

## Meeting Minutes

A regular meeting of the Board of Directors of the Walnut Creek Estates Homes Association, Inc. was held on March 10, 2014, at approximately 7:00 p.m. at the Hillsdale Presbyterian Church. The following Board Members were present including Sue Pacinelli (Chairman of the meeting), Stu Macfarlane (Secretary), Todd DeYoung, Larry Ammerman, and Frank Syracuse.

### MEMBER COMMENTS

Cathy Macfarlane reported that she was happy to be done with day-to-day Board activities, but was disappointed to receive email from a Board member complaining that he is a victim of people harassing him yet he points out that neighbor children don't play together because their parents are afraid of being sued by one another. Ms. Macfarlane insists that whatever happens member friends and children should absolutely be left out of any such discussion or messaging.

MINUTES of the previous Board meeting from January 13, 2014, were presented. Stu moved that the minutes be approved as presented. The motion was adopted.

### REPORTS

1. The Treasurer (Todd) reported the balance of accounts at \$23,633. A few properties have not yet paid the 2014 dues assessment. Current insurance policies have been posted on the website. The current year mowing update agreement will be posted. Also posted on the website are the 2013 Cash Journal, 2013 Federal Tax Return, 2013 Kansas Corporate Report and preliminary 2013 Treasurer Report.
2. John Fricke, for the Design Review Committee (DRC), submitted a written report including two recent approvals and draft check list for submittals. Copy attached. It was suggested that an applicant requesting approval from the DRC be asked to certify that all items on the subject property are currently in compliance as a condition to such approval. Ann West was elected to serve on the DRC.
3. Galen Heinrich, for the Lake Habitat Committee, stated that it was time to order Tilapia for the 2014 lake improvements and that some herbicide may be used at creek inlets. Activity to welcome the dumping of excavated rock fill from a neighbor's lot to the back side of the dam is underway via conversation with the builder.
4. Errett Rush, for the Landscaping Committee, reported that some or all of the front marker (255<sup>th</sup> St) cedar fencing may need replacement as the wood shows its age. The Committee will make the improvements. He sought guidance for repairs or improvements to the cul-de-sac plantings in Phase 5.
5. Ted West, for the Trail Committee, reported that gravel will be needed on some muddy trail areas. Other members of this Committee include Tom Blackler, Carlos Conejo, and Frank Pacinelli.

### UNFINISHED BUSINESS

1. The following motion was brought back to the table. Motion was previously adopted to post an information note on the website (or via email) requesting members' input for questions to be placed on a survey to gauge membership interest in potential capital improvements and corresponding assessment increase. There was no information received from the membership in response to the related posting.

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2. The following motion was brought back to the table. Motion was previously advanced to consider Galen Heinrich's request to install a culvert behind Lot 8, WCE #3, next to his, for more direct access to the common area trail system. The culvert would reside on common area. John Fricke offered a site topographical map of the area to aid in locating the request. Questions pending include the size, tree removal details, exact location, and what materials can be assembled for describing to the membership. The matter was not resolved at this meeting.
3. The following motion was brought back to the table. Motion was previously advanced to change our website so that the HOA is protected from any liability that might occur with outside marketing such as "state of the art sanitation..." There being no finding of such marketing statements on the website's introductory pages the motion was not adopted.
4. The following motion was brought back to the table. Motion was previously advanced to invite John Muckelbauer to again review the 2011 Kansas Statute regarding home owner associations. The motion was not adopted.

### NEW BUSINESS

1. Mr. Syracuse attempted to represent other members' interest in the mowing of unkempt lots. The Board made no decision on this matter and suggested that such complainants be directed to communicate their concerns to the Board.
2. Mr. Macfarlane moved the appointment of John Fricke as Assistant Secretary, a position described in the WCE Bylaws. The motion was adopted.
3. Mr. Macfarlane moved the posting, via email and website, of an announcement to members to determine interest in the dissolution of the Homes Association to mitigate member disharmony. The motion was adopted. Further discussion was continued to the next meeting.

The meeting was adjourned at approximately 9:00 p.m. upon motion by Ms. Pacinelli.

Stu Macfarlane, Secretary 2014

Approved:

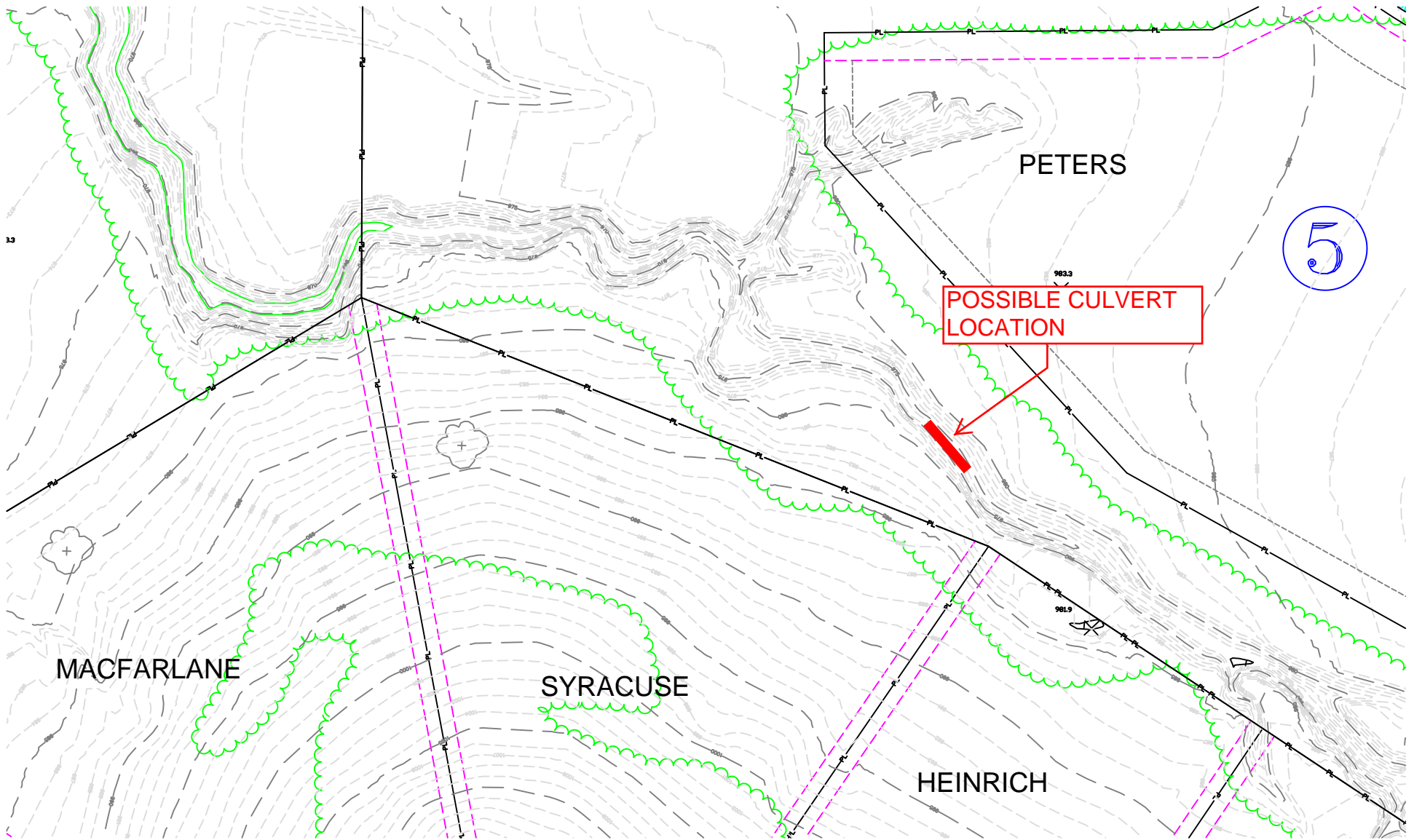
Design Review Committee (DRC) Report  
March 10, 2014

- The DRC reviewed two member submittals since the last Board meeting. One for construction of a horse fence at the rear of the property and another for a 144 square foot outbuilding behind the house.

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- Design Standards and Procedures for Single Family Construction  
*[A work in progress of the Design Review Committee]*

Nothing herein is intended to change the meaning or the requirements of the DECLARATION OF COVENANTS, CONDITIONS and RESTRICTIONS FOR WALNUT CREEK ESTATES (CCR).

1. The erection, placing or moving of a structure on any property which in any way materially changes its exterior appearance shall require an appropriate submittal to, and approval by, the DRC. Applicant should consider the following suggestions.
  - a. Send all submittal information to the Secretary of the Board by mail (USPS). An electronic copy may also be sent in addition to the submitted information.
  - b. Submittal documents might include a plot plan from the final plat, plot plan with elevation contours, distances to property lines, construction materials, colors, etc.
  - c. Submittal documents should be in two copies, one for retention and one to return.
  - d. DRC will acknowledge receipt of submittal documents.
  - e. Plans for construction of a new home or additions to existing homes shall be stamped by a licensed architect [or engineer].
2. The DRC will review the submittal in conformance with the General Restrictions in the CCR's.
3. A copy of the approved plans and specifications will be deposited as a permanent record with the DRC and a copy of such plans and specifications bearing written approval shall be returned to the applicant.
4. Any applicant to the DRC, may within ten (10) days after receipt of notice of any decision which he or she deems to be unsatisfactory, file a written request to have the matter reviewed by the Board by sending such notice to the Secretary of the Board. The Board shall review such request within 30 days of receipt and its decision shall be final and binding.
5. The DRC review will attempt to uphold the General Restrictions in the CCR's. Should a submittal include a request for deviation from the General Restrictions then notice of the DRC meeting to be held to discuss said deviation shall be supplied to all Members at their email address currently on-file with the Secretary of the Association.



WALNUT CREEK ESTATES NO. 3 and 4

January 29, 2014