

CALL TO ORDER

The Country Creek HOA meeting was called to order by HOA President Robert Meehan at 7pm on Friday, April 26, 2019 at the Christ Presbyterian Church at 515 Upper Manatee River Road in Bradenton, FL. Roll call was made and a quorum was established with the following Board members in attendance:

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

ARC Member, Ray Miller, was absent at this meeting.

Proof of Notice

Proof of notice of the meeting was established:

signs posted - April 22  
email blast sent out -April 22  
website updated on or about April 10

Reading and Approval of March's meeting minutes:

CR voted to accept the meeting minutes  
MA proposed amending the minutes to remove personal information and augment a stated dollar amount  
RM stated that personal information will be removed from said minutes and dollar amount stated would be reviewed and corrected if need be.  
TW seconded approval of minutes, but with removal of personal name and corrected financial amount.

## REPORTS OF THE OFFICERS/COMMITTEES

### TREASURER

Bank Account balances:

Checking: \$20,517.60

Savings: \$10,111.75

Dues: 19 residents have not paid their dues as of April 26, 2019. 6 residents have paid \$300 and still owe the \$30 balance.

Invoices Received February/March 2019

Increase in fees from Lake Doctors... Cost will rise from \$995/month to \$1015/month. This is the first increase in their fees in six years.

\$782.60 - Telese McKay - ongoing fence issue

\$1,829.00 - Chancellors Insurance (directors' and Officers' liability)

\$566.29 - Bradenton insurance property (park)

\$439.82 - FPL

\$90.78 - storage

\$2,555 - Green Thumb

\$995 - Lake Doctors for April

Estoppel Letter Fees

house on 1<sup>st</sup> Avenue E.

### SECRETARY

JRP mentioned violation letters were sent out to homes on:

Mill Run: debris violation

7<sup>th</sup> Ave East: shed violation- 2<sup>nd</sup> letter

1<sup>st</sup> Ave East: commercial vehicle parked in driveway

1<sup>st</sup> Ave East: fence

3.

7<sup>th</sup> Ave E: parking violation

3<sup>RD</sup> Ave E: livestock and proof requested of need for ESA (emotional support animal). Board received letter of proof for need of ESA from resident and forwarded it to CC's attorney.

## COMMUNICATIONS

JRP stated that there have been many, many inquiries (about 40 or so) concerning pool cages, fences, green belt preserve areas, solar inquiries, ARC form inquiries and sale approvals.

## ARC

LD presented the following:

14856 7<sup>th</sup> Ave E: fence request submitted that complies with CC's regulations.

The fence "marries up" to the neighbors' backyard fences that was previously approved by the HOA board. Fence is totally in the backyard.

RM- motion to vote; JRP motion to accept ARC as noted in ARC form. PS- seconded. All in favor- AYE.. Motion carried.

14754 1<sup>st</sup> Ave E: screened enclosure would be placed around existing concrete slab

in the backyard. This was submitted in a previous meeting.

ARC form is missing plot lines and dimensions of plot, pictures of house, and where house lines up to screened enclosure, as well as materials used. Information provided at this time is INCOMPLETE. Vote on approval is suspended for the time being. Once all the information is present and request is complete, a vote for approval will be taken.

14742 1<sup>st</sup> Ave E: ARC form to repaint house. Colors mentioned are light/medium blue/grey. Door will be painted blue from current pink color. RM- motion to approve; CR 2<sup>nd</sup>. JRP requests that paint color swatches be provided with ARC form so the proposed colors

and color combinations can be seen for approval. RM- Board would like for paint swatches to be provided with ARC forms.

4.

15132 3<sup>rd</sup> Drive: new residents would like to install fence for dogs. Property is on a lake, fence would be set back 50 feet from lake per CC's bylaws, and fence is identical to neighbor's fence- white color, PVC, 4 feet tall, slotted appearance. Plot plan and specific dimensions are not present on ARC form. RM presents that more details need to be provided concerning the fence: elevations, type of material & color on ARC form. TW suggested a recommendation to have follow up visits to properties erecting fences to ensure once fence is erected, that it is in compliance with CC's rules and regulations. RM states that the approval of this fence is contingent upon providing more details of the fence on the plot plan, materials used, colors, etc.

14731 1<sup>st</sup> Ave E: new resident with dog would like to erect fence. Sides are currently present as neighbors both have a fence. Only the back end would be required to be erected to enclose the backyard on 3 sides. Property is on a lake, so 50 foot setback provision from the lake would be observed. Approval is put on hold until more information is provided (plot plan needed with fence materials and dimensions)

14709 7<sup>th</sup> Ave E: house replacing windows with high impact, white frame, hurricane windows that will also increase soundproofing of home. ARC form properly completed, JP- motion to approve ARC review of replacement of current windows; CR seconds; all in favor- AYE, motion carries.

14747 1<sup>st</sup> Ave E: Mother-in-law suite in back of house proposed. 549 sq. ft.; same color as house, in line with house. ARC form needs plot plan, dimensions, materials used, list of exterior materials used, color swatches needed, etc. Vote to approve is suspended at current time.

Mailboxes - TW- proposes plain black, metal, heavy duty with red flag for the time being. JRP - summarized mailbox samples from March's meeting, conditions of mailboxes in our community, the lack of availability of our current mailboxes in use from our current supplier. Various options were put forth for replacing mailboxes with new styles, etc. as the neighborhood transitions from old style, unavailable mailboxes to new style ones to be determined in the future.

In March's meeting, an idea was brought up to replace the entire community's mailboxes all at one time. The mounting, post, and mailbox would be replaced for every house in CC. However, it was determined that the significant cost to do so is just not possible at this moment in time. So, to assist in the "transition period" of everybody's mailboxes being replaced all at once, residents who need a new mailbox now can replace it with the all metal, black standard mailbox with red flag. Homeowners with the current "home style" mailbox and posts in good shape can paint their mailboxes and posts a black color with black paint or stain, following USPS standard guidelines. The goal is to maintain uniformity as best as possible with the temporary, replaced mailboxes until the entire community can get a facelift of mailboxes while trying to hold the costs down to the residents in the meantime.

Replacing damaged, demolished, etc mailboxes with standard, USPS rural black metal mailboxes with red flag and black posts motioned by JP. CR seconds. All vote AYE. Motion passed.

### Emotional Support Animals (ESA)

TW stated how do the experts determine what emotional support animal is "best" and "effective" for one's "condition". Peacock? Squirrel? Exactly how do the experts determine this? The Board received a letter from a resident in the neighborhood claiming that her 3 chickens were, indeed, emotional support animals. The letter from a medical expert stated that 3 chickens and a chicken coop were required to help said resident.

Shed and fence on 7<sup>th</sup>

JRP wants to establish a system how letters are sent and the timing/response of timing to such letters. RM made a motion to have the standard policy of 3 letters, and then it goes to our attorney. The timing/window of time is an issue here. A certain window of time shall be established by the Board- that is, to correct a certain issue within a certain reasonable amount of time, such as 10 business days from the date of the letter. Having an expiration date, date of letter, and deadline date as well. The Board doesn't want to send a third letter if they don't have to unless we know the resident has checked their mailbox and the Board is certain the homeowner has received the first and second letters.

#### NEW BUSINESS/INPUT FROM THE FLOOR

1) RM motioned that CC HOA raise annual dues by 10% again this year to help meet the increasing expenses of the community. Costs that have increased include legal fees to the community, costs to maintain landscaping and feasible conditions of the neighborhood's ponds, etc. The 10% increase would raise the current annual dues of \$330/year to \$363/year.

MK, a gentlemen in the audience, suggested considering "balancing" cost of legal fees incurred fighting violations vs. letting some of the violations slide. JRP mentioned that she's tired of increasing fees, and that she views an increase in HOA fees as a way someone is taking money away from each one of her children.

JRP stated it's the Board's responsibility to uphold the bylaws to help protect home values, especially when people have gone ahead and done things that violate the bylaws and covenants without giving us a chance to possibly grant an approval. People make poor choices and we need to do what is best for our community as a whole.

TW stated if there are violations, we personally go to the people to try to straighten out any violations without going to an attorney's office in order to save the community money.

BS mentioned that the Board is guilty of 'selective enforcement' when it comes to fence issues, shed issues, etc.

Another neighbor/resident in the audience, TC, mentioned that legal fees are rising dramatically, because, if we just used a little bit of common sense, neighbor on neighbor, it wouldn't be this way. For example, TC stated when the Board goes to someone 3 or 4 times to address an issue or a violation, and basically, the people in violation just tell them "listen, piss off, and get out of my yard", and if they don't do what's being asked of them after they know it's not right? Then what?

RM mentioned that legal fees vary from year to year, depending on violations. He also stated that our community is over 20 years old, as evidenced by all the new roofs going in. Park equipment is getting older, the wall at the front entrance is failing, a new roof needs to go on the pavilion, etc. The expenses are real, and we know they are in our future.

TC stated that if people were following the rules, and not just doing what they want to do, there wouldn't be any legal fees.

CR stated that legal fees are the last resort. She mentioned neighbors who have helped the community keep its costs low by volunteering their own time and money painting the pavilion, pressure washing the pavilion, replacing the nets of the basketball hoops out of their own pockets, etc.

PS mentioned that if the Board looks the other way to let something slide, others will accuse you that not everything is conforming, not everything is the same... "selective enforcement", etc. 40 sheds in the neighborhood, etc.

TW stated that the covenants are very specific. They tell you exactly how to put up a fence, or how to do this or that, etc.

2) Regarding new violations, letters are being sent out in droves pertaining to boats in driveways, motor homes being parked outside of houses or in driveways, etc.

3) There is a new Facebook page under construction- one that is easier to find, and is a one-way FB site with no venting, etc. It is a place for people to post good news, meeting times, new mailbox specifics, new updates for the community, place where people can submit questions to the Board, etc. JRP motioned to start a new FB page that is for official business and where all the Board members are official administrators. It will be a closed group to only people that live in our community. TW seconded the motion. All agree... AYE.. Motion passed.

4) JRP mentioned that the Board is looking for 3 volunteers that aren't related to current board members to establish a fine committee whereby the Board can directly fine violations instead of pursuing legal counsel. The process would become 3 letters, then a fine, then pursuing legal action. JRP motioned to form the fine committee with 3 volunteers interested on serving on said committee. TW 2<sup>nd</sup>, all vote "AYE". Motion passed. RM stated that the fine can be up to \$2,500 according to the bylaws and the Board would have the right to put a lien on the offender's property in order to collect the fines.

5) Resident with a lakefront home on 147<sup>th</sup> Street and 7<sup>th</sup> told the Board about the problems of non-residents coming to fish on the lakes of CC that don't have public access. That is, non-residents are fishing on the lakes of CC, and, these non-residents are crossing private property (trespassing) of Country Creek residents in order to fish on lakes that they are not allowed to fish. Public access to the lakes is allowed at areas that open to the lakes such as at the park. However, an issue is at hand when personal property is being crossed to gain access to CC's lakes.

A discussion was had in order to remedy the trespassing situation and mitigate non-residents fishing CC's lakes. It was determined that signs will be hung at all of the entrances to CC stating that fishing at CC's ponds is for residents only. That is, non-residents are not allowed to fish at CC's



ponds. As for the homeowners on a lake, where trespassing is occurring, the Board suggested filing an ARC form to allow a discreet sign or signs to be placed on their own property in their own view stating that fishing is not allowed on this private property, or that the current party is trespassing on private property. One cannot call the police if a sign is not present to enforce that a violation has taken place.

### BOD ADJOURNMENT

Approximately 9pm, RM motioned to end the meeting, CR 2<sup>nd</sup> it, all approved with an AYE. Meeting adjourned.