

TOMAHAWK CREEK CONDOMINIUMS
March HOA Minutes
APPROVED

The regular monthly meeting of Tomahawk Creek Condominiums was held on March 26, 2015, at 6 PM in the Clubhouse.

Board members present

Jennifer Breece, President
Patricia Sinclair, Vice President
Jennifer Nearing, Treasurer
Darline Terrell, Member at Large

Our management company was represented by Tim Rellihan and Michelle Swartz, who stayed through the first hour of the meeting.

The meeting was called to order by President Jennifer Breece.

She noted that the minutes of the prior meeting had already been approved electronically and distributed to the community.

The President reported that board member Tom Cogar has resigned.

Acting Secretary Darline Terrell read e-mail votes taken since the last board meeting. (See end of Minutes.)

TREASURER'S REPORT

For the month of February, Tim provided the monthly budget report. reported:

Total Operating Income	\$61,073.32
Total Operating Expense	\$55,926.05
Net Operating Income	\$5,147.27

OPERATING ACCOUNT BALANCE	\$63,630.06
RESERVE ACCOUNT BALANCE	\$662,898.95

TOTAL CASH ON HAND February 28, 2015	\$726,529.01
--------------------------------------	--------------

MANAGER'S REPORT

Responding to board member Darline Terrell's concern over high water bills for Bldgs. 22, 26, and 27, Tim said that he can send letters out to residents in those buildings. He said he could, if deemed necessary, request that Water One do an evaluation.

As far as delinquencies and fines are concerned, it is about the same as it has been. We do have an out-of-state homeowner who owes TCC nearly \$10,000 in unpaid dues, which is included in the above. The property is rented, and an attorney has been hired to garnish the rent check the tenant sends to the homeowner who is delinquent. The attorney is in the process of attempting to serve papers to the renter. A lien has been filed against that property and others.

Tim said the following are unpaid: 3 dryer vents, 3 lights, and 1 door.

Tim displayed a carport pillar that had been dug out to show the amount of rust that is below the surface and not necessarily visible above ground level.

Pool repairs have begun with scraping and cleaning in preparation for resurfacing. The pool restoration is expected to be complete mid-April.

Tim said he toured the ponds with an engineer from Water Resources Solutions. The consulting fee for Water Solutions to undertake the project would be \$19,000. The engineer suggested planting vegetation on the side of the ponds to keep the geese in the water. The ponds do not impact foundation issues we are having.

The board will meet with ARI on Monday to go over the contract for the next six buildings to be sided.

MAINTENANCE SUMMARY

Tomahawk Creek Condominiums March 2015

Maintenance Summary by Michelle Swartz

- Pet Ownership: Continuous complaints of dog owners not picking up after the dogs; excrement in the green space. Violation Fine Assessment of Not Picking up after the pets immediately increasing to \$100.
- Pet Ownership: Violations of dogs being off leash and appeal basis on the contention of "being under control". Violation Fine Assessment increases \$25.00 each occurrence; begins at \$50.00.
- Trash pick-up service begins at 8:30 a.m., any trash left out in the afternoon will receive notice of violation. Violation Fine Assessment is \$50.00 first occurrence.
- Mail Room Bulletin: All Notices Were Removed From The Bulletin-Unauthorized Again.
- No Smoking in the Mail Room.
- Carport steel reinforcements are being painted and concrete poured. Should be open in 2 weeks. Notices will be sent. Four additional columns identified for reinforcement: #90, #7, #8, and #46.
- Complaints about mulch application not being cleaned up. Account Manager at Embassy will correct.
- Still receiving complaints about the damage to interiors from vibrations with the siding project. Inspection of 11628-D appears to be where screws/nails are mudded in tape line and pop off.
- Window replacement approval denied due to the number of grids being incorrect 11604-D and 11606-G notices sent. The long patio windows on the rear have 9 grids on the top and bottom.
- Siding Company working on Building 11604.
- Engineering Inspection Report of Settling in Bldg. 11605, 11606, 11607, 11608, 11611, 11622, and 11627 on 2-27-15, discovery of issues in 05, 06 retaining wall, 08, and 11.
- Report of settling in 11602-K; having Falbe look at photos to advise.
- 11620-K report of issues with opening door, 11615-K storm door report of needing adjustment by ARI.
- Building 11604 is currently being resided.
- Need to order new shutters for the buildings being resided in color black to replace damaged or warped shutters that cannot be re-installed.
- Inspection of Buildings 11601 through 11631 and clubhouse is complete. Tim, Bill, and I now working to resolve issues from the inspection. Town & Country Guttering has made the corrections.
- Dryer Vents need to be cleaned and replaced with the new cover. Birds are beginning to build nests.
- Decorations, Plant Hooks, Wind chimes, Thermometers, Clocks, attached to siding of balconies/patios or to rafters that must be removed. Many have been removed but still several that remain. Will be re-inspecting and sending notices.
- Dog Tie-outs from several patios, Dog House, and Dog Kennel.
- Complaint of not voting on the color of paint for the doors, HOA unnecessarily spending money.
- Coach Lamps have been complete for HOA, and the patios and balconies of owners that are having Metro install will be on property the week of March 30th.
- Mid-America has begun the pool restoration project.

- All Alarms (Smoke alarms) are to be registered with the Leawood Police Department's Alarm Coordinator per Leawood City Ordinance 11-302. The annual registration fee is \$10.00.
- Original Gate Valves need to be replaced with ball valves. Owners decide to upgrade faucets and either cannot get the water shut off or cannot get the water back on. Owners must provide 24 hour notice to have the water shut off to the entire building for the replacement. Important that a plumber does the repair.

COMMITTEE REPORTS

ASC REPORT

Rochelle Mitz reported that windows have been installed that reduce the glass surface by as much as one to three inches. The standard variance allowed is one-half inch.

She also showed the tile and lettering chosen for doors that do not have tiles and expressed urgency in the board's approval, as the City requires that each address be clearly marked.

Pat Sinclair moved to go with the tile and black letters as recommended by the ASC Chair. Motion seconded and carried 4-0.

In response to an earlier homeowner's question, Rochelle said that screens only are permitted on front doors having approved storm doors.

LANDSCAPING REPORT

Karen Mann reported that the committee will meet with Embassy Landscaping before resubmitting the Landscaping Application to the board for approval.

SOCIAL REPORT

No report.

NOMINATING COMMITTEE

No report.

COVENANTS COMMITTEE

Linda South reported that the committee had met in executive session and a report given to the board.

She mentioned that the HOA Rules for dogs "mirror City regulations."

OLD BUSINESS

The board will be interviewing an accountant selected to do an audit. The accountant is recommending an Internal Controls Review with a full audit next year if deemed appropriate.

A homeowner asked what was used for selecting the auditor and if the results will be shared with homeowners.

Board member Pat Sinclair said the auditor who is meeting with the board on Saturday has no ties to The Tiehen Group, the prior property management firm, any member of the Board or our HOA; he is a CPA who specializes in HOAs and has a national reputation. The board considered his education and credentials prior

to contacting him. The results of the Internal Controls Review will be shared with homeowners. It is expected to be complete prior to the Budget meeting in October.

Pat Sinclair further stated that the purpose of this audit has nothing to do with our current or previous property management firms. The purpose of the audit is to make sure that the HOA and the Board of Directors have the proper controls in place to fulfill our fiduciary responsibilities to the homeowners.

Jennifer Breece said the board will be instructing the Nominating Committee on election process and amount of information that will be made available to homeowners.

Tim of Tiehen Group said he is negotiating with Time Warner on telephone and Internet service for the Clubhouse to lower our costs.

He said he is getting prices for cleaning the Clubhouse.

A preliminary evaluation of savings on electricity since putting in the LED lights, based on Bldg. 23, showed the bill went from \$106 to \$54.

A homeowner asked, "Will you be doing anything about the streets?"

Tim said he is getting bids, adding, "It is a summertime goal."

NEW BUSINESS

The President stated there was no New Business and invited comments from the 11 homeowners making up the audience.

COMMENTS

Good discussion followed with the homeowners in attendance and the Board of Directors. Homeowners voiced concerns with a number of issues.

A homeowner asked, "Why don't we hold contractors responsible for damages? Though this board is better than the prior board." The Board members responded that we are reviewing all contracts before they are signed and are making efforts to correct these issues. In some cases, it is difficult to hold a contractor responsible for something that may be a result of work not being done properly in the past.

Another homeowner said he is concerned about the damage potholes are doing to vehicles. He said, "Roads are more important than irrigation systems." He suggested the board consider a special assessment to fix the streets.

There was also considerable discussion about the siding project and all the nail pops on the interiors of units. The Board responded that nail pops are to be expected with a siding project. In most cases, this is an inexpensive fix. However, one homeowner present indicated that the nail pops had occurred high up the wall in the stairwell area and were not reachable without a very tall ladder.

The meeting ended at 8:20 PM

VOTING SUMMARY:

Following motions were made and voted by the board since the prior HOA meeting via email.

March 9, 2015. Minutes of the February 2015 meeting were approved.

March 19, 2015. Pat Sinclair made a motion to approve the expenditure for \$6,384 to repair the four

additional carport columns that were not initially identified as needing repair. Motion seconded and carried 4-0.

March 24, 2015. Pat Sinclair moved that the \$50 fine assessed against a resident remain in place for having dog off leash. Motion seconded and carried 4-0.

March 24, 2015. The board consented to hire an attorney to send a letter to HD Engineering & Design, Inc. aimed at recovering monies spent to redo repair of carports.

The following motions were made and voted on at the March 26, 2015. HOA meeting:

Pat Sinclair moved to go with the tile and black letters as recommended by the ASC Chair. Motion seconded and carried 4-0.