

## Meeting Minutes

A regular meeting of the Board of Directors of the Walnut Creek Estates Homes Association, Inc. was held on January 14, 2013, at approximately 7:15 p.m. at the Hillsdale Presbyterian Church immediately following a presentation by Brad Maddy of DBi Services regarding lake maintenance. The following 2013 Board Members were present including Cathy Macfarlane who presided as chairman of the meeting, Todd DeYoung, Larry Ammerman, Rock Crawford, and John Fricke (secretary).

A quorum was established. Minutes of the previous Board meeting from November 19, 2012, were presented. Larry moved that the minutes be approved as presented. The motion was adopted.

### Reports:

- The Treasurer (Todd) stated that the current accounts cash balance totals approximately \$10,280.
- John furnished a list of recent questions and answers about the Homes Association history.
- Todd reported that a presentation immediately before the Board Meeting described aeration for the lake.

### Unfinished Business:

- Annual assessment delinquency for accounts in all years stands at \$1,355.00 principal amounts and includes three lots spanning three years.

### New Business:

- Todd moved the creation of four standing committees of the Board as follows.
  - Lake Habitat Committee, Chair: Galen Heinrich
  - Landscaping Committee, Chair: tbd
  - Social Committee, Chair: Chloe DeYoung
  - Trail Committee, Chair: tbd

The meeting was adjourned upon motion by Rock at approximately 8:30 p.m.

John Fricke, Secretary

Approved: **JVF**

## QUESTIONS RECEIVED REPORT

January 14, 2013

This report is an attempt to answer questions recently posed. Questions have come to the Board from various persons and in different ways. We can thank Frank Syracuse for making us aware that the State of Kansas has passed a law called the Kansas uniform common interest owners bill of rights (LAW) which was effective January 1, 2011. Questions answered herein are not presented for debate.

1. Why do the Minutes of Board meetings not tell a story of who said what about everything? Roberts Rules of Order says, "The record of the proceeding of a deliberative assembly is usually called the minutes ..." and "...they should contain mainly a record of what was *done* at the meeting, not what was *said* by the members."
2. What became of the sewer pumps purchased? They were sold to Homes Association members in 2011.
3. Why was a trolling motor purchased? The motor was purchased to replace one borrowed from a non-member and which was subsequently damaged by the Homes Association. The motor was later donated to the HOA.
4. Can we post letters from KDHE and Kansas Rural Water Association regarding the lake on our website? These documents, and water quality tests, were attached to Board minutes in September 2011 at the time the letters were received.
5. For clarification some ByLaws history:
  - 5.1. The Covenants and Deed Restrictions (CDR) were recorded for Phase 1 on April 3, 1997. Additional restrictions were recorded in advance of each of the Phases 2-5.
  - 5.2. An amendment to the CDR was adopted on November 15, 2004, regarding the maximum allowable number of horses on each lot and regarding the time of completion allowed for home construction.
  - 5.3. The Bylaws were adopted on November 20, 2006. At the same time a change to the CDR was adopted adjusting the date annual assessments are due and moving the quorum requirement to the Bylaws.
6. Items recently being added to the website:
  - 6.1. Articles of Incorporation
  - 6.2. Kansas Annual report
  - 6.3. Tax returns
  - 6.4. Check Book register (cash journal)
  - 6.5. Fixed Asset List
  - 6.6. Mowing contract
  - 6.7. Tag to LAW
7. What is the relationship, if any, between High Point Farm (HPF) and the Walnut Creek Estates development (WCE)?
  - 7.1. Both entities are included in the boundary of the Miami County Sewer Benefit District No. 3 (Walnut Creek Estates).
  - 7.2. HPF is not included in the WCE development area boundary.
  - 7.3. A non-voting membership category was created by the Board in May 2010. This GUEST MEMBERSHIP includes access to WCE common areas and to trash pickup. High Point Farm is the only member of this group and began paying dues in an amount similar to other occupied lots shortly thereafter.
8. How long do we retain record documents? We intend to retain documents as required by the LAW. Some adjustment of records on the website has already begun to reflect the minimum requirements.
9. How can we provide for communication between homeowners and between homeowners and the Board? A Directory of Members is kept on the website in order to facilitate such communication.

10. Why doesn't the Board represent WCE in front of the Miami County Sewer Benefit District? The Walnut Creek Estates development is not the only group in the District. Each homeowner is a separate member of the Sewer Benefit District and the WCE homes association does not have standing.

11. When will the Developer relinquish control of the Board. Fridey Enterprises, as Developer, has not held a controlling interest in the Board since 2006.

12. Are any of the Developer group and John Estes related? Fridey Enterprises was introduced to John Estes by Miami County's environmental coordinator. There is no familial relationship between any of the Developers and John Estes.

End of report.

## LAKE HABITAT COMMITTEE

**Chairperson:** To be appointed by the President. The committee shall report directly to the Board.

**Membership:** The Chairperson can engage the assistance of other HOA members to assist in completing the assigned tasks.

**Term:** This STANDING committee will operate until the next regular annual membership meeting in November.

**Goal:** To develop and present a plan to the Board that will increase the enjoyment of the lake by improving fish habitat and aesthetic appeal.

### Tasks:

- Review comments received from government and private agencies regarding various solutions for the treatment of the lake to enhance fish habitat and usability.
- Review the appearance of the lake as seen by those using the area.
- Develop a recommendation to the Board that will meet the desired criteria. Include a written summary statement with cost estimates for such improvements to enable the Board to establish a budget for such improvements. Indicate alternative approaches and costs, if appropriate.
- Implement improvements as directed by the Board and within the established budget.

## LANDSCAPE COMMITTEE

**Chairperson:** The Chairperson will be appointed by the President of the Board and the committee shall report directly to the Board.

**Membership:** The Chairperson can engage the assistance of other HOA members to assist in completing the assigned tasks.

**Term:** This STANDING committee will operate until the next regular annual membership meeting in November.

**Goal:** To maintain planted areas to increase the enjoyment of the common space.

### Tasks:

- Mowing: Develop a plan for mowing, guide mowing vendor, and update mowing progress at regular Board meetings.
- Entry Markers: Provide for routine care including weeding, mulching, flowers, lighting, and holiday decorations.
- Cul-de-sacs: Provide for routine care in Phase 3 and Phase 5.
- Prepare a written summary statement with cost estimates for such maintenance to enable the Board to establish a budget for such maintenance.
- Implement routine maintenance and other projects as directed by the Board and within the established budget.

## **SOCIAL COMMITTEE**

**Chairperson:** The Chairperson will be appointed by the President of the Board and the committee shall report directly to the Board.

**Membership:** The Chairperson can engage the assistance of other HOA members to assist in completing the assigned tasks.

**Term:** This STANDING committee will operate until the next regular annual membership meeting in November.

**Goal:** To develop and present a plan to the Board that will increase the enjoyment of the neighborhood by creating social activity opportunities.

### **Tasks:**

- Gathering: Plan and execute at least one homes association membership gathering this year (e.g. Halloween Party).
- Halloween: Plan and execute a Halloween hay ride and party typical of past Halloween related events.
- Provide a social experience including refreshments at the annual member meeting in November.
- Implement events as directed by the Board and within the established budget.

## TRAIL COMMITTEE

**Chairperson:** The Chairperson will be appointed by the President of the Board and the committee shall report directly to the Board.

**Membership:** The Chairperson can engage the assistance of other HOA members to assist in completing the assigned tasks.

**Term:** This STANDING committee will operate until the next regular annual membership meeting in November.

**Goal:** To maintain the common use trails in a safe and enjoyable manner.

### Tasks:

- Receive contacts from homeowners regarding overgrowth of foliage into the trail environment.
- Trim over hanging branches and plant roots.
- Identify potentially eroded and/or muddy locations requiring application of gravel.
- Prepare a written summary statement with cost estimates for such maintenance to enable the Board to establish a budget for such maintenance.
- Implement routine maintenance and other projects as directed by the Board and within the established budget.