

MEETING MINUTES

CREEKWOOD CROSSING HOMEOWNER'S ASSOCIATION

March 28, 2016

Eighteen people attended the meeting. Most of the discussion concerned our failed lawsuit over a playhouse/outbuilding. A copy of the judge's ruling is available on our website: creekwoodxing.com A (very brief) summary is as follows: the judge believed the homeowner when he said he had received verbal approval for the playhouse from the Compliance Officer. The playhouse in question isn't different enough from other playhouses in the subdivision to make it unallowable. Too much time has elapsed from the time the playhouse was erected; we can't make the homeowner take it down now.

Sue Steinkraus gave some background and history of the events leading up to the dispute. A homeowner on Bette Drive put up a poolhouse/outbuilding and was forced to take it down by the Board. Not long after that he discovered the playhouse in the back yard of a house on Whitetail Run. He complained to the Board saying that if his poolhouse/outbuilding was not allowed then the playhouse should not be allowed either.

Sue Steinkraus explained that the error made by the Compliance Officer appears to be not that he granted permission for the playhouse – the Board has the discretion to approve or disapprove such structures – but that no record of the approval was kept. To be specific, the Compliance Officer didn't technically "grant" approval, he simply told the homeowner that the structure was a playhouse and no approval is needed for playhouses in the first place. Had a record of this decision been kept, the Board would have responded differently to the Bette Drive homeowner who complained about the playhouse. The Board would have responded that the structure was deemed to be a playhouse and playhouses are not prohibited.

Some homeowners noted that our deed restrictions are very vague. Clarification would probably help any effort at enforcement. We are unsure of the requirements for amending the deed restrictions. Others have said that an amendment can only be made if we obtain the approval of every homeowner (not just a majority) and the mortgage lender on every property. There was some discussion about whether that is truly required. Steinkraus promised to do some further research about the procedure (but not hire an attorney just yet). Another homeowner offered to assist with the project.

Replacement of the fences around the ponds was discussed. One homeowner offered to obtain an estimate for replacing them.

The maintenance of the stormwater retention ponds was discussed. Our primary concern is whether/how fast they are filling up with silt and might (??) have to be dredged. Sue Steinkraus will ask Wisconsin Lake and Pond LLC to give us a graph or other indication of how quickly the ponds have been filling with silt.

The damage made by village snowplows to several lawns in the subdivision was discussed. This is something that each individual homeowner is expected to take up with the village on their own behalf. One homeowner suggested that a professional HOA management company would have more clout with the village to get better street maintenance and snowplowing. He will look into the cost of professional management.