

**WHISPERING LAKES ESTATES
HOA BOARD MEETING MINUTES
FIRESTATION #20 2255 S GREENWICH ROAD, WICHITA, KS 67207, AND VIA ZOOM**

Tuesday 04/12/2023

Call Meeting to Order

Meeting was called to order at 6:36 PM

Board Members Present: President – Sara Shaw; Vice President – Stephanie Avery; Arwa Armstrong – Member at Large; Juanita Norton- Member at Large.

Board Members Absent: Matt Tener – Secretary; Angie Hall- Treasurer

Other Attendees: Cody Beckendorf, Jeff Morris, Carolyn Morris, Dale Henley, Lynn Mowder, Nikki Shirley, Larissa Disque, Wyatt Disque, Samantha Richardson, Judd Evanson; Parker Armstrong

Guests: Alexia Richards – HOA Management Services

Approval of Agenda: An amendment was made for the potential addition of Lynn Mowder to the board. Stephanie made a motion to add, Arwa seconded, and the motion carried.

Approval of Previous Meeting Minutes: Stephanie made a motion to not approve minutes until edited, Juanita seconded, motion carried.

Financial Review: Stephanie made a motion to approve financial review and Juanita seconded, motion carried.

Committee Reports

Welcoming Committee - Nikki reported one new resident 1901 S Teakwood, WELCOME!

Pool Committee - Stephanie reported that Rob is on vacation for two weeks. The cover has been removed and three feet of water remain. A fan has been added to try and pull the liner back to the wall. There are algae growing and a tremendous amount of dirt and debris which has blown in once the cover was removed. The leak has to be above the drain and somewhere between the water line and points above. Rob will be back by the end of April.

Community Development - Arwa gave the update of a recent a sports day, with 23 April as a neighborhood volleyball game along with kickball. There is hoped to eventually have a neighborhood library placed somewhere along the lake. No new committee members at this time.

Maintenance Committee - No report for maintenance committee which is looking for members. Stephanie reported that Manny (irrigation guy) reported the pump is out in the south pond and a replacement is \$1200 with \$185 for swapping the old pump with the new. Along the east pond there are 5 broken zones with materials being \$750 and labor of \$800 as an estimate. The neighborhood entry flower beds are also inoperative and must be manually operated. However, all the wiring for the flower beds is through resident yards. The pump was under warranty last year but has broken again in less than a year and the company which conducted maintenance previously is uncooperative to replace the pump. Stephanie motioned to approve cost and move forward with repair with Arwa seconded motion. Motion carried. Randy Loy brought forth a recommendation to have the well assessed to make sure it hasn't gone dry prior to installation of a new system to insure it won't burn up again. Stephanie reported the cost to fix the 5 broken zones on the East Pond. Stephanie made motion to fix 5 zones, at \$1550, Lynn Mowder seconded. Committee approved.

Old Business

Pool Access Desire to change the pool locking system on pool access. Want to add the slam system which automatically closes the door upon entry and exit, requiring a code to get in and out. The current bid to fix the locking system is \$2258.98. A concern came up about liability related to individuals who get locked in the pool. The system used is similar to other locking systems in comparable neighborhoods. Stephanie motioned to approve the cost of replacing the gate lock and Juanita seconded it. The motion carried. Nikki brought forward discussion of whether the committee should evaluate the integrity of the pool.

Pool Leak Covered during committee report (see above)

Lawn Care Provider Dragonfly was previously approved. They have already come out to mow once and they come every other week. Multiple reports that they did good work but if there are issues while mowing, respectfully bring it to the worker's attention. If damage or any other concerns are evident following their work, bring it to the attention of the board.

New Business

Amending the covenants to disallow the use of short-term rentals. Current writing is interpreted to allow for short-term rentals. The new covenants would prevent future property owners in the community from having short-term rentals such as Airbnb. The covenants are in the process of being amended and the committee would like changes to be added which specifically address vacation short-term rentals with the desire that these changes be added as soon as possible. There was discussion between Nikki and the board discussing how to proceed with these and future changes. Alexia reported on the work the HOA attorney has already started and the topic is being introduced at this meeting for further discussion at subsequent meetings. Covenants were reviewed from several other HOAs to view their arrangement in order to find the most appropriate verbiage. There was a tremendous amount of discussion on adequate situations for rentals, and the inclusion of other amendments to address concerns from the neighborhood. Sara will work with Nikki on the covenant changes include the board on communications related to the topic.

Open Floor for Residents:

Lynn provided an update on the south pond and the representative for the Kansas Department of Agriculture, Cameron Connut (?) provided only the option of permits or capping the existing wells. Continued unmetered operation without permits will result in more severe penalties. There remains more information to be gathered on whether all 4 wells within the neighborhood would require permitting or if it simply applies to the larger ones which cover the ponds and provide irrigation for the common areas. The estimated cost for full compliance is \$200-\$300 to permit the wells, plus \$400 for the assessment of the wells to make the determination on the water requirements, and \$2000 (each) to get the meters put on each well (meter and labor). There was discussion as to whether developers who allowed the wells to be dug without permits are responsible. However, the common areas were gifted to the neighborhood, rendering the developers no longer liable. Stephanie made a motion to approve moving forward with getting the permits and the assessments for the wells (3 total) and possibly for the pool area (1 additional). Juanita seconded the motion with the motion carrying. The board tabled the business of getting the meters installed until a later meeting.

Arwa introduced the idea of a community playground or park. She is looking into the cost and development of a playground. Will report back to the board at a later meeting.

Parker made a point regarding trash in the empty lots and Lynn reported the trash had been picked up by the builders in preparation for the Parade of Homes.

Stephanie reported that the tree near the pool had been trimmed but the branches had not yet been cleaned up.

Reminder for Bulk Trash cleanup 13 April!

Dale introduced the topic of increasing dues. Sara noted that it will be discussed in executive session. Nikki reported that the lag in increase was related to an excess of funds that did not necessitate increasing the fees.

Nikki asked about the new patio-homes being built and wanted more information. The board referred Nikki to the builder.

Jeff introduced the topic of erosion of the south pond, possibly adding landscaping and other ground cover to prevent erosion. Stephanie reported a future endeavor to put rip rap around the pond once the issues regarding the pond have been settled. There is a current bid of \$42,000 to complete the total work for the rip rap. Lynn spoke with another realtor about the current situation of the south pond and the possibility of litigating the "false advertising" between the realtor and also the developer. No fees or expectation of success were given Sara also spoke to a realtor who said we could take the issue to the ethics committee and then use their decision for the litigation to possibly follow. Dale reemphasized the fact that none of the ponds were listed as retention ponds during the property advertisement.

Parker added the concern about financial decisions to be made within the neighborhood and whether modifications of HOA dues should provide trash service as an example where money can be reallocated. The board and committee discussed pros and cons of the various options to address the state of the south pond and other areas within the community. Samantha introduced the option of a possible loan to fix the south pond.

Executive Session: Began at 7:50 PM and was concluded at 8:01 PM

Adjourn: Motion was made to adjourn meeting at 8:02

Next Meeting: 16 May 11, 2023

Matt Tener
Secretary, Board of Directors