

**Tomahawk Creek Condominium Homeowners Association**  
**Minutes of Meeting**  
Tomahawk Creek Condominium Clubhouse  
**April 23, 2015**

Board Members Present: Jennifer Breece, President  
Patricia Sinclair, Vice President  
Jennifer Nearing, Treasurer  
(Ron Worth, Member at Large, absent)

Tiehen Property Management Present: Tim Rellihan  
Michelle Swartz

**PRESIDENT'S REPORT:**

The meeting was called to order at 6:00 PM by President Jennifer Breece. The Board introduced themselves for the benefit of homeowners present who had not previously attended a meeting. Jennifer Breece announced that a new Board member, Ron Worth, had been appointed, but was not available to attend the meeting.

The minutes of the last Board meeting on March 26, 2015 have been approved and distributed to all homeowners.

Jennifer announced that Darline Terrell has resigned her position on the Board.

**SECRETARY'S REPORT:**

Patricia Sinclair provided the following report of Board business that has been voted on since the last meeting.

- The Board voted unanimously to accept the bid for a one year contract for cleaning of the clubhouse with In Touch Cleaning. This results in a cost savings to the HOA of \$2,017.86 annually over the cost of the previous company providing this service.
- The Board voted unanimously to renew the agreement with Time Warner as the provider of cable TV services for the clubhouse. Additional savings were negotiated that amount to approximately \$420 per year.
- The Board voted unanimously to pay for a Tiehen employee to fill in four hours per day for the seven business days during Michelle's absence for her wedding in May.
- The Board voted unanimously to retain Don Blythe, CPA, to conduct an Internal Controls Review for the HOA.

**TREASURER'S REPORT:**

Tim Rellihan presented the financial report for the month ending March 31, 2015. Tim reported that the balance in our Operating Account is \$80,810.48 and combined with our Reserve Account our total balance is \$734,797.65.

Tim stated that for Administrative Expense, we are better than budget by about \$1,200. We are better than budget in Service Contract Expense by \$30,661. Repair and Maintenance expense is \$5,865 better than budget. This is due to not making needed repairs to the irrigation system. Utility expense is \$8,820 better than budget, which is due in part to timing of receipt of our electric bill. The total Tax and Insurance expense is over budget by \$1,278 due to the Fidelity insurance coverage renewal. Our Miscellaneous expense is on budget year-to-date.

Tim reported that we completed payments for the carport repairs which amounted to \$18,878.

Jennifer Breece clarified that homeowners need to know that the \$734k in reserves does not include payments due for siding project work. At the end of this year, our reserves will be about \$235k. However, we have to meet the obligation with the City of Leawood to complete the project as scheduled. Our plans are in addition to the eight buildings we began in 2014, is to complete six buildings in each of the years after until it is completed. Jennifer also stated that we have finalized negotiations with ARI to lock in the price for Phase II and beyond. Also, painting on the resided buildings is looking good to begin next week.

#### MANAGER'S REPORT:

Tiehen property management has received a notification that MI Windows and Doors, LLC has settled a suit for windows purchased after 2000. This firm is out of Portland, Oregon. The notice will be posted on the bulletin board in case homeowners have purchased windows or doors from this company.

Cleaning of carports is underway. Four have been completed; and four are remaining to be cleaned. A homeowner spoke up and said that Bill did a good job on cleaning the carport. Discussion followed concerning using owls to keep the birds out of the carports and if it was helpful. Tim Rellihan stated that the cost to purchase 12 owls would be \$350. Some feel the owls help reduce the bird droppings and some do not agree. No decision to spend the money for additional owls was made.

Jennifer Breece stated that she inquired about the anticipated date for completion of the installation of the coach lights in mid-March, and requested to know when that will be complete.

Tim stated that the carport repairs were completed the first week of April. He said he looked at the repairs with Mike Falbe and everything looks good.

Tim reported that he and the Board have worked with our attorney to recover approximately \$6,500 paid to an engineering firm that provided advice on repairs to the carports. We anticipate receiving a check for this amount, which will be deposited in our Reserve Account.

Tim also reported that we have received three bids for work on a retaining wall on the property that will amount to \$22k to \$24k. He also reported that needed work in Buildings 5 & 11 will cost about \$19,250.

The ARI bid was again discussed. While there have been some issues, the Board believes ARI is doing a good job. We have been able to lock in price for the remainder of the project. Patricia

Sinclair made a motion to accept the new agreement with ARI. Jennifer Nearing seconded the motion. All Board members present voted to accept the new agreement. The vote was 3 in favor with one member not present. The motion carried.

The asphalt and concrete bids were next on the agenda for discussion. The Board received responses to several questions from two of the bidders just before today's meeting. The issues being discussed are 2" versus 6" of asphalt and the condition of the subgrade. The Board will wait for input from our new member, Ron Worth, before awarding the bid. To provide further explanation to the homeowners present at the meeting, Patricia Sinclair stated that with Ron's education and experience in the concrete and construction industry, the Board wants his input on the information provided by the vendors before voting. Ron is in meetings and is not available to review the information just received.

In addition to a review of the information provided by the vendor, Jennifer Breece requested that bids be obtained to complete the asphalt work by quadrant. There was also discussion concerning completing the asphalt work before the concrete work due to the possibility of encountering more issues once the asphalt project is in progress.

Michelle provided a report on a number of issues being encountered on our property. One of the big issues continues to be dog owners not picking up after their pets and not having them on a leash. Our property rules concerning dogs mirror the City of Leawood regulations. So if residents are not picking up after pets and letting them off leash, then they are in violation of city regulations and subject to animal control enforcement as well as fines from the HOA. One option discussed was the installation of cameras.

Another issue discussed was non-residents dumping items at our dumpsters.

Michelle suggested that in addition to residents moving their vehicles while the building painting is occurring, that due to spray over problems could impact vehicles parked nearby. She asked that everyone be aware of this and make sure that vehicles are not parked where this could happen. Painting will begin on Buildings 20, 21 and 22.

Homeowners who did not previously order the coach lights when the bulk order was placed are now requesting to do so. Michelle is keeping a list of people who want to now buy a coach light for their patio at a group price. Homeowners may contact Michelle to get on this list. If enough people sign up, then she will attempt to obtain a group price from the vendor.

There have been a number of complaints about Embassy Landscaping not blowing grass off after they mow. Michelle and Tim have met with them on this matter. A homeowner stated that overall they believe that our new landscaping company, Embassy, is doing a good job.

There have been a number of illegal parking incidents; some have been corrected and some have not. Owners of these vehicles risk having their cars towed. Residents observing cars parked illegally may take a picture and provide along with license plate number to Michelle.

Patricia Sinclair stated that it was a matter of record that the Board has voted twice on a trash collection contract with Town and Country. Since it is a matter of record, the Board believes that it is appropriate to also record that we are still with Deffenbaugh for our trash collection service. Tim Rellihan explained the set of circumstances and miscommunications that contributed to this situation. Tim reports that Deffenbaugh has agreed to a one year contract and we will have an opportunity to make a change then. He also stated that he is attempting to get reimbursement from Deffenbaugh for some damage they did to the gate in the trash area.

## COMMITTEE REPORTS

ASC chair reported that a lot of homeowners are replacing windows. She also stated that Mark Gadzinski is not going to continue to be a part of this committee and she needs to find someone to help her. Discussion followed concerning issues with window installation. Jennifer Breece clarified the Board's position on the guidelines and what was acceptable.

The Landscaping Committee reported that they are working on the application for homeowners to use to arrange for planting of trees or plants of their choosing. If the homeowner wishes to purchase a plant for their area, they will submit an application. The Landscaping Committee will then work with our landscaping company, Embassy, to arrange for the planting and care of the tree or plant.

For the Social Committee, it was reported that they are planning a pool party for the opening of the new pool and requesting that Time Warner provide pizza for everyone. The timing of the event is not yet set. Tim Rellihan provided a status update on the pool project and some unanticipated repairs that are covered under warranty.

The Nominating Committee chair, Rochelle, stated that she has met with her committee to discuss and make plans for recruiting candidates for this year's election of Board members.

The Covenants Committee had nothing new to report.

Jennifer Nearing asked Tim Rellihan for a status report on the landscaping project that Tallgrass was providing. Tim responded that he will check to see what the status is and get back to us.

The meeting was adjourned at 7:25 PM.

Minutes recorded by Patricia Sinclair.