

Tomahawk Creek HOA Board Meeting

MEETING MINUTES

APPROVED:

Meeting Date/Time	July 24, 2014 at 6:00 PM
Meeting Location	Tomahawk Creek Clubhouse
Board Member Attendees	Gayle Voyles, President; Jennifer Breece, Vice President; Karie Younger, Treasurer; Patricia Sinclair, Secretary; and Jennifer Nearing, Member at Large, Co-Secretary
Tiehen Attendees	Tim Rellihan and Michelle Swartz Absent: Jim Tiehen

AGENDA TOPICS

- **President's Report**
 - **Approval of June 26, 2014 Meeting Minutes**
 - **Announcement of New Board Member**
- **Treasurer's Report**
 - **Delinquency Report**
- **Tiehen Management Report**
- **Committee Reports**
- **Old Business**
- **New Business**

Gayle Voyles, President, opened the meeting at 6:00 PM by welcoming everyone present, as well as a new Board Member, Patricia Sinclair, who is officially a member of the Board now. Gayle also acknowledged new residents present at the meeting.

President's Report

Gayle asked the Board if there were any questions on the minutes of the June 26, 2014 meeting, or if they would like to make a motion to approve as submitted. A new resident asked if the Board meeting minutes were shared with the residents at any point. Gayle responded that they would be distributed once they were approved. Gayle called for the vote. Jennifer Breece made a motion to approve the minutes of the June 26, 2014 meeting as submitted; Karie Younger seconded the motion; the Board unanimously approved.

Treasurer's Report

Tim Rellihan introduced himself, as well as Michelle Swartz, and explained the role of their positions. He reviewed the Treasurer's Report. Total income for month of June 2014 was \$50,634.51 and for year-to-date, it is \$337,468.45. The net operating income for the month of June was a loss of \$11,330. The current year-to-date net income is \$19,865. We are over budget on snow removal, and ahead of budget on water and sewer and other areas.

Tim gave the Delinquency Report. He stated that we have whittled this list down to 12 residences. Of this 12, five are on lien status.

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Tiehen Management Report

Michelle provided the Management Report beginning with a discussion of a resident having a vehicle accident on the property involving backing into one of the additional dumpsters connected with the roofing project. There is an expectation by home owners that we notify them before a dumpster is placed near their building. Early in the year, we published a map of where dumpsters will be located. We also very recently reminded residents that just because their building is not currently being worked on, doesn't mean there may not be a dumpster located near their unit. There was a request that this reminder be issued again.

Gayle Voyles stated that she saw an email concerning damaged sprinkler heads that were not working properly. A resident asked if we had altered the schedule for watering. There are a number of places throughout the property where the grass is obviously not getting water. Michelle responded that Epic came and got the sprinkler head working and that relieved some stress on the area. Michelle responded that the watering schedule has not changed. She said we have had some sprinkler issues and that Charles Sinclair has been placing flags in the areas where there is a broken sprinkler head. Epic will be working to correct these issues.

Tim Rellihan discussed the parking issues. He said that residents have been fined who are using the dumpsters brought in for the roofing project as their own private dumpsters. Gayle Voyles said that the problem now is we don't have room for another dumpster because of the parking issue. Tim suggested that an additional pickup for large items might be helpful. A resident stated that people are going to put large items out anyway so we might as well put a large dumpster out. Michelle stated that she just sent out an email on this topic to residents. Jennifer Nearing stated that she has had residents tell her to just put her trash in the large construction dumpsters. She suggested that we send out an email on this topic. Michelle reported that this has already been done and Jennifer Nearing asked that we send out another email on this topic.

Gayle Voyles said that she had heard that the roofing project has progressed to 1/3 complete, and asked Michelle if this was accurate. Michelle did not quote an exact number on the progress, but said that some tidying up will be occurring before moving to the next phase. Michelle stated that someone made a report on the roofing construction project on one of the buildings and asked for them to come out and inspect the building. Roofing Solutions is our consultant who oversees the project and is here on site and helps insure we have a quality product when the job is complete. The Tiehen Group, the contractor, Roofing Solutions, and the City of Leawood inspector are looking at the work on every building completed.

Another issue that has been dealt with connected to the roofing project is one of our residents had a flat tire as a result of a piece of metal puncturing the tire. When any damage is experienced due to the roofing project, documentation and proof of damage needs to be submitted in order to be reimbursed. Also, there was damage to a window screen when the old roofing material was being removed. One of the residents present at the meeting stated that he believed the roofing company was doing an excellent job of cleaning up after work is completed.

The next topic discussed was the gate to the pool. Michelle stated that she has talked to Bill again. It looks like someone has been climbing the gate and damaging it. It will not stay closed

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and we must again make repairs. Resident Chuck Sinclair said he just closed it again as he came in for the meeting. Gayle Voyles stated that she frequently finds the gate open and has to close it.

Discussion was held concerning painting the fascia boards under the gutters. A motion was made and the Board voted unanimously to approve painting under the gutters for a flat fee of \$400 for each building including labor and materials. The cost to complete the same work for the remaining buildings will cost \$10,400.

Tim Rellihan provided an update on the carport that has been under construction. He stated that the siding will be installed the first of next week, but we have encountered a problem with the roof for the carport. When the old carport was demolished, the roof tiles were carefully taken off and stored to be placed on the newly constructed structure. A piece of equipment being used on the roofing project hit the roofing materials and damaged the tiles. Charles Sinclair asked why we were using the old tiles instead of using the new roofing being installed on the other buildings. Tim responded that the carports were never part of the roofing project and the City of Leawood had approved the two different colors. Charles Sinclair then asked if there was structural damage to the carports with this accident. Tim responded that there was structural damage to the newly constructed carport.

Michelle talked about an issue involving complaints about children. The resolution to this issue will require that both sides show some understanding. One resident reported that he observed young children riding scooters and bicycle down the middle of the road at about 10:30 p.m. recently. Michelle stated that there needs to be some give and take on both sides. The parents believe the community is not friendly to children; the people making the complaints believe the children are not being supervised. Incidents discuss involving children climbing in the trees, taking and throwing landscape rocks, etc. One of the complaints from parents is that the children are being questioned about what their name is, where they live, do they live in this community, etc. The parents want residents to come to them and not question their children. Michelle stated that we have nothing that says we don't want children here. One of the residents asked if the children are injured on the property who is responsible. Tim Rellihan responded that there is coverage for this. He also stated that all parents should be responsible for their children.

Tim said they will work with the Board on this issue and develop a new resident orientation that maybe we can implement in the fall. Concerns were expressed about getting new residents to attend orientation session.

Gayle Voyles discussed an issue concerning alcohol consumption at our swimming pool. An individual (who may no longer be a resident) was using the pool accompanied by some children. He drank eight beers in 20 minutes and was staggering and appeared to be under the influence. Discussion followed by residents present at the meeting. The suggestion was that when this is observed, contacting the police department might be an appropriate course of action.

Committee Reports

Architectural Report

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Rochelle Mitz, Chair of the Architectural Standards Committee report, gave her report. She said there were a number of items to discuss and that Michelle has been assisting her on some of these topics. The first item discussed was concerning garage doors. Any changes to garage doors does require than an application be submitted to the Architectural Standards Committee, but does not require HOA Board approval. Gayle Voyles told Rochelle that she walked the property today and found almost 40 front doors that had **nickel hardware** rather than the approved knobs. She also made note of units with combination lock entry systems and handles rather than knobs. Rochelle responded to this stating that two or three exceptions had been approved for unusual situations, e.g., physical handicap. Rochelle knows about these and was involved with approving these exceptions. The push button front door lock has not been approved; however, Michelle stated that this resident brought in an application today. Further, this resident indicated she was willing to install a storm door so that the lock would not be visible. Further discussion will be required on this topic.

Rochelle's next topic concerned satellite dishes. She intends to visit all in the community who have satellite dishes to inform them about the rules and regulations concerning satellites. Jennifer Breece raised the concern that if the installation involves drilling through the siding, it will void the warranty on the product. Strong objections were verbalized from some board members and the Architectural Committee representative. Tim Rellihan stated that there are Federal Rules concerning rights of residents and their ability to have access to satellite television in condominiums and other multi-unit housing. Rochelle pointed out in the meeting that Mr. Sinclair, who was present at the meeting, had a satellite and would have to remove it. Mr. Sinclair explained that he checked with the property management company and the work was performed by DIRECT TV exactly as instructed. Tim Rellihan indicated that further research on the Federal Laws, the warranty with Hardiboard, and related topics will need to take place on this issue.

Rochelle reported that she and Mark are going to meet with the City of Leawood regarding a problem with dryer vents. It seems that Mark has identified a compliance issue on the installation of vents in our units and is going to the city to discuss. There was discussion about going to a standard dryer vent for building exteriors. Jennifer Nearing stated that some of these vents are made of brick. This topic will require further review.

The next topic of discussion concerned revisions to the Architectural rules and regulations. Gayle Voyles indicated that an open meeting of residents must be held prior to making any changes. The HOA Board must vote on the holding a meeting to discuss changes to rules.

Landscaping Committee

The Chair of the Landscaping Committee was not present to provide a report; however, there was considerable discussion by those present. One resident stated that they have counted five trees that have died, apparently due to lack of water. Issues concerning sprinkler heads have been resolved. A brief discussion was also held concerning the grass needing to be cut shorter. Michelle stated that when the grass is longer, it requires less water to keep it healthy and green. There are 43 boxwood plants that need to be replaced. These plants were damaged by application of salt last winter. There was also a request that the Chair of this committee be kept informed.

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Social Committee

There was no report from the Social Committee.

Nominating Committee Report

Rosemary Santner provided a report for the Nominating Committee. She stated that she and Jory Church, committee members met with Gayle Voyles, President, and Patricia Sinclair this week to discuss potential activities to provide information to residents about requirements of being a board member and what is involved in filling this position. In addition to identifying potential candidates for positions on the Board, the committee is also looking for an additional member to join the Nominating Committee. This committee will host the forums, provide materials and information to potential candidates and count votes on election night.

Planned activities include informational forums on three separate dates. The dates have not yet been established but will likely begin in August. Refreshments will be served at these events. Some Board members will also be present to provide information and respond to questions. We have two Board members rotating off at the end of this year.

Covenants Committee

Linda South reported that there is nothing to report at this time.

OLD BUSINESS

Tim Rellihan discussed the proposal from ADS (Atlantis Drainage Solutions, Inc.) concerning the drainage issues on Unit 11F. Basically, we are going to have to put 6" PVC pipe French drain to solve this problem. Now, it is functioning on a slow rainy day, but not if we get a heavy rain. The estimated price is \$4,500 to fix the problem and ADS will provide us with an official bid. Gayle Voyles asked that we get bids and move forward for this resident.

Gayle Voyles discussed the request we received from the property manager at the neighboring business that rented to Tallgrass. It looks over Buildings 7 and 8. The new business applied to the City of Leawood for permission to place a lighted sign across 115th street. The city indicated that they would consider if their neighbors would agree with this request. We polled the owners in our buildings that might be disturbed by the light and a couple of them were not in agreement with their request. Our Board agreed and voted to reject this request.

NEW BUSINESS

SIDING BID

Tim Rellihan gave an update on the siding bid. He said that we started with five bidders for the siding project and we are almost ready to move forward. We have narrowed this list down to three companies. Tim will arrange for two of the three companies to go through an interview

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process with the Board of Directors before we select the company who will perform the work. There was a brief discussion on the possibility of retaining a project manager for this portion of the work, but the additional cost would be a big concern.

There was also discussion concerning Architectural revisions that will be required based on changes involved with this project. For example, with Hardiboard siding, we will no longer have cedar window frames. The Architectural rules and regulations will require a thorough review for changes.

ILLEGAL PARKING ISSUE

Jennifer Breece discussed the problem we are having with cars parking illegally. This is occurring by the carport near Buildings 1 and 2 on a nightly basis. When the individuals parking illegally were approached, they responded they did not care and refused to move their vehicles. Michelle asked about putting a note on these vehicles. Brief discussion followed on this problem and then Tim Rellihan stated that these people will be duly notified tomorrow about the illegal parking.

ADJOURNMENT

The meeting was adjourned at 8:05 p.m.

Minutes taken by Patricia Sinclair