

**RAINTREE LAKE PROPERTY OWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
FEBRUARY 9, 2010
7:00 p.m.**

A Board meeting of the Raintree Lake Property Owners Association was held on February 9, 2010. Members in attendance were Brian West, David Mitchell, Tim Nydegger, Tom Tucek, Robert Dye, Brenda Miller, Tim Kirkpatrick, Judy Schmoeger and Tony Jose. General Manager, Rachelle Vandiver, was also present.

Tony Jose called the meeting to order at 7:00 p.m. and announced a quorum.

OPEN FORUM:

Rita Madison verified with Rachelle Vandiver that the clubhouse would be available next Wednesday for use by the Garden Club. Rachelle Vandiver said the clubhouse would be available and that the clubhouse renovation would not start until March or April. Shirley Thomas thanked the Board for all the support given to her and Gene. Brian West updated everyone on MODOT. MODOT has cleared out the trees and will be using check dams to hold back the mud. There may be sprinkler system damage because of signage that was not approved on the left side of the second Regatta island. MODOT will take care of any damage in the Spring when the system is turned on. The Association will receive the settlement money for Regatta on Wednesday. Shirley Thomas asked someone on the Board to follow up with Windemere and the city regarding a catch basin. Rachelle Vandiver will talk to Scott Edgar from the city.

CONSENT AGENDA:

Tom Tucek made a motion to approve the January minutes and payment of bills. Judy Schmoeger seconded the motion. The motion passed 8 to 0.

TREASURER'S FINANCIAL REPORT:

Brian West read the January Treasurer's report.

CONTENTS:

- Balance Sheet (E-mailed previous & current month)
- Income/Expense Statement (E-mailed previous & current month)
- Check Register

Budget Analysis

Bank account Balances as of January	
Bank of Lee's Summit-Check	\$ 50,000.00
Bank of Lee's Summit Sweep Acct.	\$227,392.28
<u>These include reserves for:</u>	
Operations	\$80,000
Dock Self Insurance	\$30,000
Dam & Valve	\$30,000
Raintree View	\$55,000

Roll over \$		\$33,561
Siltation Loan		(\$45,000)
Expenses for January	\$65,324.71	
Long-Term Debt	-	
Outstanding Dues/Fines a/o 1/31/10	\$ 94,999.42	Total Amount
1st Letter	\$ 16,336.40	
2nd Letter	\$ 18,180.71	
3rd Letter	\$ 9,726.02	
Balance Due Liens Filed:	\$ 50,756.29	
Income during January:		
Dues	\$48,803.95	
Other Income Total	\$17,101.83	

Brian West asked the Board what to do with the MODOT money? After a quick discussion it was decided to put the money into a Regatta Island reserve and show it on the monthly financial statement. The Treasurer's report was filed for audit.

BOARD ANNOUNCEMENTS:

The Board candidate bio's deadline is February 15. Brian West, Jeanne Smith and Bruce Kusgen are running for Class A. Bob Christian is running for Class B.

OLD BUSINESS:

LEGAL:

Joe Willerth has had no further contact with Bunk Farrington, Raintree Lake Corporation Attorney. There are two suits pending in Jackson County for approximately \$3400, and one in Cass County for \$1600. Joe Willerth has provided opinion letters regarding the proxy being discussed later in the evening.

POOL CONTRACTOR PROPOSALS:

The Board looked at bringing the pool management in house or continuing to use outside sources and the pros and cons of each at the last work session. The Board decided at that time to go with a new company as long as they could still honor the price. Some of the questions brought up were:

- Will the owner supplement the manager's insurance?
- What is sufficient personnel to operate the pool?
- Why does manager determine to either drain or drop the water level?
- The Saturday before Memorial Day should read "The Monday before Memorial Day".
- Why is this a multi-year contract versus a year-to-year contract?
- When is adult swim?
- What is the exact policy regarding closing the pool due to inclement weather? Will they reopen the pool later in the day when things clear up?
- Is it Missouri or Kansas where governing laws will apply? It should be Missouri although the company is based in Kansas.

The bid requirements will be attached to this contract. Rachele Vandiver will be meeting with an individual from the pool company on Wednesday and will get the questions above answered. Tim Kirkpatrick made a motion to approve up to \$64,770 for the pool contract with Blue Valley Pool Management pending the previously mentioned changes. Tom Tucek seconded the motion. The motion passed 8 to 0.

SAFARI AQUATIC'S PROPOSAL (VIRGINIA GRAEME BAKER ACT):

The Raintree pool has a couple items that need to be mitigated in order to be compliant. Tim Kirkpatrick made a motion to not exceed \$8,000 for Safari Aquatics to make the pool compliant with federal law. Tom Tucek seconded the motion. Rachele Vandiver will determine the costs of improvements from last year and back those numbers out. The motion passed 8 to 0.

CRC RECOMMENDATION:

Bob Christian briefed that the MEP drawings are ready for bid minus some minor amendments. Bob Christian is asking for up to \$7,500 for a complete set of construction drawings. The Board was copied on what was included for that price. Tim Nydegger made a motion to approve up to \$8,500 for the finished architectural bid document drawings. Tim Kirkpatrick seconded the motion. The drawings will be stamped. There is an additional cost of \$1,000 to assure code compliance because the architect is not responsible for code compliance. Another company will be working with the architect to assure that the clubhouse is code compliant. There was a discussion concerning the total cost of the clubhouse renovation, how to pay for the project if it goes over the budget and not doing the clubhouse renovation in small pieces but all at once. The "motion" passed 8 to 0.

REAL ESTATE SALE:

Tony Jose read the first two pages of an offer by Ira Roberts regarding the sale of real estate on the East side of Raintree. A contract was attached. The Board discussed the issue. The Board will discuss this in executive session.

NEW BUSINESS:

JAMES ENGLE CUSTOM HOMES APPEAL OF ARB FINE:

Ben Tarwater was present to appeal the fine and explained how they were led to believe that certain things were done. Tim Kirkpatrick made a motion to waive the fine. Judy Schmoeger seconded the motion. There was general discussion relating to how this could be avoided by builders in the future. Tom Tucek amended the motion to include if there are no further violations. Robert Dye seconded the motion. The amended motion passed 7 to 1. Tim Nydegger was opposed to the amended motion. The full motion reads that the fine is waived as long as there are no further violations. The motion passed 7 to 1. Tim Nydegger was opposed to the motion. Ben Tarwater asked several questions about paying dues and what constitutes a violation.

COPIER PROPOSALS:

Rachelle Vandiver asked to table this issue until the March Board meeting because of not having all the information she needs to make a decision.

ARB APPOINTMENT OF NEW MEMBER:

It was believed that Tom Atkins had volunteered to be the new member of ARB. Tom Atkins was not present at the Board meeting to verify it, so this issue was tabled.

CHARITABLE EVENT FOR CLUBHOUSE - HOPE HOUSE 5K:

Judy Schmoeger and her company, Anytime Fitness, is sponsoring a 5K run with Hope House as the beneficiary. She asked for the free use of the clubhouse on September 11, and expects 200- 400 runners/walkers. Judy Schmoeger answered questions from audience members and Board members. Tim Kirkpatrick made a motion to approve the use of the clubhouse, waive the fee, but include the usual deposit. David Mitchell seconded the motion. Tom Tucek amended the motion to the effect that there be a waiver of liability. Tim Nydegger seconded the amended motion. The amended motion passed 8 to 0. The full motion reads to waive the rental fee while including the deposit so long as each participant signs a waiver of liability. The motion passed 8 to 0.

SIDEWALK BETWEEN WINDEMERE AND RAINTREE:

Tony Jose asked the city if they would fund a sidewalk between Raintree and Windemere. The city can fund the sidewalk but needs a right-of-way to do it. The city also asked for a right-of-way for the connector street. There is enough common area for a street easement. The board and audience discussed this at great length. In the end the Board determined that they were not interested in the sidewalk easement.

PROXY BALLOT:

The Board discussed the 2010 proxy ballot and whether to wait until 2011 so a committee can be formed to work on the issues and then there will be more time to educate the residents on the issues. The Board talked about the cost of sending the proxy out, and the Garden Club volunteered to help stuff envelopes plus anything else to save money. The number of proposals to include on the ballot and the proposal questioning was also discussed. Tony Jose instructed the Board to rank each proposal by Thursday at midnight in order to get the proxy ballot on one side of the page.

Brian West made a motion to move to executive session. David Mitchell seconded the motion. The motion passed 8 to 0.

Tony Jose reconvened the regular Board meeting from executive session. Tim Kirkpatrick made a motion to adjourn from the Board meeting. Tim Nydegger seconded the motion. The motion passed 8 to 0. The Board meeting was adjourned at 10:04 p.m.

