

**Tomahawk Creek Condominiums Association, Inc.**  
**Tomahawk Creek Condominiums Board Meeting Minutes for June 27, 2013**

**APPROVED**

**Present Board Members:** Gayle Voyles, Jennifer Breece, and Karie Younger. Neither Jason Purinton nor Michelle Buchanan was present.

**Present Tiehen Management:** Jim Tiehen, Tim Rellihan, and Michelle Swartz

Meeting was called to order at 6:00 p.m.

Approval of May 23 Meeting Minutes: Unanimous approval by present board members of Board Meeting Minutes of May 23, 2013 as written.

**Treasurer' Report: Jim Tiehen**

Financial Statement ending May 31, 2013 sent to the board members. Income is off by about \$6,000 due to delinquent residents. Expenses like snow removal is over budget, while other items are under budget due to timing.

Reserves: Setting aside \$4,161 monthly to reserves

Special Assessments of \$33,000 has been collected, and there is more to collect in S.A. The money was spent last year.

Net Income is in the good by approximately \$27,000, however it is early in the year.

Tim Rellihan & Michelle Swartz discussed the Delinquency Report.

We have been working all month contacting owners to get them on a payment plan. Trying to discuss with the owners with large balances that we would like to prevent sending out a lien letter.

As of the 25<sup>th</sup> of June, \$19,600 yet to be paid; \$8,000 over 61 days past due including Special Assessments; \$4,000 are 30-60 days past due; and \$6,800 last 30 days.

Individuals with larger amounts past due have had their key fobs deactivated.

Jim Tiehen asked the board about sending a letter on past due Special Assessment, and deactivate their key fob. Privileges are part of the leverage to collect past due. Yes. Jim Tiehen replied that we will be sending out a letter asking for payment within 10 days, or late charges will be assessed and their key fobs will be deactivated. Gayle Voyles stated that there was a grace period during the transition and it is passed.

**Management Report and Bids**

Tim Rellihan and Michelle Swartz working on meeting with Contractors to obtain bids but many contractors are behind. We're trying to get 2-3 bids.

Sources of funds for Capital Improvements: See attached sheet.  
There are 8 buildings left to paint; however, based on wood rot repair amount, cannot afford all of them. The strategy is paint 4 buildings this year and 4 buildings in 2014. The four buildings being painted this year are 23, 11, 8, and 4.

Paul Potter, Solution Systems, provided a bid for Maintenance Free Siding. Hardy Board is the best on the market and ensures not having to paint for another 10-15 years. After inspection of the buildings, it is necessary that the buildings be done. If we replace all of the siding, then we would only need to address the trim every 6 years, and siding every 15. Water issues are not covered under the warranty. Jim Tiehen has negotiated the price down by about 15%. It is \$136,905 to install siding on all 4 buildings. Jim Tiehen recommends replacing the siding on all 4 buildings, with the 10-year guarantee. Right now it is on a 6-year paint schedule, so will save money down the line, Changing paint color is up to the board and residents. If so, need to do it now. Gayle Voyles thinks a survey should be done. Color palate at next meeting, easy to keep it yellow, not controversial. Karie Younger voiced that the board should decide since it will drag on if everyone is part of the decision. Board members and Committee members need to talk with residents. Jim Tiehen said it is a board decision.

Gayle and Darline have been re-visiting the "Captains" to try and reach more residents. Placement of a color palate by mailboxes and then if you feel strongly get in touch with Board or Management Company.

Cost savings, from not painting every 6-years and splicing in siding every time. So it is \$84,000 to do ½ the building, and for an additional \$20,000 the whole building is done. Plus, there is a 10-year warranty, by siding manufacturer, and the paint will have warranty for 10 years. Residents are interested in seeing the numbers of how long the payback is?

Paving: Tim and Jim identified the priorities, MAC proposal \$11,044. Have not had any paving done over last couple of years. Identified 14L having 3 driveways, 15A, and Tennis courts by 13 needing asphalt repairs. Roads have not been sealed, crack fill needs to be done. Gayle Voyles mentioned that Building 21 J, K, and L within a short period of time the wheels wells came back, disappointed with the previous asphalt work done. Tim Rellihan is also getting another bid on asphalt and will make sure it includes crack filling.

Concrete: Walsh bid \$13,415 with 40 different areas identified as priority concrete repair. Gayle Voyles asked if the bid includes the pool concrete? No, it does not. Gayle believes it will get worse. There are current trip hazards in front of residence. Jim responded we could easily be spending \$10,000 a year on concrete, but it is necessary to prioritize what needs to be fixed, including curb work. Snow removal damage to curbs by Epic should not be included, according to Jennifer Breece. There is a map done of the damages discussed with Epic that needs to be located.

Brick: C&M, Arrow, and Barnhouse bid on brickwork for building 19.  
Recommend using Arrow for the brickwork at 19 at a cost of \$6,800.

Roofing: Spent \$10,599 on roof repairs including siding repair on 21L. All units have some type of interior damage reported; so \$11,757 is needed for current repairs identified, Issues related to guttering problems is estimated at \$2,275. Continue to keep track of the repairs being completed with the cost.

Need approval of roofing repairs.

Operating budget: \$19,000 + \$10,599 + \$11,757 tonight so approximately \$42,000 now. Budget is \$40,000, so going \$2,000 over budget in roofing repair, but do not have a choice. Must fix the leaks causing interior damage to units to prevent future damages.

Resident asked whether anyone lets the homeowner know that roofing repairs have been done.

Sources of funds in budget:

S.A. of \$35,000, cash flow for year is \$48,000, so over-budget about \$8,000.

With \$175,000 minus \$136,000 painting and woodrot,

Carport, I don't know what it will cost

Brick Issue \$15,000

Concrete \$15,000

Asphalt \$12,000 (Add crack/fill)

We must pull out of reserves in order to make all necessary repairs.

Concrete and paving has not been touched; painting and wood rot has consumed prior budgets, and we cannot keep neglecting the concrete and paving. Property desperately needs attention.

Why have \$300,000 in reserves if the property is in need of improvements.

We need to prioritize these expenditures because we have to take care of all these issues.

Board Approval:

\$11,757 in Roofing Repairs by Bordner Roofing, asking Board Approval. All in favor, Unanimous Approval by Board.

Brick Repair of \$6,800 by Arrow for building 19, asking Board Approval. All in favor, Unanimous Approval by Board.

Concrete work, subject to getting another bid, not to exceed \$13,415. Subject to checking with Epic for snow removal damages. All in favor, Unanimous Approval by Board.

Painting is important to get on the schedule. Solution Systems on buildings 23,11,8,and 4 for \$29,707 + 107,198 for total of \$136,905, subject to the paint color. All in favor, Unanimous Approval by Board.

Palate sample of colors for board members to reach out and get consensus from residents on the paint color.

Michelle Swartz prepared a Maintenance Log that shows volume of calls and issues. If the board has particular questions, can email Michelle. Gayle Voyle questioned the City of Leawood requirement for a carbon monoxide detector. Check with the city on the requirement.

Give Michelle Swartz your email address if you would like to receive information. Masons Exterminating contract, used to be that they would spray interior by request at not charge, now it is extra. Try to negotiate a new contract to include service.

Tim prepared an Interior Damages Summary where the resident/owner is asking for re-imbusement. It is the personal responsibility of the owner to repair the interior damages. Approved the repair on 21L to get it fixed, since it creates a liability issue if we do not fix the issue and water is causing interior damage. Jennifer Breece is asking why we have the siding repaired on the unit.

### **Architectural Standards Committee**

Rochelle Mitz

Discussed complaints regarding 18-B, and asking permission from the board to start fining the owner for each additional incident. Incidents include new windows are non-compliant, trash incident, and smoking incident. The owner has not responded. Fine \$50, then \$75, then \$100, and each incident will result in a separate fine.

According to governing documents, cannot have an extended patio, but 15-A and 02J are refusing to comply. 02J is sold but do not know the new owners. What does the board recommend, after several notices and no compliance? Tim R. will send 2 letters to 02J and 15A about the extended patio.

Numerous owners have ARC Improvement Applications for new windows. 23G screens are coming in. Gayle and Jennifer will examine the installations if complete while on vacation.

### **Social Committee**

Daphne Reitz

Planning Social Event for Sunday, July 14<sup>th</sup> at the pool. There is not a budget for food. Must be "pot luck" and everyone brings a dish. With the additional expenses, we had to cut the budget. People will need to bring the utensils, plates, etc. and help clean the area after the party. A couple of other ideas but will have to re-visit since the budget is cut.

### **Nominating Committee**

Darline Terrell

There are 3 positions to fill on the board. Asking approval for Carolyn Mckelvey and Mark Gadzinsky to serve on the Nominating Committee. Gayle Voyles approved the two-committee members.

## **Landscape Committee**

Karen Mann not present. Jennifer Breece relaying information. The new Leawood Courthouse is putting in AT&T using the existing easement on our property. Tim R. took pictures of everything and relayed that contractor must bring all back to original condition. Dead patches of grass on Tomahawk Creek Drive and along 115<sup>th</sup> Street will be sodded and seeded. Spoke with the City of Leawood and Mr. Jones at the Justice Center, Mr. Jones and confirmed the right to use the easement. Mr. Jones is aware of most of the issues, will need to seed and sod. Dead bush at building 18, couple of boxwood should be under warranty. Trees need broken branches removed, behind building 30 and EPIC will be removing the tree from the pond.

Fountains get clogged up and the motor needs replaced. Speaking with a contractor to fix the one that went down.

Vandalism must be reported to the police, personal property not in governing documents to provide security.

Fire extinguisher, call the fire department to come out and check the extinguishers.

## **Old Business:**

Carport Insurance Report and Engineer Report. Carports were not built according to specifications filed with the city. Plan of action, insurance will cover us, cars that were damaged are covered, cost of removal, and building the new carport is covered less the \$5,000 deductible.

What do we do to brace the other carports? Need to get recommendation of engineers for the existing carports to brace them. Determine the cost of fixing the carports. What do the governing documents state? Fine argument that the cost being the responsibility of carport owners and not the H.O.A. Attorney last year, that the owners may not be charged, but due to the financial situation, may have to distribute the cost to the owners of the carports. Verbiage is "may", so if the management company can check with the attorney and explain to the owners, of how the cost should be attributed to the HOA or the owners of the carports. Decisions must be made based on financials. Need a copy of the attorney interpretation of the governing documents. How is the responsibility of a garage different from that of a carport? Need to look into the issue. Original specs were for wood beams and all the carports have steel beams.

## **New Business**

Closing pool on Mondays this summer for detail maintenance, from 8:00 a.m. to 12:00 Noon. Pool pergola needs scraping and painting.

New version of club rental agreement; It is \$100 now for the clubhouse rental fee. New version addresses continual or single events. Now it breaks down cost by number of people in attendance for a single event, since the greater the number the greater probability for damages. Price on continual rental event is by the frequency. All events must have the clubhouse closed by 10 p.m. The \$225.00

security deposit, which is returned once the inspection is complete and key is returned, is still required. Parking is available in visitor parking, and manager providing maps of where you can park. Homeowners must be able to get to the mailroom to pickup mail.

Carports and barn swallows, federally protected bird. Owls are helping to deter the number of birds nesting. Preventative measures in the fall to deter nesting in the carport.

June 11, the package pickup extended hours, 77 package release forms returned. There have been 22 packages that have been picked up so far. Must have the release form, and can only sign for those that have returned the form to the office.

Newsletter will be issued on quarterly basis and posted on bulleting board. Board Members and Committee Heads bring articles in by certain deadline. Board approval of newsletter format and email to Board members and Committee Members, with deadline dates.

Kansas Law require all meetings to be open, so doesn't make sense to have 2 separate meetings of residents and board members. Plan to always have an annual meeting. Have homeowners hold their comments until the management company and/or Board presented the information on that topic so the meeting should more closely follow the agenda; would like to limit the open dialogue with residents, but are not trying to discourage comments. Karie Younger and Jennifer Breece voiced concerns about limiting when a resident could speak or having to wait till the end of the meeting to ask questions. If you have an issue, the board will call on you, like a business meeting. Can always let Michelle Swartz know ahead of time and ask to have an issue on the agenda or discussed at the meeting. Committee meetings should be open also. If a committee has a set time for a meeting, then it should be published to the residents.

Meeting Adjourned 8:10 p.m.