

### **CALL TO ORDER:**

The Country Creek HOA Meeting was called to order by HOA President Ray Miller at 7:02PM on Tuesday July 17th, 2018 at the Christ Presbyterian Church at 515 Upper Manatee River Road East, Bradenton. Roll call was made, and quorum established with the following directors' present: Ray Miller (President), Jerry Wesley (Secretary), Carola Russell (Treasurer) and Pete Senchyshak (Director at Large). Vice President Bob Meehan arrived a minute or two later.

*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.*

Before any business was conducted RM asked to make an announcement addressing rumors and/or gossip surrounding a HUD investigation that was initiated by one of our residents. He read the following statement, "As some of you know, a resident filed a claim with HUD. That claim was resolved amicably, with no finding of fault and no payment by the Association. New landscaping adjacent to the fence will be installed soon and the homeowner will maintain it."

### **OFFICERS / COMMITTEE REPORTS:**

JW reported that the Proof of Notice for tonight's meeting had been established by publishing the date on the CCHOA Web page on or about 7/7/2018. The Country Creek Facebook page Event was added on 7/8/2018, entrance signs were hung up on 7/11/2018. The agenda was posted on the website on 7/14/2018 and an email blast went out on 7/15/2018.

RM reported that the last meeting minutes had been reviewed by all and CR made a motion to waive the reading, accept and approve. PS seconded, and all approved with, "Aye", none opposed. **MOTION CARRIED.**

### **Treasurer:**

- CR reported that as of tonight's meeting, the CCHOA has \$5603.98 in our checking account and \$10,109.46 in the savings.
- We have one homeowner that has not yet paid for this fiscal year, but their house is now in foreclosure. The community attorney has accomplished the lien against the property which will at some point cover the dues, late fees and interest.
- Two residents still have not paid the late fees and interest (\$36.47) for this past year's dues
- Invoices were sent out to all homeowners for this next year's dues of \$330. We have received 71 payments so far.
- We received estoppel fees from two sales in our community since our last meeting
- We received and paid invoices for FPL (\$355.01), Sugil (125), for our Southwest Florida Water Management District inspection, Green Thumb (\$2905) regular service and 3<sup>rd</sup> Drive East plantings and The Lake Doctors (\$995).

**Secretary:**

- Seven violation letters were sent out since our last meeting. Boat storage, parking on lawns and overnight parking in the street were once again recurrent violations. Two complaints were handled via other means. One was a complaint about an overgrown hedge. It was determined that the homeowner had previously scheduled a trimming, but it was delayed due to weather. The second complaint was about a vacant property that was not being maintained. RM remembered dealing with the homeowner in the past and reached out to him again. Assurances were made that he is working on the issues that were brought to his attention.
- JW advised that he had updated the website to indicate that our preferred mailbox was no longer available locally. An online store had been found by our ARC Chairman Lance Davis that offered an almost identical one. The website was updated with the ordering link to the online store, "Menards"
- RM noted that a search for a new mailbox that would act as a replacement should be considered. Something preferably available locally. He asked for a volunteer from those that were present to take on the task. A resident, Ann Meggs, spoke up and said that she would be willing to take on the task.
- Five estoppels have been processed since our last meeting and are awaiting their closings
- Additional seasonal cutting around two retention ponds was accomplished by Green Thumb

**ARC:**

Address	Name	Request	Arch	Board	Comment

Nothing to report for this period

**OLD BUSINESS:**

- Mailboxes. Previously discussed.
- Violations, parking, traffic. The same complaints continue to come in about boat storage, overnight parking in the street and parking on the lawns. Letters continue to go out. Traffic also continues to be a major concern and the Board is limited in what it can do about it.

Residents are encouraged to contact the proper authorities to lodge their complaints. The Sheriff's traffic complaint hotline is (941) 723-5197. Complaints about nuisance animals can be made to (941) 742-5933 Ext 1. The county has a website a resident had found a page dealing with traffic related issues. She wanted to pass it on to all. It will also be posted on our website. The link can be found on the counties "www.mymanatee.org" website and more specifically it is:

- <https://www.mymanatee.org/home/government/departments/public-works/traffic-management/traffic-operations.html>

### **NEW BUSINESS:**

- Dues recap and mailings. Previously addressed by CR.
- Estoppel Binder. RM said that we currently have an ARC binder to store all the requests and supplemental documentation that is involved. He wanted to have the same accomplished for the estoppel process. JW advised that he currently does maintain a binder with the estoppel requests, notice of any violations and acknowledgement of our deed restrictions by the new buyers. RM reminded everyone that the estoppel process was our (HOA) last means of bringing violations to the attention of the current owners. Our hope is that it leads to the correction of the violation or prove that a variance or permission of some sort was granted by previous Boards or the original developer. Our records only are required to be maintained for the past seven years. Many things had been granted by the original developer that the Board has no record of. RM wanted to know if we could refuse to complete an estoppel on grounds of a violation. JW advised that the HOA has 10 days to complete and return the estoppel once it is received. The violation is identified on the estoppel and should be addressed at the closing or prior to. There is no avenue for refusal. JW added that ideally if a for sale sign goes up on a property we can alert the current owner that a violation of some sort is present and hopefully it gets resolved by the time of the sale. Then there are no surprises for anyone at the closing. Prior residents have been alerted in this fashion, they were dealing with sheds that the current board had no proof of approval for. Two residents were able to provide documentation of approval from years past. Currently there is one residence with a sale pending. The closing agent was notified of the issue.
- Resident Dale Barrow wanted to ask a question and was recognized. He wanted to know about changing the bylaws to allow storage of boats and other recreational items on one's property. He suggested that many residents live here in Florida to enjoy the benefits of our outside environment. He said that times have changed since the original bylaws were created and they should be changed to reflect what he surmised most residents would be in favor of doing now. BM said that to change the bylaws a vote of 2/3 of our community would have to approve it. He believed that that would be a very difficult thing to pass and that he personally did not believe that a majority of our residents would be in favor of such a change. Another resident interjected stating that

everyone living here should be aware and not surprised in the least that they have moved into a deed restricted community.

- RM asked that we address the issue with violations that were present at the time of a closing. He suggested that if the sale was completed with the violation still not addressed then we should ask the buyer to provide proof of a variance or prior approval. BM made a motion to send a letter to a new buyer asking for documentation of a prior approval. PS seconded, and all approved with, "Aye", none opposed. **MOTION CARRIED.**
- Resident Marilyn Mendez wanted to ask about sheds since they had been brought up, and the appropriate way to address them. She said that board member BM seemed to be personally against any sheds. BM pointed out that he did not like them, but he was only on the board to enforce what was already addressed in our deed restrictions. MM said that she would like to have a shed, but her house is constructed in such a way that it would be impossible to construct one the way it is outlined in our deed restrictions. She said she has been waiting it out to see if there were any changes made to allow her to do so.
- Pavilion/Park. The pavilion, if it had not been noticed already, was recently pressure washed by resident John Cusano. He wanted the board to be aware that the roofing on the structure was getting old and that we should be prepared to have it replaced sometime soon. He said that it was not to the point of failure quite yet, but we should be putting it on our to-do list. He estimated that it would cost about \$3000-5000. JC also advised that he has a high-quality paint in a light color that he will repaint the pavilion ceiling with as it needs a fresh coat. RM wanted to make a callout to JC and a special thank you for his volunteered time and efforts to our community. Thanks John!
- Entryways. The entrance façade on the south side of Rye and 147<sup>th</sup> has a major crack along the face of it. BM advised that it appears to be the result of the structure settling over the years. It had a temporary fix in the past, but it continues to be an issue. BM stated that he had been in contact with a couple of engineering contractors about the situation. They would require payment for consultation anywhere from \$400-800 to come out and do an inspection and analysis. This would provide a path to a remedy. A contractor would then need to be found that would be able to repair the structure if possible. BM said he would consult with additional contractors on options before we had to commit to paying anyone.
- Management Companies. A few residents have been voicing their thoughts and opinions about the HOA going from a strictly volunteer board to one that is handled by a management company. To this end CR wanted to gather some data on the pros and cons of moving to such an arrangement. She said that she had spoken to two companies that are in our area. Premier Research currently has Country Meadows as one of their clients. The other company she spoke with was Argus which currently lists

Mill Creek as one of its clients. First and foremost is that anything of this nature would require a vote by the community as additional fees would be necessary. We would still have a board of directors and an ARC, but the labor currently being handled by them would mostly be turned over to the management company. Violation letters/enforcement, estoppels, dues, billing, annual budget, invoices and compliance with insurance and environmental requirements would be handled by the management company. Of the two companies CR spoke with, Premier seemed to be easier to reach as she got straight through to a person. Argus had a typical phone tree to navigate. Both were similarly priced with additional costs of about \$60-80 per homeowner per year on top of our current HOA dues of \$330 a year.

- As this is a major decision not to be rushed into CR said that she would start to invite representatives (one company at a time) to our board meetings so that they could speak to us directly. A change of this nature would require a vote by all and would require a 2/3 majority for approval.
- Resident DB said he was all in favor of the idea. Resident AM wanted to know about the current dues and if we should be expecting them to keep going up. She said that they had been steady and then jumped to \$300 and now they are up to \$330. CR advised that the dues have always been reasonable and that we have had some additional costs, notably the landscaping, that was out of the ordinary and not projected for with the budget. Now we are trying to anticipate the costs of the pavilion roof, entryway and park equipment. The management companies she has spoken to would only require a thirty-day notice of termination. So, if they started running up costs for some reason we would be able get out of the agreement.
- Changing the subject, RM wanted to know if he could set in motion switching our PO box from the facility at Lockwood Ridge and SR 70 to the one near Lorraine Road and SR 70. The current PO box was set up before the Lorraine Road facility was built. JW made a motion to make the switch and CR seconded, and all approved with, "Aye", none opposed. **MOTION CARRIED.** RM said he would look into what was necessary to make the change.
- With the current work schedules of the board members, Tuesdays appear to be a better night than Thursdays which had previously been reserved for us at our current location. JW said that he would reach out to the Presbyterian Church representative to see about make a change to Tuesdays.

#### Social:

- Nothing currently. Need volunteers.

#### Communications:

- Most issues have already been discussed. However, a couple of items had not been addressed yet. One was the concerns of one of our residents about the increase of the algae growth in some of our ponds. JW said that he would contact our pond maintenance folks at The Lake Doctors to see what they could do about it.

- A resident had just recently requested the use of the park/pavilion for what she described as a, “back to school barbecue”. She said she wanted to organize and put on the barbecue for all within our community. She said that her company would be sponsoring it. This raised some questions about the use of the park for promotional gain by an organization. Some residents and board members in attendance tonight thought it was a great idea while others questioned the idea of, “company picnics” being organized at our community park. Some reasoned that such an event should be organized on one’s own property. One resident pointed out that such an event would need to have the sponsoring company provide a certificate of liability for the event naming the HOA as an additional insured. It was clear that some more details of the event would be needed and JW said that he would contact the resident to clarify.

**Input from the floor:**

- There were not a lot of residents at tonight’s meeting and it was a cordial meeting. Those in attendance were recognized and heard throughout the meeting so there was no need to open it up for additional discussion. RM asked if anyone had anything else they wanted to bring up or address and no one came forward.

**BOD ADJOURNMENT:**

At about 8:22PM RM thanked everyone for their participation. BM motioned to adjourn, and CR seconded, and all Directors voted Aye, none opposed. **MOTION CARRIED.**

Our next meeting has not been scheduled.