

Tomahawk Creek Condominium Association, Inc.

Tomahawk Creek Condominium Board Meeting Minutes for February 28, 2013

APPROVED

Present: Board: Gayle Voyles, Jennifer Breece, Karie Younger. Michelle Buchanan and Jason Purinton were not present.

Present: Signature Property Management: Nancy Desmond and Vickie Talley

Meeting was called to order at 6:30 pm.

Attorney Burke Robinson from Long and Luder Class Action Attorneys was present to talk about the defective siding. Gayle Voyles stated that The Tiehen Group did get an extra 100K for the issue back in 2002 and a release was signed. Burke Robinson stated that as a release was signed then there was no way to go after any one for a claim.

The minutes were not approved as Gayle Voyles stated she did not agree with the wording stated in the paragraph under financial. Nancy Desmond is to update the paragraph then send out for an email vote.

Reading of email votes: Jennifer Breece read the email vote for the past month. Motion made by Karie Younger, seconded by Jennifer Breece to approve the vote. Passes by voice vote.

February 16, 2013 by email vote Jennifer, Karie, Jason and Michelle voted for CD to be deposited at Cornerstone Bank.

Managers Report

Nancy Desmond reviewed the pending issues on the weekly condominium report dated February 15, 2013.

Obtained defective siding information and handed to Burke Robinson Class action Attorney

Requested proposals from Affordable Painting, M&M Painting, BluSky Restoration and Solution Systems proposals for painting and wood rot repair for the 2013 rotation of buildings 03,04,08,11,15,19,23,28, presented to the BOD at the February 28, 2013 meeting.

Bordner Roofing to repair 11622E, 11626L – A-B-C

Vickie Talley gave an updated report on the 11619-carport collapse.

Vickie Talley stated wood rot proposals had not been obtained in prior years and that Solution Systems just did the wood rot before painting without the HOA obtaining bids. Signature Property Management recommended and submitted proposals for the 2013 Painting and Wood rot to the Board. Each contractor inspected the buildings and the scope of work was not comparable on the proposals. Vickie Talley recommended that three of the contractors and Bill Gates measure each building and the contractors resubmits the proposals with the approved measurements of Bill Gates for the March board meeting.

Vickie Talley stated painting proposals were obtained but that she has an email from Paul Potter Solution Systems stating that he considers the 2010 Solution Systems-4 year contract signed by John Clock, Teihen

Group, and writing on it saying “ok’s per Gayle Voyles and Don Lickteig” was executed by both parties on 7/21/2010. Gayle Voyle stated anyone could write “ok’d per Gayle Voyles and Don Lickteig” (see attached contract) and she had spoke with Jim Tiehen and that the painting contract is actually an informal agreement. Jennifer Breece asked if Tomahawk Creek could get out of the contract. Vickie stated Mr. Potter and Mr. Miller said it was a contact and Gayle verified that this information was given to her by Mr. Miller also. Gayle Voyles stated she had spoke with Paul Potter and he understood the financial hardship that Tomahawk Creek is having and he would be willing to extend the 2013 schedule. Vickie Talley stated Signature Property Management recommends 1 year contracts and the fact that a painting contract was signed without a wood rot contract resulted in the HOA exceeding their budget in 2010, 2011 and 2012 as they did not have accepted contracts to budget appropriately.

Financials

Kari Younger reported on the special assessment update as follows: 93.5% have paid; total collected is \$75,962.77 towards the \$110,234.34 assessed. Karie Younger reviewed the balance sheet / operating account information for the month of January 2013.

The monthly invoices were presented. Motion made by Jennifer Breece, seconded by Karie Younger approving the payment of the invoices presented. Passed by voice vote.

Architecture Committee

Rochelle Mitz reported that Bill Gates checked wiring on 25% of the lights that are in need of replacement. Bill Gates reported that no bad wiring had been found. It was determined that Bill Gates is to do the replacement of the new lights unless he finds faulty wiring and then a electrician will be called in. Rochelle Mitz handed Gayle Voyles the information sheet on the lights.

Rochelle reported that 11623G are asking for their contractor to be able to repair the cedar trim when they replace the windows. Linda South read the Boundaries from the Declarations Article 4 and it was determined that the owners can pay Tomahawk Creeks contractor to replace the trim but can not have their own contractor touch the cedar as they are asking for the repairs to be done out of cycle.

Landscape Committee

No report given

Social Committee

Daphne Reitz reported she wanted to have a Hostess Party on March 16 for the residents. Gayle Voyles stated she did not think the governing documents would allow it. Linda South read from the Declarations under Use Restrictions Article 11 section (a). Gayle Voyles read from the Rules and Regulations XIV Business or Commercial Activity. It was determined that the event would be against the governing documents.

Covenants Committee

Linda South stated that she had sent the Board members and Signature a report regarding the carport collapse.

Nominating Committee

Gayle Voyles reported they are working on getting a committee together

Old Business

11615A, Nancy Desmond reported on Bordner Roofing’s findings that the brick is in need of repair. Nancy is to obtain 3 proposals and have them turned in to the BOD with in two weeks.

New Business

Jennifer Nearing stated she had received a letter about the condition of her patio and disagreed with the findings and that she had reported a different unit for having a trash can and boards on their patio and nothing was done. Rochelle Mitz ARC Chairperson stated that we do the best we can do and if an owner disagrees of a finding all they need to do is call the office. Nancy Desmond stated that just because someone see's a patio with a violation does not mean that we have not seen it and sent out violation form. Rochelle Mitz stated the same thing. Nancy Desmond is to add patio/balcony information in the March newsletter.

Board Member Discussion

No Board member discussion

Open Forum

Linda South stated that the committees are to not have a budget and she did not believe that the landscaping committee needed to have a budget. Linda South stated that there was to be notebooks in the office on each committee and that the committees should read through them. Linda South also stated that the landscaping duties was to be looking for dead bushes, reporting trash problems, and checking for pond maintenance. Linda read Bylaws Article III section D on Committees.

Adjourn: 8:35