

**Tomahawk Creek HOA Board Meeting
December 18, 2008
6:00 PM**

Participants: Rochelle Mitz, Carolyn McKelvey, Stephanie Easley, Jennifer Nearing, and Gayle Voyles. Cynthia Selder and John Clock from the Tiehen Management Company.

President Mitz announced that the required board meeting (within 15 days of tonight's meeting) will be held on Dec. 22nd, at 6:15.

Cynthia:

E-mail Approvals:

11608 F Foundation leak repair (old mold seen when pulling carpet back) experimental guttering job – re- route.

11618 D structural issue - Mike Fable, Structural Engineer, to give report on foundation and retaining wall. Cynthia is waiting for his report.

Three addresses, the board voted and approved, where the boxes will be built under the one-bedroom/study entrances. John suggested Cynthia go look to see if there was any evidence of heaving.

John Clock – Financials Report –

Each building has a sprinkler closet with a heater. They have failed in the past. Through unfortunate errors we've learned to inspect these twice a week. Before Bill left for his vacation he says he checked all of them and they were fine. Strong winds over the weekend. A closet door was open, when Cynthia returned, and she reported it to John. They called Tiehen Maintenance; they fixed the door and The GIF had tripped so they reset the GIF—pipe burst and flooded. Landon came out to salt the area. Later that night another problem, and the next day they found another heater that had tripped off. 15 amp. Insufficient amps—reason for heaters tripping. Four homeowner units 11608 (4 units with water damage) – HOA expense to repair the sheetrock, and baseboards, carpet, etc. and 11605 (1 unit also had water damage). They submitted a proposal – replace each unit to 20 amp within a day; materials \$15-20/unit and installation should be around \$1,000. John spoke with Rochelle about the issue and she approved having Tiehen take care of it while Bill was on vacation. The work was completed today.

Delinquents:

02C – Lien \$422.00, recently paid some money—held off on attorney

03F, 13B – Letter sent

06I, 10H -2nd Letter Sent

14L – Starting to get money \$55.72 and \$30.34 and one month's dues

15C – Letter sent (\$147.00) – has not spoken with Cynthia

17B – Payment Plan

19C – Letter Sent and he paid some money

28H – Notification from St. Louis attorney that deed over to Livewell Financials (Richmond, VA) who will be responsible for dues (future dues, but will try to get past dues)

28L – Second letter sent

31G – sent a letter

31H – Bankruptcy

14F – Settled wrote off 2, 096, but paid \$1,232.

Financials – John Clock asked if board members had any questions on the financials. There were none.

Cynthia's Issues Report:

Website – hasn't had an update from Ken Ruda.

Storm Retention Pond – Research in spring.

Recycling Dumpster – Concrete pad approved, and location identified, but couldn't be poured before the bad weather. John asked if the board wanted to approve this to come from the 2008 budget, since it isn't built into the 2009 budget. Gayle made a motion that they go ahead and do as John suggested, as long as The Tiehen Group keeps documentation that this project has been pre-paid, Stephanie seconded, and the motion was unanimously approved.

No Parking Fire Lanes repainted, when weather improves.

Asphalt repairs near Building 25 and some carport areas that need additional painting – when weather improves.

Roofs and soffit problems – on hold.

Woodrot and soffit – The job was started; had to stop due to weather.

Additional asphalt crack repairs – weather related delay.

O4L; 08C; 11L, cross footings and gutterings re-directed. Work done.

19L – water coming in front door – Concrete replaced and no further reports of water coming in.

07J – renter moved out; noticed carpet had been wet again. Mike Falby was called – some bricks were removed to see that ties are in the wall to hold the bricks. We won't know until this is done. It is more expensive to do during this cold spell.

18D – reported crack that lowered in her bedroom (front of building); living room and dining room areas appear to be slopping down. Mike Falby came to inspect; waiting for his report.

Old Business:

In the process of checking with the city about whether they have some responsibility because of the roofs' felt not meeting city's specifications. John said the prints call for

the right amount; architectural firm did it right, but the builder did not. The company is no longer in business. Will the City accept any responsibility?

New Business:

Locations of mailroom newspaper stand and trash container. The trash container this time of year fills up really fast and with Bill going on vacation, Cynthia moved the trash container out and put the large container outside. Knowing the board has asked for it not to be outside. Cynthia would bring it in after the holiday. Another possibility discussed was getting rid of newspaper stand or moving it outside. **The board unanimously voted and approved moving the Newspaper Stand outside and the trash container inside.**

Removal of broken pool furniture – Cynthia can't get anyone to pick it up. You can put them in a dumpster. Bill wants to know if he and his son could come out and cut it up and dispose of it. Cynthia would want it done within a reasonable time frame; she has called Deffenbaugh and was told that they could bring out a dumpster for one day/\$136. **The board approved Bill doing this within a couple of days or for Cynthia to call Deffenbaugh. The board also discussed developing a three year plan for getting new pool furniture; if we are sure that it will be available for the three years.**

Removal of pumpkins – stacked behind – along side of clubhouse. Hay and pumpkin was because the animal control lady had asked if she could have them. Cynthia said when she picked up the hay bales she changed her mind about the pumpkins. Tiehen will pick up tomorrow. Cynthia will call the homeowner that has her pumpkin outside and ask her to remove it.

Newsletter Ideas:

Holiday decorations must be removed by Jan. 6th.

Election results.

Spring recycling will begin.

Reminder that trash pickup is on Tuesday and Friday mornings; put trash out only on those mornings.

**TC HOA Annual Meeting
December 18, 2008 7 PM**

The meeting was called to order promptly at 7:00 PM by President Mitz. I would like to welcome everyone to the Dec. 18th TC Annual Meeting.

I hope everyone has a healthy and happy holiday; good health and

Introduce Gayle, who will read the last quarterly meeting's minutes. Thank

The minutes were approved, as written, unanimously.

Carolyn McKelvey, has finished Ken Patrick's term. We appreciate her service.

I'd like to introduce you to John Clock. Good evening; happy holidays. Thanks for coming. There is a handout on each chair; the first page is a synopsis of year to date financials – through Nov. 30th.

YTD Income

YTD Expense more than planned

Net Income \$29, 105 instead of 29, 164. Some reasons were: \$25,000 budgeted, but spent 44,000. Drainage project was over budget, too. Non-operating—originally planned; ended up spending more. The board took advantage of repairing as much as possible, since the oil prices were expected, at that time, to go through the roof.

Everyone was sent a 2009 budget, but I didn't know if you would bring it. Next page total income 832,484 – small net profit at end of year. If everything goes as planned. Important part of the budget; increasing your monthly contribution to the reserves.

Originally, investing \$7,000/mon; lowered, lowered, lowered so no dues increase in 2008. This year putting in \$3,000—substantial reduction from the recommended amount in order to get closer to our working goal of having \$500,000 in reserves. No dues increase the past two years. Turn page again; pie chart – capital and administrative and misc and taxes and insurance are all at about 18%. No dominate area.

Top 10 reasons dues increase is necessary in 2009. Cut and paste 1-10

Pool work, furniture replacement; drain repair to comply with Virginia Graham Baker Act – children could get caught in the drain.

Asphalt patch repairs (milling), siding repairs, soffit repairs, continue drainage improvements, pond treatments and fountain repairs; continue concrete repair and replacement. Probably always have to plan at least \$25,000/year for concrete work.

Dues increase for 2009 – breakdown of how we achieved the dues increase.

Total sq. footage of property and amount of the deficit – \$52,000; by dividing deficit into total sq. footage got multiplier; see chart (last page of packet). Does anyone have any questions.

Is all of this an estimate so you can raise our dues. I saw several things you could cut down.

You are right; it is up to the board to make decisions for the community. Tiehen group makes recommendations and the board then makes their decision in order to protect each homeowner's investment.

Tennis Court – holes all along our complex – and now you want to repair holes in the tennis court. It will take \$15,000 to repair

Comment:

They wanted to raise our reserves; we have \$300,000 in reserves and they want to increase. \$12,000 more than in 2008.

These figures are not what was in the letter. We rounded up and rounded down. The answer is, you will use figures put out .

Why didn't the board decide to do the special assessment. It is a difficult task; termite assessment previously. It took approximately \$55,000 and decided to do the special assessment; didn't pass. Difficult to take to homeowners again, in order to get it to pass.

Generally, if it is a relatively small amount of dues increase you go with a dues increase.

Special project – more appropriate for special assessment.

Any other questions?

End of year we will have

\$300,000 in reserves.

Viable to be able to sell units you have to have a healthy reserves. These buildings are expensive to maintain; we have to have a viable reserve to take care of. We need a minimum of \$500,000-1 Million.

John Clock – Jim Tiehen was asked and expected to be here tonight. Jim and John have discussed this at length; 15 years experience. It is his opinion that 10% of the value of the property is recommended. Roofs, siding, concrete, \$5 million in assets. \$500,000 is a good working goal. Stephanie is 100% right; we get real estate questionnaires all the time do you have enough replacement reserves to handle maintenance. Once valuable thing is to increase your reserves. After lowering the amount for the past several years, it was important to start putting more in.

The board is considering having a reserve study to determine the actual amount we should maintain. This may cost \$4,000 to have the study completed.

HO: The problem is we have to ask these questions in order to even discuss this. Where is the reserve money on here. Why don't you put it in writing. When you keep the reserves off the budget dollars it makes your documents deceptive.

John: First of all, the reserve information has been given to the board at each meeting. Any homeowner has the right to stop by and see this information in the office.

Any other questions.

HO: Who oversees all the work that is done here.

John and Cynthia do. Asphalt was a lousy job and I didn't see anyone looking at the workers. Sealcoat doesn't last forever. You are the first to complain.

President Mitz: Jennifer and I did go out a couple of times and reported problems to Cynthia and she called the company and they came out and made the necessary repairs. Report areas that you think the management company needs to look at.

This project was not to fix every square inch of the property. If an area that was identified has a problem, please let us know. We probably fixed about 60 -70% of those problems. We will be working on more this spring.

HO: Question for Cynthia. Will the coupon booklets be sent out.

Cynthia: Yes

If we don't get a quorum tonight will we operate with the three members. We would have to if we don't have a quorum. The governing documents say that it can operate with three board members. We would give another 21 day notice and do this again.

Budget Questions? Thank you very much.

Nominating Committee Chair: What we have is that you have to have a quorum to hold an official election; try to get the quorum again, or the board can appoint replacements until we can get a quorum. We know getting a quorum is difficult, but we have folks who have stepped up and hopefully when we get through the ballots and proxies we will have a quorum.

We also have the opportunity for folks who missed the 30 days bio deadline to be nominated from the floor. At this time, is there anyone else who wishes to run for the board (2 open spots). Gerald Clambors, Farrah Staples, and Daphne Reitz.

I move that the nominations cease.

Why do our nominees wish to serve on the board.

Daphne – Hi, I'm Daphne. I've lived here for 10 years and involved in a variety of levels; social committee; newsletter with Amie Stiers. I want to serve my community, beautification and keep everyone informed. Keeping us competitive with new .

Foundation – Events Manager—manage events across the country. I do travel , but also work from home and see our board members out and about. I've been in not-for-profit for 10 years; lived in Leawood most of my life and love this area.

Farrah – I've lived here 2 years, this spring. Come from property management; graduated from SMS and have worked with capital improvement projects. About three years ago took a position in sales and also work from home. I love living here and want to get more involved and get to know homeowners and increase the property value of our property.

Gerald – Hello, I'm Gerald. Lived here late August, 2001. When Pauls Corp came in and changed the place to condos, we decided to get a townhouse. It has been a blessing for us; we plan on living here a long time. I think we have a disease in our community – apathy. We don't have people getting involved. We're talking about questions we didn't think we'd have to think about. I'm running on the board to be a good example and to get more involved. I've helped with technical support, and I've served on the nominating committee; Saturday coffees; Jori has served on the Architectural Standards Committee. Commending Daphne and Farah for getting involved.

Cynthia – I owe Daphne an apology—I haven't received her bio twice when she sent it via e-mail.

Rochelle – Do we have questions from homeowners for our three candidates?

HO: What committees have you served on before: Social committee; renting out building and newsletter, along with Amie.

Farrah – I've never served

Gerald – IT and Nominating committee and Saturday coffee.

Any other questions?

The folks with ballots – be so kind as to fill them in for the three individuals we have. Those with proxies fill out those ballots. If you had a proxy, but are here please make note on your ballot.

Rachelle: Stephanie, Jennifer, and I are the board members who will complete our term during 2009. Those voted in tonight will serve two years.

I want to thank Cynthia who has been a great help this year.

Make sure you check off two board members.

One last request, do the best you can, so they can be read.

Any questions before we start counting.