

# **CREEKSIDE PRESERVE HOA, INC.**

*A Corporation Not-for-Profit*

## **MINUTES OF THE BOARD OF DIRECTORS MEETING May 12, 2016**

A duly noticed Board of Directors meeting was held at Faith Lutheran Church; 9608 U.S. Highway 301, North Parrish, FL 34219.

The meeting was called to order by the President, Barrie Heffner at 8:05 p.m. A quorum was established with the following Board members present:

Barrie Heffner    Charles Kadlec    Michael Pugh

Doug Shepherd represented Lighthouse Property Management.

**UNDER THE HEADING OF MINUTES**, upon motion by Mr. Kadlec and seconded by Mr. Pugh, the February 25, 2016, minutes were approved. President ordered the minutes to be annexed into the association's records.

**UNDER THE HEADING OF PRESIDENT'S REPORT**, the president reported that Anthony Pipino had submitted his resignation as a member of the board. Upon motion made by Mr. Kadlec, seconded by Mr. Pugh, and unanimously approved,

**RESOLUTION 16-11:** Anthony Pipino's resignation from the Board of Directors was accepted, effective immediately.

**UNDER THE HEADING OF FINANCIAL**, the association remains in good shape. Apart from irrigation and front gate repairs, no large expenses were incurred last month.

**UNDER THE HEADING OF A.R.C.**, nine applications were reviewed, eight of which were approved. The membership was thanked for applying for approval of changes they want to make to the exterior of their property.

**UNDER THE HEADING OF COMPLIANCE**, a second property inspection was conducted with management and the community looked very good. The primary violations noted on this inspection were some sheds still not move/removed and TV dishes still mounted in unapproved locations. Fines will be levied as necessary. Residents were reminded not to park in front of mailboxes so mail can be delivered. If the mailperson does not have access to the box, they do not deliver one's mail that day. Upon motion made by Mr. Pugh, seconded by Mr. Kadlec and unanimously approved,

**RESOLUTION 16-12:** The management company was instructed to immediately begin the process of fining home owners who received notice of non-compliance and who remain in non-compliance with the association's documents and of placing liens against their property for such fines.

**UNDER THE HEADING OF SPIRIT COMMITTEE**, suggestions for summer activities for the children are being sought. No big expenses are anticipated.

**UNDER THE HEADING OF OLD BUSINESS**, the daily irrigation schedule was reviewed again. The owners were reminded that one may not water between the hours of 10:00 a.m. and 4:00 p.m., every day except in the case of new plantings. Those choosing not to abide by this schedule risk being fined.

Still waiting for a third bid to replace concrete walks.

**UNDER THE HEADING OF DOCUMENTS AMENDMENTS**, , upon motion made by Mr. Pugh, seconded by Mr. Kadlec and unanimously approved,

**RESOLUTION 16-13:** It was determined that the proposed amendments to the condominium documents presented to the board, a copy of which is attached to these minutes, be used by counsel to prepare for a vote at a called owners' meeting, with Section 36 of Article VI changed so that owners serving in the military will be exempt them from the association's rental restrictions for such time as they are deployed away from the local area as follows:

**Section 36. No Leasing During First 24 Months of Ownership.** In order to discourage investment owners and better protect the single family residential character of the Creekside Preserve community, Owners who take title to a Lot after this amendment to Section 36 is recorded in the Official Records shall not lease their Dwelling during the first twenty-four (24) months of Lot ownership, with the time period commencing upon the recording of the deed or other document transferring an ownership interest in the Lot. This Section 36 shall not apply to the Association due to its responsibilities under the governing documents. In the event that an Owner is required to serve more than sixty days active duty in the Armed Services of the United States and such Owner is required to relocate as a consequence, however, such Owner may lease his or her Dwelling during the first twenty-four (24) months of Lot ownership.

**UNDER THE HEADING OF COVENANTS**, a discussion was held regarding who should clean the back side of a neighbor's fence. It was decided that if the owner does not also clean the back side, the non-owner who must look at it may risk trespassing if they clean it. This is a legal question on which the attorney will have to render an opinion and the management company was requested to obtain an opinion from the associations' counsel. It was reiterated that the General Letter sent out to all owners before the property inspections took place does constitute the First Notice in the association's compliance procedure.

Red Stake Surveyors will be asked to establish the common 810' property line between the association and Benderson's new development. 'No Trespassing' signs will be posted along this area to insure no construction work takes place on Creekside Preserve property by accident.

On matters related to association's decision making, upon motion made by Mr. Pugh, seconded by Mr. Kadlec and unanimously approved,

**RESOLUTION 16-14:** An executive committee of directors to be made up of the president, and in his absence the vice-president, and any other director the president, or in his absence the vice-president, shall designate is established to make decisions required between board meetings that will then be ratified at the next board meeting.

On matters related to fining, upon motion made by Mr. Pugh, seconded by Mr. Kadlec and unanimously approved,

**RESOLUTION 16-15:** A Fining Committee whose purpose is to confirm or reject a fine that has been levied by the Board was established to be made up of such members as the president or the board shall direct.

**UNDER THE HEADING OF NEW BUSINESS**, on matters related to the now scum free ponds, upon motion made by Mr. Kadlec, seconded by Mr. Pugh and unanimously approved,

**RESOLUTION 16-16:** Lake Doctors is authorized to stock the lakes with catfish and carp for \$500.00.

An irrigation system will be installed inside the fence of the playground so grass can be planted there. A quote is being obtained to clean the front gate. Security changes to the website have been made to protect one's privacy.

On matters related to control the buffer landscaping, upon motion by Mr. Pugh, seconded by Mr. Kadlec and unanimously approved,

**RESOLUTION 16-17:** Agreed that Tito's landscaping contract should be amended for an additional price of \$150.00 per month to maintain the buffer areas.

After discussion, the Board agreed that since we have two candidates and only one vacancy on the board, the decision as to which one will serve should be determined by an owner vote. The ballot to vote on a director and the proxy to vote on the proposed amendments will be sent with the notice of the meeting and the forms of proxy, pending final approval from the association's attorney.

**UNDER THE HEADING OF ADJOURNMENT**, there being no further business to discuss, the meeting adjourned at 8:19 p.m.

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Douglas C. Shepherd, CAM  
Assistant Secretary

Dated this 4<sup>th</sup> day of June, 2016.