

Tomahawk Creek Board Meeting

Monthly Meeting

APPROVED Meeting Minutes

Meeting Date/Time	March 27 th , 2014 at 6:00pm
Meeting location	Tomahawk Creek Clubhouse
Board Member Attendees	Gayle Voyles, Jennifer Breece, Karie Younger, Jennifer Nearing
Tiehen Attendees	Jim Tiehen, Tim Rellihan and Michelle Swartz

AGENDA TOPICS

- ❖ President's Report – Siding Color
- ❖ Approval of Meeting Minutes – February 27th, 2014
- ❖ Treasurer's Report – Delinquencies
- ❖ Tiehen Management Report – Roof update, Bid discussion, Carport Update, Maintenance and Phone Log
- ❖ Committee Reports – ARC, Landscaping, Social, Nominating and Covenants
- ❖ Old Business – Attorney Response to Recovery and Trash Compactor Security Camera
- ❖ New Business – Bill Grady (Roofing Issues)

Email Votes:

March 24th, 2014 – March 25th, 2014

Board members approved reminder email to building captains regarding their role.

Vote – 3-0

Agenda Item – President's Report:

Gayle Voyles welcomes everyone to the meeting and introduced the Board members. Jennifer Nearing will be late to the meeting.

Siding/Building Color:

Received email approved change in color of the sidings as per the majority of the vote of homeowners who participated. The color is called Cobblestone (in between a khaki and tan). Tim grabbed the color sample and made it available to the residents in attendance.

Homeowner Comment: Would like to change the shutters and door color.

Gayle Voyles: Board has considered and due to finances we are unable to at this time.

Homeowner Question: What color of the tile for the roof?

Gayle Voyles: The tile is a charcoal black.

Board Member Resignation:

Gayle Voyles reported that one board member has resigned and we are currently looking for a resident to fill the position. If any residents are interested please see us at the end of the meeting.

Gayle Voyles thanked Duffy for her service.

Agenda Item – Approval of Meeting Minutes:

Gayle Voyles asked the Board to put a motion forward to approve the meeting minutes for February 23rd, 2014

Motion/Vote

Name

Motion to approve the meeting minutes for February 23rd, 2014 with modification putting

Jim Williams in a Guest Speaker section

Jennifer Breece

Motion seconded

Karie Younger

Vote

3-0

Motion passes with 3-0 vote

Jennifer Nearing did not vote as she was late to meeting

Agenda Item – Treasurer's Report provided by Tim Rellihan:

Tim Rellihan:

- Snow budget is high by about \$3,000 but we are still on target for budgeted amount.
- Roof budget is behind due to invoices coming in from last year
- Income is ahead of budget by about \$7,000 due to residents paying in advance or for the full year
- Michelle has been working hard to reduce delinquencies. When Tiehen took over there were 8 and Michelle has now reduced that to 4 (one resident has agreed to a monthly payment plan to pay back dues).

Agenda Item – Tiehen Management Report provided by Michelle Swartz:

Roof Update:

Jim Tiehen: Introduced himself and provided Roof Update. Jim reported that we have signed the contract with Bordner and we have signed with Country Club Bank for the loan. The loan is for \$2 million, which will be paid back over 7yrs. We will not start paying on the loan until we make our first withdrawal.

Currently we are in the permit phase of the process. We have to submit the plans to the City for the tile color, removal of the fake chimneys and the color change of the siding. This will require the plans go through the planning commission in April. We can get a temp permit.

Jim reported that removal of the fake chimneys is a good move as over the years they have cost us a lot of money.

Jim doesn't want contractors to get on the new roofs once they are in place. Tiehen received 5 total bids for re-siding of the chimneys and painting. Of the 5 it was narrowed down to 2, Diamond and Bordner. Bordner came in higher than Diamond but Jim has been working with Bordner to reduce their bid. Jim Williams (roofing consultant) has also been involved in the process to determine which one would be better. Some of the factors in the decision were as follows:

- Scheduling – having to work between Bordner and Diamond to schedule chimney work while roof is being replaced could cause issues and conflicts
- Warranty – Diamond could blame Bordner and Bordner could blame Diamond and warranties would be impacted if repair work is required in the future.

Jim Williams recommends going with Bordner. Tiehen recommends that we hire Bordner to re-side and paint the chimneys (87 chimneys in total).

Jim Tiehen also discussed using pre-painted hardie board or using non-painted hardie board and then painting for the chimneys. Duration paint made by Sherwin Williams comes with a 15 yr warranty for workmanship. Pre-painted vs non painted hardie board and then primer and paint is approximately the same price. Both options also have the same warranty.

Recommendation to the Board from Tiehen: Use non painted hardie board and then primer and paint the siding on the chimneys.

Cost for chimneys is approximately \$66,400 for the re-siding and primer/painting of the chimneys. The Board is going to require Bordner to give 15 yr warranties on the chimneys. We originally budgeted \$66,000 so we are a little over but still within the loan amount.

Homeowner Question: Loss our bidding process credibility if we go with Bordner.

Jim Tiehen: No because we are not going to use Bordner for the building siding. Tiehen is not ready to start on the building siding/painting at this time but wants to get the roofing taken care of first.

Tim Rellihan: In the past we have had issues with using multiple vendors on the various repairs. One vendor blamed the other and vice versa. So we are trying to eliminate this situation going forward.

Homeowner Question: What is the total cost of painting for everything? What is the timeframe?

Jim Tiehen: It is approximately \$300,000 for the 8 buildings that we are planning on doing this year. The plan is to do the painting and siding in the fall depending on the roofing replacement. This will be over about a 7 year period. Currently we are on a 5 year painting cycle. With the new paint and siding we are planning on only painting every 15 years.

Right now we have the money in reserves to do the 8 buildings. Each year we will be building up the reserves. We may not paint in 2015 and allow the reserves to increase more and then start up painting/siding replacement again in 2016.

Tim Rellihan: Total costs for painting/siding is \$1.2 million.

Homeowner Comment: There would be a deficit.

Jim Tiehen: No we will be doing this over a 7 year period and during that time will be building up our reserves.

Michelle Swartz: Every year we include in the budget an amount to paint/side buildings so the money is coming from dues and reserve.

Homeowner Question: So this process taking a lengthy amount of time could potentially set different values on different units on the resale?

Jim Tiehen: Potentially yes. It would be the same as it has been in the past.

Jennifer Breece: The process is the same as it has been in the past. We did 5-6 buildings per year.

Gayle Voyles: Building schedules in the past were based on need.

Jim Tiehen: We can provide schedule and we were supposed to paint 4 buildings last year and since we held off due to the roofs we are now going to do 8 buildings this year.

Jennifer Breece: We are also replacing the cedar trim with hardie board trim in order to reduce costs.

Homeowner Question: Are the contractors putting the hardie board on so that the warranty is intact?

Jim Tiehen: Yes

Homeowner Question: So how long will it take for all of the buildings to have the new siding and color?

Jim Tiehen: 8 buildings this year, no buildings in 2015, and then about 4-5 buildings per year until completed, so probably 6 years. Maybe less

Homeowner Question: So we should have an 8 year period where there is no painting? So that money coming in would not be used?

Jim Tiehen: Yes and yes we would not have to use that money for painting/siding. Spending about \$80,000 a year for roof leaks so that will also not be spent.

Homeowner Question: So when we replace the siding and paint this year will it be the same color?

Jim Tiehen: No we will be using the new color, Cobblestone.

Homeowner Question: Schedule for which buildings and the order?

Jim Tiehen: Yes we will provide the schedule. We are hoping to do the 8 buildings this year but there is a chance due to time that may not allow for the 8 to be done. The roofing project is going to be very disruptive. Going to take about 2 weeks per building and we are going to do everything we can to limit the disruptions. Bordner is going to do 2 roofs at a time. Going to let residents know when their building is going to be done so we are going

Bid Discussion:

Bid #1 – Replacing and painting chimneys

Jim Tiehen: Recommend using Bordner to do the 73 chimneys and paint at a cost of \$67,500.

Motion/Vote

Motion to approve to approve Bordner to replace the 73 chimneys and paint for \$67,500

Name

Jennifer Breece

Motion seconded

Karie Younger

Vote

2-0

Motion passes with 2-0 vote

Bid #2 – Security Camera's

Tim Rellihan: Presented Board with 2 bids for security cameras. Have security cameras at the compactor and the gate at the pool.

First bid is from Central Security Group. The proposal include 2 4 channel DVR, 1 dome camera at the gym door looking at the back door, 100 foot cable, 2 wide angle cameras at the compactor. This bid include installation. Total bid of \$2,982.12.

Second proposal was from Costco for \$500 which include 8 cameras and a DVR. Tim Reillihan believes these aren't the best cameras and may not withstand the weather for as long as the camera's from Central Security Group.

Tim Rellihan is wanting for a 3rd bid which should be in next week but that one is more all en-compassing. The company recommends a more wide area of coverage (almost all of the complex as opposed to just pool and compactor).

Homeowner Comment: Cameras could also be utilized for watching other things, cars coming and going, etc.

Jim Tiehen asked that this be tabled and we wait until we get the 3rd bid in.

Board agreed unanimously to table the security camera discussion until 3rd bid is received.

Carport Update:

Jim Tiehen: Permits have been submitted to the City to build the carport per the specs supplied. City sent it back because in 2012 they changed the code requirements. Contractor has re-submitted the plans to the City to meet the new code requirements. Should know something in the next week and he can start construction.

Homeowner Question: How long will the construction for the carport take?

Jim Tiehen: Shouldn't take too long. It should take 30 days.

Tim Rellihan: Contractor said it would take 3-4 weeks, 1 week to set concrete and but pillars in, 1 week for the structure to be built, and 1 week to put roof on.

Gayle Voyles: Is this same person who will do the bracing?

Jim Tiehen: Yes the same person will also do the bracing after carport is built.

Michelle Swartz reported on the Maintenance and Phone Log:

- Children playing and riding scouters on the tennis courts. Potentially keeping residents from utilizing the tennis courts as they are meant to be used. Sending out reminders to residents about proper usage.
- Parking issues with people parking in "No Parking" areas, fire lanes, resident reserved parking spaces. Michelle has been putting "Warning" stickers on those vehicles which ask the person to contact the office. In most cases we do not know who it is that is parking illegally.
- Residents are asking for water to be shutoff due to the failing water valves in the units. Michelle has to give all residents in the building 24 hr. notice.
- Pet waste is still an issue. Issue seems to be worse on the hill by building 17. Reminders have been sent out.
- There have been several shutters that need to be replaced due to wear/tear and weather. We do not keep a large stock on property.

Michelle asked if anyone on the Board had any questions.

Board did not have any questions. Gayle Voyles commended Michelle on her work.

Gayle Voyles: Do any of the residents have any questions?

Homeowner Question/Comment(s): For issues with residents what is the process?

Michelle Swartz: Contact with the resident/owner. The owner has been contacted and so have the renters and they have been responsive. There really isn't anything in the rules and regulations to address this issue.

Homeowner Comment: He is concerned for the children's safety.

Michelle Swartz: We have talked about that.

Homeowners Questions: Isn't there a sign regarding bicycles?

Michelle Swartz: They can ride on the streets, etc. They are not loitering. Notice of issue, notice they will be fined if not corrected by certain date they will be fined, and finally fine.

Gayle Voyles: What homeowner is talking about is that there are children riding their bikes through the carports.

Homeowner Comment: Concerned someone won't see the kids and end up hitting them.

Gayle Voyles: Thanked homeowner for bringing this to the Board's attention and we don't want anyone injured and want homeowners to be able to get in and out of their homes and driveways.

Jennifer Nearing: How much is the fine?

Michelle Swartz: \$50 first and increases by \$25 up to \$100 max.

Gayle Voyles: Tim is looking and will get back to the Board on what the governing documents will allow us to do.

Linda South: Article 8 of the Bylaws, Section 2 (Procedure). Linda South read Article 8 of the Bylaws, Section 2, which detailed how notices are to be served, what information needs to be included, and what the Board can do.

Jim Tiehen: Basically I feel we should give a courtesy notice that they are in violation before fining.

Homeowner Question: What is the process for fining people for not picking up after their pet?

Gayle Voyles: Same process and it's better to catch the person doing it. Gayle asked Linda South to discuss the fines.

Linda South: The fines are in the rules and regulations; however, since they were changed it requires that the new rules and regulations be sent out to all residents before the new fines can be imposed.

Gayle Voyles: So we would need to get assistance to get the changes in the rules and regulations and then sent out to the residents.

Homeowner Question: How often are people fined?

Michelle Swartz: Most homeowners correct or they claim it is not them.

Agenda Item – Committee Reports:

ARC – No new business, chair not able to attend meeting

Landscaping – Michelle Swartz reported that we are working on a master plan for the whole complex. Epic has provided entrance plans, sample townhouse, sample condo plan, pool. Epic is doing this at no charge.

Homeowner Question/Comment: Not sure if this is the right section but there is a lot of concrete damage all over the property.

Tim Rellihan: Michelle and Bill have walked the whole property and made a spreadsheet of all the issues. They are going to get it bid out and present it to the Board.

Homeowner Question: There should be a warranty.

Tim Rellihan: Going to look at what has been repaired and if it is failing now yes we will address the warranty. The warranty is only 1 year.

Jim Tiehen: We have had 2 years of harsh winters. There have had to be a lot of chemicals put on the concrete. We will look at the warranties. The joints in the curbs are also having issues.

Social – Working on some event but we are supposed to save the date of Friday May 16th from 3pm to 10pm. We are waiting for more details.

Nominating – Darline sent an email that her committee had not met and did not have anything to report.

Covenants – Linda South reported nothing new to report.

Agenda Item – Old Business:

Attorney's Response to Recovery:

Tim Rellihan: During last month's meeting residents had questions as to whether or not we had investigated everything. We spoke with the association's attorney and he concurred that there is nothing we can do and no one we can go after. There has been too much time since the roofs were put on. The issue has exceeded the statute of limitations.

Homeowner Question: Wasn't the issue identified many years ago?

Gayle Voyles: No it was within the last couple of years.

Jennifer Breece: We are unable to go back on the City due to the City having immunity.

Homeowner Question: If we had a warranty it would trump the statute of limitations.

Jim Tiehen: There is nothing we can do. The roofer went out of business.

Homeowner Comment: When the condos were converted the association was given some money from the owner at that time.

Agenda Item – New Business:

Bill Grady (Roofing Issues):

Bill Grady sent an email indicating that he would not be present due to work commitments. He also indicated that Tim Rellihan had answered most of his questions.

Tim Rellihan: Reported that the question Mr. Grady had was about whether or not the new roofs would be able to handle the load of the new tiles without having structural issues. Tim Rellihan reported that the specs allow 50 pounds per square foot and that the tiles being put on would only be about 10-11 pounds per square foot so we are well under the engineer's specs.

Homeowner Questions: Will the roofing consultant be here every day.

Jim Tiehen: He will be here every day at different times.

Tim Reillihan: Before any roof is closed we will be taking pictures and someone from the company will review.

Jennifer Breece: The manufacture of the tile will also be inspecting. This was something the roofing consultant has worked out due to their reputation.

FHA Update:

Tim Rellihan: We have now submitted to HUD, as of March 16th, our application to regain FHA approval. We are in the 30 day waiting period. We should know more at the end of the 30 days.

Homeowner Comment: Limitations on rental units has been discussed in the past. The attorney was consulted at that time and he said while it seemed like a good idea because of the way the Kansas Statutes are written you still have to allow for renting.

Jim Tiehen: In other communities they have made the restrictions more stringent. Renters need screening is one way they have tried to help with the rental rates in the complex and or getting better renters.

Resident Open Forum:

No questions as they were asked during the meeting.

Meeting adjourned at 7:10pm