

## Moss Creek HOA Board Meeting - January 18, 2006

### Board Members in Attendance:

Sandra Gorman  
Barbara Bidot  
David Driver  
Jim Maloney

### Guests:

Gail Knight – Sterling Mgmt.  
Kevin Driscoll  
Nancy Driscoll  
Matt Cashen  
Laura Cashen  
Dave Richardson  
William Dibble  
Brett Cale  
Kelli Cale

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Meeting opened at 7:00 pm.

### Reading and Approval of last minutes:

- Board approved minutes from August 2005 meeting.

### Purchase of Community Gate computer:

- Computer was purchased by the HOA from former HOA President Butch Dibble for \$300.00. Purchase included hard drive and computer equipment pre-installed with gate information. David Driver accepted the computer and will maintain the system.

### Treasurer's Report:

- Since homeowners did not receive maintenance coupons until Dec. 30<sup>th</sup>, Sterling will not issue any late fees until February 1<sup>st</sup>, if dues are not received by then.
- Board approved to place \$10,000 from operating expense account into a CD.
- Balance sheet for 2005 will be mailed out to homeowners by Feb. 28<sup>th</sup>.

### Old Business

- Paving - The damage to the paving on Moss Island Drive has been repaired. Homeowner informed Board of missing reflectors on Moss Island Dr. Request Gail to call paving company to resolve issue.
- Outstanding violations - reviewed and updated with Gail.
  - There is an existing issue with a violation to replace a community oak tree. A letter from the Board, requiring approval from the Attorney, will be sent to the homeowner seeking resolution.
  - Review new violations with Gail, which include the lack of edging/mowing. All other landscaping issues, including distressed lawns, will be addressed in February newsletter.
  - Addressed a complaint of a noisy outdoor power generator. Board requests the homeowner consult with Hillsborough County on appropriate noise levels. Also questioned the height of plantings around power generator to conceal it. Will inspect site in the spring to insure adequate coverage.
  - Discussed concerns about covered parked cars. Reviewed Article VII, Section 7 that states vehicles that have a current license tag and is in daily use as a motor vehicle on public right of way can be parked in driveway. Request Gail to send a letter inquiring about the condition of vehicles and tag information.
- Front Gates – Request for bids to enclose sidewalks were made at August 2005 meeting did not occur. With the possibility of pedestrian traffic from Moss Landing cutting through Moss Creek, the Board would like to eliminate this by securing the front entrance and sidewalk. Request Gail to obtain bids by February 28<sup>th</sup> for Board to review for March HOA meeting.
- Problem with exit gate opening too far as been resolved.
- Problem with motorcycle activation of exit gate has been resolved.
- Balm-Riverview Sod concerns - No resolution from landscaper concerning dead areas of grass. Gail to consult with former Board member to determine best course of action.
- Lawn Maintenance contract - Prodigy Landscaping services has bought Lewis landscaping and therefore the Board is very satisfied with their service. Two items that need to be addressed by Prodigy is the trash in the main pond and removal of dead over-growth. Also, easement area on the North side of the community needs to be mowed, which Prodigy was not aware. Board requests Gail to follow through to insure that this gets resolved on their next visit.
- Question was brought up concerning the drainage easement on north side of community to determine if the fence can be moved back. Covenants state that nothing can be built on the ten feet easement, including fences.

## New Business

- Contract Review - Sterling Management
  - Current contract states automatic renewal on Jan. 1<sup>st</sup> of the year with at least a 60-day written notice of cancellation. This timeframe coincides with the community's election of a new board. The Board has the option not to renew with Sterling for 2007 at any time throughout the year. If the Board decides not to renew, a search will begin for a new management company by mid-year so a decision made be made by the Annual meeting in October.
  - According to our documents, there are several things, such as minutes and all financial statements, that we are required to retain copies for at least 7 years. Request Gail to insure that Sterling has all necessary documents per page 14 in the Covenants and give a written update by February 28, 2006.
  - President of Homeowners Association is the only person authorized to communicate directions to Gail. Sandra asked Gail to respond to all Board members and owners in a timely manner as a courtesy. The Board will review any decisions.
  - The frequency of community visits is not stated in the contract. Minutes from the 2003 annual meeting states that Sterling indicated weekly visits to the community. Board has approved a minimum of two visits monthly by Sterling and to be accompanied by a Board member for a walk through. A letter will be sent to Sterling to request an amendment of existing contract to include this statement.
  - All competitive bids, contracts negotiations and review and payment of all charges to the association, collection of fees and enforcement of rules and policies are Sterling's responsibilities.
  - Sterling is not authorized to incur expenditures in excess of \$300.00 without Board's approval.
  - Either party can cancel any contract with cause after giving 30 days written notice to correct issues.
- Contract Review - Prodigy Landscaping contract highlights (for common areas)
  - Mowing, string trimming, blowing and hard edging forty times per year. Two times per month between Nov. through Feb., four times per month the rest of the year.
  - Soft edging of landscaped areas twice per year.
  - Weed control once a month.
  - Shrub trimming twice per month.
  - Ornamental trees trimmed once per year, native trees three times per year.
  - Fertilization and pest control four times a year.
  - Irrigation check monthly. Any repairs required not caused by Prodigy will be repaired at \$35 per hour plus parts.
  - Mulch applied to all plant beds in November.
  - Fee is \$5100 for a 12-month contract with 30 days written notice of cancellation with cause.
- Contract Review - American Ecosystems
  - Periodic treatments to maintain reasonable control of undesirable vegetation.
  - Treat shoreline vegetation.
  - Monthly reports issued to Sterling after every visit.
  - Annual water quality analysis upon request.
  - Fee is \$275.00 per month for a 12-month contract with 30 days written notice of cancellation with cause.
- Contract Review - Accountant
  - Board approved contract.
  - Services include preparation of federal and state income tax returns.
  - Accountant will not audit or otherwise verify information provided.
  - Fee is a one time charge of \$170.00. This does not include time associated with audits or any correspondence with the IRS on matters other than their errors.
- A welcome letter has been created for new residents with key information such as gate access and Sterling Management information. These letters will be handed out when we are aware of new arrivals.
- Board selected Saturday March 11<sup>th</sup> and Sunday March 12<sup>th</sup> from 8am to 1pm for the Moss Creek Community Garage Sale. The Board did not have access to the 2004 amendment concerning garage sales. The Board voted on a variance to said amendment for the March garage sale only.
- Christmas decorations are planned for the Holidays for 2006, which include bows on lampposts, wreaths at the entrance and lights on bushes/palm trees. Board will survey community on this topic.
- Board wishes to organize community events such as Easter egg hunt for the children, St. Patrick's Day picnic, etc. Seeking volunteers for an activity committee.

- There have been numerous complaints made to the Board free roaming cats in the neighborhood. Gail and Sandra witnessed a few cats on the last walk-through. Covenants state pets may not run loose as well as the Hillsborough County Ordinance. All homeowners will be notified in the Feb. newsletter of the regulations in both the covenants and the County ordinance and violations will be going out within 30 days to those owners with free roaming pets. Hillsborough County also grants any neighbor the right to humanely trap the pet if found on their property and turn it over to animal control. Continual disregard of this policy will result in attorney's fees as well as a report to the county of the ordinance violations. Information on the "invisible" fence will be included in the newsletter. Also, a reminder on cleaning up after your pet.
- With the emergence of Moss Landing, many questions came up in regards to the plans of the community, lots and the end of Moss Island Dr. A letter was sent to the County requesting information on the zoning conditions and plans for Moss Landing. The Board is concerned with minimum lot sizes along the common boundary, the type of buffer that will be installed along the common boundary (including maintenance), the type of connection to our stub at Moss Island Dr., and pedestrian access. Questions are also raised concerning the elevation of the community and drainage plans. If any homeowner has any concerns or questions to email the Board so that it can be addressed. A letter will go out to the community of the status of the development once the Board receives information.
- Formal newsletters will go out in between Board meetings, with the first issue in February. Sterling will mail this along with the year-end financial report for 2005. Many items discussed at the Board meeting will be included as well as information from the ARC and news around the community.
- Discussions to improve the usability of the Moss Creek Website were held. Steve Adams recommended a switch to a new hosting company called "Blue Host" for approximately \$6.95 a month, which is comparable to what we are paying now. The benefits to using "Blue Host" is that it is faster and text-based insuring quicker to load. There is the ability for each Board member to update or post any information as simply as typing in an email. This way we are not bound to one person to do all the updates and maintenance of the website. Gail was asked to solicit bids for outsourcing site maintenance and upkeep that would include site redesign. Gail to have bids by 2/28 for Board review. A web user survey will be included in the newsletter to gauge community participation.
- Front entry
  - Gate codes for vendors will be updated every two months at HOA meetings and provided to Sterling. Dave Driver will review all gate codes for accurate information.
  - Problems continue with broken sprinklers on the north side entry on Balm-Riverview Road. This is due to trucks and other vehicles entering the community and running over curb and sidewalk. Damage is extensive to the sprinklers as well as the sidewalk and the sub base of the sidewalk has eroded. Gail will call Prodigy to cap those damage sprinklers since there is no grass to water in that area. Board will explore options provide a better entry radius and protect sidewalk, including paving damaged areas.
  - The entry gate is still sticking open intermittently. Maintenance Company was recently out to inspect but did not find a problem. Also, Butch mentioned that the UPS backup unit requires repair. Board requests Gail to call for another service visit.
  - There has been recent vandalism to the sprinklers on the south side of the gate and the south Moss Creek side was "paintballed". The sprinklers for the common area do not completely retract and witnesses report children kicking at them. February newsletter will inform all parents that if their children are responsible for such actions, they will be assessed for parts and labor for repairs. The front entry Moss Creek sign still show small marks where the paintballs hit even after cleaning. No information on if this was a drive-by or neighborhood children.
  - Damage to one of the pillars in the middle island has been reported.
- Community Landscaping
  - Yard Spring cleaning information will be provided in the February newsletter. It was noted that there are many distressed lawns, which will require new sod. The Board requests Gail to negotiate with different landscaping companies for the best volume discount pricing on sod if we can get enough homeowners to agree. Each homeowner will have a separate contract with the company and is responsible for payment. Formal violation letter for dead sod, or other poorly maintain landscaping, will start to go out March 15<sup>th</sup>.
  - Items on the spring-cleaning list for all homeowners include cleaning of mailboxes, painting of mailbox posts (paint color information will be provided in newsletter), mulching and maintenance of landscape beds, sodding, and removal of weeds. Also, removal of excessive vegetation around mailboxes due to the USPS guidelines that house numbers must be visible on the post and mailbox must be accessible.

- The Board selected March 25<sup>th</sup> as the Annual Spring Clean-up for the front common areas. This will be advertised in the newsletter to recruit volunteers to help. As part of spring-cleaning, damaged lights and wiring at the front entry will be replaced and damage to pillars will be repaired.
- There has been ongoing discussion regarding community outdoor pest control. The Board has asked Gail to solicit bids on a volume-pricing discount with vendors, similar to the re-sodding of lawns. The newsletter will include a survey to determine interest levels.
- The Board received a complaint and a request from a homeowner concerning community trees hanging over her property. The Association is not responsible for trimming trees that come over private property, but the property owner has the right to trim those trees back to their property line within Hillsborough County Guidelines. In addition, if a common area tree causes damage to a home or property during a storm, it falls under the property owner's homeowner's insurance and is not the Association's responsibility. A complaint was made of debris being dumped in the wetland area next to said property from a contractor trimming a tree on another property. Gail and Sandra inspected the wetland area and found no evidence of dumping of waste, as well as no trees infringing on said property.
- The Board received a notice from the Secretary Steve Adams that he will be selling his property and leaving Moss Creek. Covenants require an odd number of Board members, either three or five. This position will be an appointment and require a majority vote from the Board members. This position will be advertised in the newsletter for nominations and appointed at the March 15<sup>th</sup> HOA meeting.