

Tomahawk Creek HOA Board Meeting

Meeting Minutes

APPROVED:

Meeting Date/Time	August 27, 2014 at 6:30 PM
Meeting Location	Tomahawk Creek Clubhouse
Board Member Attendees	Jennifer Breece, Vice President; Patricia Sinclair, Secretary; and Jennifer Nearing, Member at Large, Co-Secretary Absent: Gayle Gordon, President; Karie Younger, Treasurer
Tiehen Attendees	Tim Rellihan and Michelle Swartz Absent: Jim Tiehen

AGENDA TOPICS

- **President's Report**
 - **Approval of July 24, 2014 Meeting Minutes**
- **Treasurer's Report**
 - **Delinquency Report**
- **Tiehen Management Report**
- **Committee Reports**
- **Old Business**
- **New Business**

Jennifer Breece, Vice President, opened the meeting at 6:30 PM by welcoming everyone present. She explained that our President, Gayle Gordon and Karie Younger, Treasurer, were not able to be in attendance at this meeting.

President's Report

Jennifer asked the Board if there were any questions on the minutes of the July 24, 2014 meeting. There were no questions and Jennifer Nearing made a motion to accept the minutes; Patricia Sinclair seconded the motion; and **a vote by the board unanimously approved the minutes of the July 24, 2014 meeting as submitted.**

Treasurer's Report

Tim Rellihan provided the Treasurer's Report. For the year-to-date budget through July, we had a positive net operating expense in the amount of \$34,948 and positive net operating income in the amount of \$37,495 for year-to-date. The favorable status relates in part to expenses not incurred due to delays in work delayed due to roofing and other projects. Current total in reserve accounts is \$629,020.31 and if we include capital improvement reserves the total assets are currently, \$1,195,398.83.

Tim gave the Delinquency Report. He stated that we have approximately 8 residences that are on the delinquency list, with several in the lien status. There has been definite improvement in

resolving these issues. Some residences are on payment plans currently to resolve the delinquencies. Tim opened discussion concerning one unit that is in foreclosure. He asked the board if we wanted to spend the money to take legal action to collect the \$6,771.47 that is due. Legal fees are estimated in the \$350 to \$400 range. After a brief discussion about the possibilities of recovering this money, the board took a vote on this issue. Jennifer Nearing made a motion to file necessary legal action to attempt to recover these funds. The motion was seconded by Patricia Sinclair. ***The Board voted unanimously to have our legal counsel pursue this action.***

Tiehen Management Report

Michelle provided the Management Report beginning with a discussion of the status of the roofing project. Janice Breece commented that some of the tiles do not look right. In particular she mentioned Building 8 by the chimneys and a couple of tiles on Building 4. Tim Rellihan commented that some issues have been identified and will be corrected. The roofing project is about 3/5 completed. Pat Sinclair asked for a specific number on how many buildings have new roofs completed. Tim responded that 13 buildings have roofing, and 4 or 5 are in progress. While work is basically done on these buildings, none have been signed off as yet with final acceptance.

Tim next reported on the bids to correct the drainage problem on Unit 11F. We have received three bids to complete repairs on the drainage problem. Three companies submitted bids to complete this repair work. ADS (Atlantis Drainage Solutions, Inc.), KC Master Companies, and Real Drainage Solutions, Inc. ADS and KC Master were very close in price. The Board discussed the details of the bids and Tim Rellihan recommended ADS. Jennifer Nearing made a motion to select ADS as the successful bidder on this project. Pat Sinclair seconded the motion. ***The Board voted and unanimously approved the recommendation to award the bid to ADS.***

Michelle reported on the status of the irrigation system and needed repairs. Three options were presented to the board as follows: Option 1 is to fix lateral leaks and turn off the sprinkler systems mid-September which will lower water expense and make needed repairs next year... \$134.12; Option 2 is repair valves, increasing number of zones running...\$2,691.48; and Option 3 is increase the coverage of heads on zones currently operational by replacing broken heads, etc... \$6,870.40. The Board discussed and Pat Sinclair made a motion to go with option 1 which will get us to next year when needed repairs to the system can be made. Jennifer Nearing seconded the motion. ***The Board voted and approved that we go with Option 1 and make major repairs next year.***

Michelle stated that plans had been made to treat the water in the ponds this week, however, due to a significant rain forecast; the treatment has been delayed until next week. The average cost for the water treatment is \$996.57. What is really needed to fix this problem is dredging of the pond. Our ponds are too shallow which is increasing the need for treatment and contributes to the fountain pumps needing repairs. Dredging needs to be on the list of projects for next year. Jennifer Nearing made a motion to approve the water treatment planned for next week.

Pat Sinclair seconded the motion. ***The Board voted and approved having the pond water treated as scheduled next week.***

A brief discussion followed on the status of the new carport and the damage that was done to the front beam by a piece of construction equipment involved with the roofing project. Replacement of the damage beam is approximately three weeks out. Three hanging LED lights will be installed in the new carport. Insurance will be paying for all this expense.

A resident asked why we had repaired the parking lot next to the tennis courts now rather than waiting until all the work was completed. Tim Rellihan responded that because the conditions in this area were so bad it needed to be done now. We could not wait until all the construction was completed.

Michelle reported on the maintenance log issues for the past month. In the process of dealing with some major dog issues, we learned information about new ordinances from the City of Leawood. One of the city ordinances that we learned about is that pit bull dogs, or dogs that resemble pit bulls, are not allowed in the City of Leawood. The other dog ordinance issue is that there is a limitation of two pets per household in the city. Currently our rules and regulations allow for three pets per household. This is an issue that we will have to change in our rules to comply with the two pet per household limit. There are also city ordinances that specify what constitutes a nuisance by a pet; excessive barking, of course, is on this list.

Committee Reports

Architectural Report

Rochelle Mitz, Chair of the Architectural Standards Committee report, gave her report. She provided feedback from the recent meeting held for residents on proposed and/or needed changes to our rules and regulations. There were a lot of difference of opinions expressed, but it was a great meeting. The next meeting on this topic will be delayed until later in the year.

One of the topics discussed at the rules and regulations meeting concerned door knobs. President Gayle Gordon had completed a walk around the community to identify potential issues. One of the things discovered was that there are a number of differences on our door knobs. An issue has been identified where there is confusion between “nickel” and “chrome” finish on the knobs. The rules and regulations specify “nickel” finish, but in fact there is a similar appearing finish that is “chrome”. The difference is noticeable. Also discussed was a resident request for a special door handle for a renter with a handicap. It was determined that we need to make “reasonable accommodation” based on the needs of the handicap of this individual and any issues surrounding the accommodation. After significant discussion on this issue, the decision was made to table this topic to a meeting when our President can be present.

Storm doors was the next topic of discussion. Some of the storm doors has a bar that crosses the center of the door and gives more support. Mark has been involved with this issue and has something in writing indicating that this bar should be taken off. A follow up on this subject involved meeting with Home Depot staff have told us not to take the bar off. Rochelle stated that they would leave this decision to the Board. Jennifer Breece stated that she believes

residents should have the option of having the bar on the storm door which gives better security. This involves giving residents the option between storm door model 3000 and 4000. **No vote was required on this topic because this is already stated in the rules and regulations.**

Michelle provided Board members with a proposal for lighting for the complex. It is becoming difficult or impossible to find replacement parts for our existing lighting fixtures. The plastic on our current lights are getting very brittle and subject to breakage. There are City of Leawood ordinances that our current lighting does not meet, however, we are grandfathered. The city ordinance requires LED lights that point downward. Discussion followed on the possibility of putting in new lighting that complies with the ordinance. This would be accomplished as the new siding is installed on each building. Discussion was held concerning covering the cost of the new lights. Jennifer Breece asked where the money will come from to install new lights. She also stated that in addition to the cost of the lights, we will need to know the cost of the electrical work to install. **A group of ASC members and Jennifer Nearing will meet to discuss this project.**

A brief discussion followed concerning a couple of upstairs windows in Buildings 13 and 29 that were not sealed properly and leaked into the windows of the units below. This resulted in a mold abatement issue.

Comments were made that some of our residents are still upset about parking issues caused by the roofing project.

Landscaping Committee

The Chair of the Landscaping Committee was not present to provide a report; however, there was considerable discussion by those present. Michelle stated that there are 43 boxwood plants that need to be replaced. These plants were damaged last winter and had to be removed by Epic Landscaping. While Epic Landscaping removed the damaged plants without charge, according to terms of our contract with them, it will cost us \$1,720 to replace the boxwoods.

Some on the Board and the Landscaping Committee are of the opinion that the damage to the boxwoods was caused by Epic when they treated walks and drives with salt last winter. Pat Sinclair asked that no new plants be placed where siding is about to be placed on buildings which would put these plants at risk. No one voiced disagreement with this statement. Charles Sinclair stated that the choice of planting the same plants that were damaged by salt last year does not seem wise. Jennifer Breece stated that she does not believe Epic is doing a great job. No one voiced disagreement with this statement, except Michelle stated that she believes they are the best option based on cost. **The Board members expressed dissatisfaction with Epic and asked that Tiehen put this contract out for bid for the year 2015 to see if we can get improved service at the same or less cost. Tim Rellihan that he would put this contract out for bid for the year 2015.**

Social Committee

There was no report from the Social Committee.

Nominating Committee Report

There was no report from the Nominating Committee.

Covenants Committee

There was no report from the Covenants Committee.

OLD BUSINESS

Tim Rellihan gave an update on the siding project. We are working on developing a contract with Allstate Renovations Inc. (ARI). The Board is currently reviewing the contract and specifications.

NEW BUSINESS

No new business topics were presented that have not been covered elsewhere in the meeting minutes.

ADJOURNMENT

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

Minutes taken by Patricia Sinclair