

Thursday, March 16, 2006
TC HOA Meeting
5:30 - 7:55 PM PM at the Clubhouse
(MAYBE 30 HOMEOWNERS IN ATTENDANCE)

HOA President McWilliams called the meeting to order at 5:30 pm. by opening the floor to questions from homeowners.

Helen Byrne: Will we be getting **newsletters**? Will we get hard copies, or only on the website? Helen suggested hard copies be provided in the mailroom. Steve said it was a good idea—quarterly.

The minutes are on the website and Cynthia has a set of minutes at the clubhouse for homeowners to review, upon request.

Parking – little red car by the trash compactor. You are right—as the by-laws are written those cars can not be considered as abandoned. We are re-writing the by-laws. There is nothing the board can do right now. Steve explained that the HOA Board had not changed the by-laws concerning the parking regulations, only interpreted the rules.

Next question - **Replacement windows**—We have been waiting for some time to get information about how to purchase the replacement windows leftover from the Pauls Corporation. Cynthia explained that she was waiting for the waiver/window replacement to be approved by the board (this evening). When windows are purchased the money will go to the HOA. Fred would install the windows @\$35/hour; these funds will also be going to the HOA. Cynthia also explained that she would be writing everything up and posting the information on the HOA bulletin board. Cynthia also explained that Fred, our maintenance worker, had resigned and The Tiehen Group would be looking for his replacement in the near future.

Todd Miller asked the status of the issue concerning the Kansas Secretary of Treasurer and the fact that the Pauls Corp. had the TC HOA listed as a profit organization. Steve McWilliams reported that it had been taken care of and that the paperwork was filed as a not-for-profit; on Friday. The board did take care of the issue/error of Pauls Corp. This issue was corrected while completing the annual report.

Parking Situation: Is the TC HOA saying the new parking regulations/interpretation is a said and done deal? Wasn't the board required to get 2/3s of the homeowners approval, via a vote? Steve repeated: "We did not change the By-Laws—so, no vote is required." Todd reminded the board that Howard, the Attorney for HOA, had said the wording in the by-laws could be interpreted more than one way. Steve McWilliams said that was pretty much the case with any bylaws. If you look in the regulations...when you sell a condo, it must come with a parking space. It only makes sense for the one bedroom condo units to have the parking spaces in front of their doors.

A woman, in attendance, asked who pays the **taxes on the parking spaces**? She stated that all parking spaces are limited common elements. President Steve McWilliams said he would look into who pays the taxes on limited parking spaces.

Another homeowner asked about the three bedroom townhouses—Are those spaces open parking? Since homeowners have been notified of the board's interpretation of the parking regulations the visitor lots have been filled with homeowners' second and/or third cars, so who can park in front of the townhomes? Would the board be putting a visitor parking sign in front of the townhomes? The board was notified that a homeowner has been arguing with neighbors, saying they own the spot in front of their townhome unit. President Steve McWilliams said he would notify homeowners that homeowners can park in visitor or open parking in front of the townhomes.

Tow truck issues: Tow trucks cannot drive through looking for cars to tow. The only places that cars will be towed are those that are marked, and the homeowner is the only person who can call the tow truck company to have a vehicle removed.

A homeowner asked why the board didn't consider changing the way it is handling parking when they learned that several homeowners felt their interpretation was problematic. Steve McWilliams reminded homeowners that the board has to act in a way that meets the needs of the majority of homeowners. Steve shared that some buildings are working out their initial parking problems. Homeowners can have cars towed that are parked in homeowners' assigned spaces. That goes back to making sure that homeowners are protected. People can work this out among themselves, we don't believe you'll see a huge number of cars being towed.

Comments from another homeowner: We have a building significantly far from any visitor parking (#22). One bedroom/two cars—no place reasonable for homeowners' parking. She would want us to put in more parking in her area. The board reminded the homeowner that signs will be put up regarding the tow company: ProTow (its phone number), \$125 a tow, \$3.00 a mile, and storage fee. Hopefully, this will resolve her issue.

Helen: I heard of one instance—someone with a carport and a place in front of their building—they never use it. Someone in the building needs it—the individual went to the individual. He isn't cooperating with those wanting to use his space. The board reminded Helen that it is his space to do as he sees fit, but the by-laws do state that he/she can not lease the parking space.

A homeowner asked if the board could you mark the townhomes' parking spaces as OPEN –why wasn't that marking made more visible? That color is horrible. The board discussed possibly placing signs at both entrances explaining that unmarked parking is open.

Comment: Parking shortage but I didn't know if anyone explored installing new car parking paces. The Pauls Corp. looked into that and there was a problem with

conversion, because of the parking shortage. There is not enough ground space that the city would approve adding more parking spaces. People can park on 115th Street.

Todd Miller asked what it would take (We have about 50-55 people concerned with the parking situation) to get the board to change its interpretation of the by-laws concerning the parking issues. Steve McWilliams said, if those individuals ran and got on the board they could interpret the rules as they see fit, but 50-55 people isn't two-thirds of the association's homeowners. He reminded Todd that his group had notified everyone of their concerns regarding this issue...if so many people are upset why aren't they here?

It is the board's belief that assigned parking is the most equitable situation. Several homeowners made the following comments: Movement games are going on; homeowners move their second cars from one visitor spot to another. At least everyone has one parking space available. We live in Maryland; when we are not here we do allow others to park in our space. I'm trying to be aware of both sides—which is the best way? How have we approached this—I'm not sure, but with open space parking it is a free for all.

Chicago guy—his place is for sale; glad to hear that the townhomes' parking spaces (in front) are available. It will help him sell his unit.

These are the reasons why the Board handled it as they did—there are several issues: Multiple car homeowners, homeowners with large number of visitors, etc.

Steve McWilliams asked homeowners other than parking, did they have anything else that they wanted to discuss? He then asked committee chairs to give their reports.

Mike – Landscaping Report

Critical projects– sub-drainage and surface drainage

Bldg 21 and 3 – handled last year –successfully

Next week, reviewing other critical areas (6 or 7) to determine highest priorities

Talking to landscaping contractor – we want to avoid erosion issues, around foundations. We are trying to keep all properties safe. Homeowner: Good job on building 3.

Steve- first year to interface with the landscape company for advance planning. Mike is a landscape architect. The replacement of actual shrubs is a different budget; they will be resolved. The committee chair shared that he thought all issues would be addressed during 2006; trying to maximize the committee's budget.

Tom Scanlon—**Covenants Committee Report**—enjoying working with two new committee members:

Judy Brewster and Judy Markus.

Rough draft of by-laws revisions is nearly completed.

HO homeowner Question: When they are completed, will homeowners vote on the total package, or a few by-laws' revisions at a time? Linda South explained that homeowners will vote on the entire package, but before that would happen... Committee shares their suggestions with the board, the board will have the attorney review them, and *then* they will be presented to all homeowners during an open meeting. Homeowners will have the opportunity to ask questions and make comments. 2/3 is a large percentage, but we need to get these done. By-Laws—more revisions are being made to adjust them from a developer's point of view to the homeowners' point of view.

Four documents for the TC HOA:

Article of Incorporation

Declaration-Describes the property

By-Laws –Operation

Rules and Regulation – Specifics (does not require a 2/3 vote to change)

Whether on CDs or print them you have to print these up and get feedback. Special election meeting will need to be held regarding the By-Laws revisions—voting could be accepted all day, and by proxy.

Homeowner Question: When you get those 300some documents—how long will we have to review them? Linda South reported that 30 – 45 days might be a good length of time for homeowners to have to review.

A homeowner suggested that the hard copies be sent registered with a signed receipt.

Chris-Finance Report (through end of Feb)

Unexpected Saving/underbudget

Service contracts/snow removal

Overbudget-legal, painting (ahead of schedule to get a discount), insurance premium (Hurricane related) Insurance went from \$58,000 to 60,000 – we have more coverage to meet projected level of inflation (42Million)

Upcoming Expenses:

2nd quarter—fountain services, landscaping, pool maintenance, pool license renewal

Taxes and Insurance- on budget/year

Annual Corp. Report – signed and filed for the year

Out of curiosity –Who is our overall insurance carrier? Farmers Insurance (John Clock)

Todd-Building 15-drainage issues by the garage. Water backing into the garages and woodrot at the bottom of the garage. Where do we stand on this? I thought the

extensions were supposed to help with this issue. The board will look into this matter. French drain – probably the least expensive.

Building 5 also gets water in the garages.

Start up on the painting project soon? John Clock—June/painting

Cynthia said they will walk the property again to verify which buildings will be painted this summer.

Whoever is doing the work on the property is not cleaning up afterwards—Todd has had two nails in his tires. Cynthia will talk to the construction supervisors.

Old Business: The board is checking the prices for bike racks to be placed near the tennis courts.

Thanks for coming; the board will adjourn and begin our work.

Tom Scanlon's Recommendations to the Board:

Get on with the garage sale planning so we can have it in April. Tom would coordinate with Cynthia. People could display in front of their homes and contract with Got Junk to come by the end of the day to carry off the residue. The board discussed the recommendations and showed concern about parking issues during such an event. If they were to schedule such an event, it would be for a specific time period (9 – 1:00) and those wanting to participate would be responsible for getting own tables to place their belongings on in the tennis court area.

Cynthia shared that a homeowner had made a suggestion that the income earned from Fred's maintenance work/hire and rental from the clubhouse be set in a special fund to purchase a tv screen and the toys to go with it for the clubhouse.

Action Items to Take Care of:

Cynthia – **Waiver on the Windows needs to be approved -It was unanimously approved.** Working on Revamping the Rental Agreement – A cancellation clause will be added. Clubhouse Cleaning Checklist

Items Available to Lease

New Pool Rules – Last Year the Covenants Committee suggested new pool rules. Linda will send the pool rules' comments back to the Covenants Committee to review and approve, or make suggested revisions.

The HOA Board received a resident's letter asking for permission to purchase and have installed a storm door on the front door. They live in a northern exposure. Patty Fogerty gave a great report that her back screen installation had cut her heating bill by 25%. Linda South mentioned that a retractable door wouldn't be as offensive as having a storm door on the front door. Steve mentioned the board's concern with upkeep and monitoring it—the importance for the front of buildings to be uniform and tidy. Nothing was decided at that point.

Steve made a suggestion regarding the pool rules - Pool toys and games except where they limit the use of the pool by others. The board also discussed that early morning lap swimming should be allowed.

Approval of verbage for Towing sign:

Suggested revision

Towing Alert: Assigned Parking Only

Illegally parked vehicles will be towed by Pro-Tow at owners' expense.

\$25/day storage charge; \$3 per mile, and \$125 towing fee

Call 913-262-3300

The TC HOA unanimously approved the wording for the towing signs.

Sign – Visitors Parking (in front of the townhomes)

Let everyone know that homeowners can park in front of the townhomes. An owner can park anywhere they want on the property (other than the assigned spaces and driveways).

Be sure you know what you're doing before you tow a car; if you misunderstood the parking regulations you might end up having to pay the expense.

Documentation of car being towed: homeowner's responsibility (?) Be sure when you sign the form be sure it document has a description of the space the vehicle was towed from and signed by the tow truck driver.

Cynthia's suggestion: Social Committee host neighborhood Get-togethers/block parties for connected buildings.

Linda South has someone calling her Friday to explain what we are required to do as far as marking handicapped parking spaces. John Clock—ADA he cannot use his handicap as leverage to gain another parking space. It is a dead issue.

Directories – Ok for those who want to submit contact information. Chris made a motion to approve the directory, Linda seconded the motion, and it was unanimously approved.

KS Statute on Handicapped Parking – Linda South has it.

John Clock – Chris' activity log – as far as the swan decoy – fountain guy has experience in this and he says geese are not stupid –if it didn't cost much (less than \$100) we might pursue it. C Biz – has one and they never have geese on their pond. The board asked the Tiehen Company to check on the cost and if \$100 (or less) try it. Stationary swan that looks like it is nesting. Try 2 swans first (if it is \$100 or less/swan) and then go from there. **Unanimously Approved.**

Drip line has been fixed—Signature Landscaping. We need to add some misting heads for plants/flowers this summer. Plant something that doesn't attract bees.

Pad that will hold 8 bicycles; start with a bike rack for 4.

Patty Fogerty – adding extra parking spaces in certain areas. Take out the curbs there might be room to get two or three more cars in certain areas. We could entertain the proposal and to check with the city.

Linda South will ask for clarification regarding if whether we can add parking/city regulations.

Cynthia reported that a homeowner asked if the board would approve having the clubhouse open on a certain night of the week? Or once a month (same night/month) have game night? Bring your own beverage and snacks—drop by to play. The board is considering this suggestion.

Another homeowner said that she would buy a pool table to put into the conference room/board's meeting room. She wanted a key to the clubhouse and the room housing the pool table. The board decided not to entertain that suggestion this year.

Architectural and Nominating Committee members needed. Steve will mention this in his letter.

Cynthia - Future Resident's Parking signs by clubhouse—could we get rid of these? **The board unanimously approved taking all signs down in front of the clubhouse.**

Linda South reported that the legislation regarding open HOA meetings, if passed in July, would require the board to allow homeowners to sit in on *all* of the HOA's future meetings.

The meeting was closed at 7:55 pm.