

TC HOA Board Meeting

6-19-08

6:00 PM

Participants: John Clock, Cynthia Selder, Rochelle Mitz, Jennifer Nearing, Stephanie Easley, Carolyn McKelvey, and Gayle Voyles

The meeting was called to order promptly at 6:00 p.m.

Issues Discussed:

John Clock shared the updated Delinquency Report

Sandy G. – John believes we should spend between \$400 and \$800 to sue her; the legal letter has already been sent. He suggested that the board approach this aggressively. When someone doesn't pay we send a late letter (twice) and then John Clock sends an official letter. Legal demand letter (costing \$50 to file) is sent stating that they have 30 days to pay or a lien will be put on their property. John continued to explain the process to the two new board members.

Gayle made a motion to sue Sandy G, the motion was seconded, and the board members unanimously approved it.

John stated that he was recommending that legal demand letters be sent to Jennifer C., D. J. S., and Julius S. The board approved John's request. He said we might consider using "less than \$1,000" as the point to send legal demand letters (in the future) to speed up the process, due to current economic conditions. Once we have the lien, it is the first step. Before filing a lien we have to give adequate notice. The board approved this recommendation.

John Clock asked if the board wanted to be advised, for each person, in the future, before he would take such action. Gayle said she felt the board needed to decide on what the amount would be that liens would be filed, and then let John Clock know when he could start taking such action without asking the board each time.

Financials: John answered the questions Gayle had on the latest financials report. He then stated that the HOA was currently under budget *only* because of the timing of capital expense projects that have been *delayed due to weather* and/or other reasons.

John asked Cynthia if the wrought iron fences had been painted, as scheduled. Cynthia said that she believed the work had been completed, but would check on it in the morning.

Rochelle - John anticipates one question will be raised during the quarterly meeting about the radon email. John discussed this issue with Jim Tiehen – no one in the office has experience with radon. We will have to consult an attorney to have him/her review the governing documents. The fact that the gas that is seeping through the floor into the unit—we'll have to look into this. Gayle also thought possibly we should also get a

second opinion for the inspector's report. Gayle asked if the board shouldn't ask the attorney whether the HOA is also responsible for testing all buildings, once radon is found in one of our buildings. John, said yes. Stephanie stated that decaying limestone is the source of radon issues and that it usually clusters in neighborhoods. She thought that usually homeowners have to fix it. Rochelle should contact Howard Barewin regarding this issue. Cynthia will inform Tom S. (after receiving the President's email explaining that we need more time to contact our attorney).

Vanderzen – John and Jim have reviewed all notes concerning Monday's meeting.

Jim's opinion is, Take the April 17th report from Vanderzen and send it to Craig Denny (Karagon). Mike Campbell is with _____. Cynthia has had a horrible time getting any response on the specifications (from Vanderzen).

Jim feels we really need to get Craig and Mike to give their opinions of Vanderzen's report: Building 18 – recommendation is to float a new floor over the tilted down area; economical and most practical. But, is this the appropriate solution?

Mike Falby is who Jim Tiehen wants to hear from. He also feels we may need to get soil samples (Karagon – soil engineers). All reports say we need to get water away from all buildings; especially building 5. With the negative drainage issues on the property there is no logical solution for drainage other than bury downspouts and run out under sidewalk into the street. That could solve the problem of water by door next to the slab. However, it could eventually cause parking lot problems and icy spots across the property during the winter time. It probably would be the less of two evils. The HOA might have to spend more money on salt and this could cause additional damage to our streets and sidewalks.

Some buildings have a slope, but some don't. Some buildings have a sewer nearby; one approach might be to install trench drains to sewers. Building 5's sewer is a long way away; price to run the drain under the street and to the sewer would be very high.

Rochelle – What caused the problem in building 18? John stated that he didn't know if anyone knew the real cause. Each person that came out (engineers) stated that buildings will settle when built on top of fill dirt. It will continue to settle; we can fix it, but it will probably happen again and again.

When you have time to read Jim Tiehen's e-mail; reports from 94 and 95 indicate that the 30 borings on a 30 acre sight (?) John Clock, is this correct? Jim Tiehen's opinion is that it wasn't sufficient.

Vanderzen did piercing under building 18; further reading of the report indicates that they *only* did piercing *under the outer wall*. They hadn't done anything to the area that is sinking, now. We could mud jack, but it would not be a permanent solution. We might have the same problem again in 6 or 7 years. Piercing might cause more damage to the unit; floating of the floor would be a safer route \$700 to \$2,000 for 18J. **In summary, go**

back to Craig Denny and Falby, and have them read the new information and then get their take on the issue. It should take more than a couple of weeks to get the information.

Jennifer - What do we do with Vanderzen who is not responding?

John – The specifications were not part of the original contract. That is why we'll work with Mike Falby and Craig Denny.

Concrete – Cynthia had Ken Patrick walk the property and identified about \$35,000 worth of work needing to be done. John Clock had not been involved in the discussion, as he had been in the past. So, when John and Cynthia walked the property, John had some reservations with some of the areas identified to be fixed now. Several were not in a regular walking path. There were a number of areas like that; John thought we could try to bring the number down; he found curbing areas that needed to be dealt with before the areas that Ken identified. Stephanie and Cynthia will walk the property tomorrow afternoon to get input from the board and blessing on what is to be done. John thinks we can have a better representation of work done for about \$30,000.

Most of their other properties... Tiehen doesn't use salt because of the expense of damage done to concrete.

Cynthia – Explained the status of projects while board members reviewed the HOA Board's Record of Issues and Actions Report. Cynthia asked board members to review the report, and explained that a check means that the work has been completed and that the item will be removed for next meeting.

P.O. Boxes – two more installed today; trim to be done tomorrow or Monday.

Curb Painting – On 6-08-08 the Leawood Fire Marshall called and said a change needed to be made with the Fire Lane markings.

Foundation Issues: Jim Tiehen reviewed all information. We've discussed.

3-21 New program for website. Ken Ruddy called today; he's working on that. He talked with David Phillips.

Concrete – Already Discussed

Trash Enclosure Fence – Paul Potter e-mailed this week; person should be out this week to complete the painting.

Landscape Beautification Projects- All retaining walls are up; some sod installed this week; watering new sod.

Only area that the irrigation system clock is one (behind building 28) because of newly installed sod.

Start up of pool – done

Irrigation system – Explained earlier

Center Circle – Done

6-09-08, Residents reporting foundation leaks due to rainwater (under their units' baseboards): 11611D, 11613A and E, 11630K. Chamberlin came out and fixed leakages a few years ago. We need to have records checked to see if these are the same units.

Will need to redo the towing flyer and handouts – due to necessary change in the fire lane markings.

E-mail Approvals:

Sealcoat/asphalt repairs

Elections at clubhouse approved for 2009

Rest of landscape repairs

Tree and shrub replacement – working on prioritizing these

12J retaining wall – by dumpsters three pine trees (5 ft. tall) why? Landon said he put it in the bid; Cynthia will visit with him about these.

Cynthia – I apologize for not cleaning out the spillway (big logs, by pond); Bill can't do alone; Epic will come out to help remove them.

Women's bathroom, big stall is leaking big time.

The meeting was adjourned at 6:50 pm

Respectfully Submitted,
Gayle Voyles,
TC HOA Secretary