort animal protocol. The Board discussed and acknowledged the need to demand proof that their animal (chicken, pig, etc.) is indeed, an authentic "comfort animal."

LD brought up 2 addresses in CC that had applied for paint job permission via ARC forms and both jobs were granted approval in the February 2019 meeting.

LD mentioned an ARC form from a resident who wanted to add a lanai to his/her property, but the ARC form didn't have the appropriate foot plan drawn to scale and with the necessary information. The ARC form was a bit confusing because it appeared the residents wanted to add a pool cage to an already-existing concrete patio. Further clarification would be necessary before a vote of approval/disapproval could be made.

LD brought up an ARC application submitted on 9/27/2018 for a ground-mounted solar array in a resident's backyard. The ARC application hadn't been previously discussed or brought up in previous meetings because the Board understood that the Florida Home Solar Rights Act (chapter 163.04 (1) and (2)) superseded any HOA regulations or restrictions. That is, Florida state law is above HOA restrictions governing the construction and use of solar equipment meant for the generation of electricity to power a house and the needs of the resident.

A discussion ensued concerning the visibility of the solar array in the resident's backyard. JRP stated that upon driving by the resident's house, she could "plainly see" the array from the "adjacent roadway".

RM disagreed saying that he had driven by the house “several times” and “knew what to look for” and he couldn’t see the solar array from the street until he passed by the third or fourth time while looking for it, and, he stopped his vehicle to look directly between the houses at a certain angle, where he could catch a glimpse of the corner of the array.

LD mentioned he had no issues with solar panels, and that he failed to see the difference between the panels houses had on their roofs in plain sight versus a solar array that was constructed in one’s backyard that was obscured from public view.

PS provided several (five) 8" x 10" color photos to share with the Board members showing various “views from the street”. One photo was a “direct/front-on” shot from 147th street looking directly at the house in question while stopped at the stop sign. No view of the array from there. Another view was that of a car driving from within the cul-de-sac towards 147th street with a straight-on view of the road one must navigate while driving a car. No view of the solar array from there. A third view was taken with the position of driving down 141st Court NE towards the cul-de-sac with a street view. Again, no view of the solar array. 2 other pictures showed views looking between the houses from each side of the house (north side and south side). Again, no view of the solar array.

JRP disagreed stating the north end view of the array was obstructed by the concrete street light fixture, but if one was walking along the sidewalk and looked in between houses from a certain angle, one could plainly see the array.

PS mentioned he would be happy to plant a fruit tree or shrub to help obscure the view of the solar array. However, PS also warned that drivers on the street would be prudent to keep their eyes on the road and not be busy trying to look in between houses to look for solar panels because many neighbors have small children in that area of the development. If one is negligent while driving and looking for the solar array between houses, and a small child or children ran out into the street, the results would be devastating.

A vote was put before the Board for formalities’ sake due to the Florida Home Solar Rights Act (state law) trumping any HOA resistance to solar power. RM stated he didn’t have a vote unless there was a tie on the Board, but that it should

be noted, he didn't have any issues with solar power or the solar array. LD also stated that he didn't have anything against solar or the solar array, but as ARC Chairman, he didn't have a vote. PS recused himself from the vote because it was already apparent where his vote would be and where he stood on the issue of solar power/panels. JRP stated she voted "no" because the current solar array "can be seen from an adjacent roadway". TW and CR voted "yes" to the array, and added that it might be helpful if PS planted some shrubs or fruit trees to lessen the view of the array from that certain angle from the sidewalk/street. PS agreed to do so. It was also mentioned that this property isn't a lake front or lake view home, so issues of the array being seen by the entire community with houses around the lake weren't an issue here. It should also be duly noted that both sides of the house have current neighbors that don't have any issues with the solar array. The house is situated such that the backyard opens to a nature preserve and there are only 2 neighbors... one on each side of the house.

With a 2-1 approval, the ARC application from September 2018 was formally approved. RM did not need to cast his vote as there was no tie with a 2-1 score. But, to note, RM would have voted "yes" and PS would have voted "yes" had there been a need for them to cast their votes. (4-1 margin would have occurred).

It was brought up at the end of the solar array vote, that things are "getting lax" again in the neighborhood with boats being left in the driveway, commercial vehicles being parked in driveways, hedges (which are treated like fences) are too far forward in residents' yards, some running all the way into the front yards of houses. It appears another round of letters are going to have to be sent out to the violating homeowners to have them eradicate these violations yet again.

SECRETARY

Jamie Rozek-Potter brought up the fact that many of the mailboxes in Country Creek are in bad shape/horrible-unsightly condition. To make matters worse, replacement mailboxes are no longer available from Menards as they have stopped producing that model/style of mailbox currently used by CC. JRP took it upon herself to be proactive and research the many makes and models of mailboxes and

mounts before more of our mailboxes reach deplorable conditions. Current mailboxes that are in bad shape are a community eyesore and perhaps send the wrong message to potential home buyers that deed restrictions are taken lightly at CC.

JRP brought along 2 different styles and mountings of mailboxes and posts.

JRP proposed to the residents in attendance and to the Board her idea to hire a company to replace every mailbox in Country Creek with the new box and new mounting style to update the community with a fresh facelift of sorts. The mounting styles can be one mailbox per post, 2 per post, 3 per post or 4 per post. JRP received several price quotes to do the job which would include: 1) removing the current mailbox and post; 2) replacing the old mailbox and post with new mailbox and post; 3) hauling away the old mailbox and post.

Depending on the style and series of mailbox and mounting chosen, the cost would be approximately \$180 per homeowner for one style, and \$270 for a different style proposed at the meeting. All homeowners would be changed to 2 mailboxes per mount, and some would be 3 mailboxes per mount where deemed suitable. Gone would be the one mailbox per post that several homeowners currently have.

Several Board members expressed disdain for a new 2 box per post mount, and wished to keep things “as is” throughout the neighborhood. That is, if you currently have one mailbox per post in front of your house, that is what you would get with the new mailbox and mount. JRP stated that she planned the 2 box per mount idea throughout the community because it would save the community money. She stated it would be difficult to justify the higher individual box per mount cost for those residents who want the single mount to the neighbors who got a double or triple mount. JRP’s plan was to divide the total cost of the project evenly among the 228 houses in CC. PS proposed that the single mailbox per post houses (if they chose to keep their single mount) should just pay the higher fee themselves instead of having it divvied up amongst the community.

JW from the audience asked JRP several questions the community needs to consider.

How long this mailbox company has been in business? What is their reputation? If a mailbox or post is damaged/run over/backed into, will they come out to do the repair work, or will we have to find someone different to do that? How long is the model/style we chose going to be available in the marketplace?

If this model has been out for several years and the company is planning on discontinuing its production, it would be foolhardy for CC to totally replace all the mailboxes to give the community a facelift, only to be faced with the same situation a year or two or five years from now where replacement mailboxes and post that are uniform wouldn't be available yet again. JW also asked if the prices quoted were said company's "best possible price"? Can we get them to go any lower for the business they will get restoring the look of Country Creek? Can JRP get price quotes for those homeowners interested in getting/having just one mailbox per post mounting style. JRP agreed to go back to the company and dig a little deeper in terms of getting better price quotes, styles available, more price quotes for various mounting styles, and how long the current styles are anticipated to be in production and circulation.

INPUT FROM THE FLOOR

The meeting went well, but ran much longer than a typical HOA meeting usually went, so input from the floor was minimal. Several residents asked pertinent questions as the meeting ran along, especially concerning the presentation of replacing mailboxes and their mountings.

BOD ADJOURNMENT

At approximately 9:15pm RM thanked everyone for coming out to the meeting. CR motioned to adjourn the meeting. TW seconded it, all voted with an AYE.
MOTION CARRIED.