

**Ryan's Run Homes Association**  
**Board of Directors Meeting**  
**Meeting Minutes**  
**January 5, 2022**

The Ryan's Run Homes Association's Board of Directors (BOD) met at 7:00pm on January 5, 2022. The meeting was implemented via a Zoom meeting. All but two of the seven Directors were present online, which satisfied quorum requirements. The agenda for the meeting is attached for information purposes.

An activity log of actions performed by the Board that have occurred since the first of the 2021 is also attached for information purposes. This log is attached so that the membership can see some of the detailed activities by the Board since the last Board meeting.

1. The first order of business was to review and approve the Meeting Minutes for the Board of Directors Meeting held on November 17, 2021. No updates to the minutes were noted. Thus, the Board unanimously approved the minutes as is.
2. The next order of business was the Treasury report. Myra Schraeder reported that the Association's current balance is \$345.25. Since the last Treasurer's report, which reported a balance of \$536.75, expenses of \$191.50 have occurred due to the Association providing veggie/goody trays and appetizers for the Annual Christmas Gathering. It was also noted that donations in the amount of \$544.00 were collected at the Annual Christmas Gathering for the Victory Soccer Camp, a non-profit organization operated by our neighbors, Goran and Gina Hunjak.
3. The third order of business was to review the status of the three committees. Committee reports were as follows:
  - Restrictions Committee:
    - ✓ No committee activities were noted.
  - Architectural Committee:
    - ✓ No committee activities were noted.
  - Public Relations Committee:
    - ✓ Newsletter – The bi-annual Newsletter was finalized, distributed to the membership, and posted to the Association website on 112121. We wish to thank everyone for their input and help in producing the Newsletter.
    - ✓ Annual Christmas Gathering – Mike O'Neal reported that the Annual Christmas Gathering, held on December 4<sup>th</sup> at Tanners from 6 – 9 PM, was a great success. Everyone enjoyed the event with approximately 30-35 people attending. Monty recommended that we may want to consider having a sign up for future events. We should consider this for the 2022 Summer Social. We want to thank everyone who also contributed/donated to the Victory Soccer Camp, a non-profit organization. This organization provides a positive

impact on our children and community. A special thanks also goes out to everyone who helped plan this neighborhood event.

- ✓ Annual Neighborhood Garage Sale – The Board had general discussions about a neighborhood garage sale. It is envisioned that the garage sale would be held in April and that a subcommittee would be formed to further plan and implement the activity. Mike mentioned that Brian Kramer's wife, Darcie, is interested in either being the Chairperson or working on the committee. George and Sara McMillen also have some experience with Garage Sale events of the past. Monty indicated this could become a sub-committee to the Public Relations Committee. Participation will be up to individual members. Mike indicated we may want to have 3 reusable banners created to place at entry points of the neighborhood.
- 4. The next order of business was the legal assistance review of the Association's By-laws and Restrictions.
  - Monty Nigus had prepared a draft proposal request letter for the Board's review. The basis of the letter incorporates the Legal Assistance Subcommittee's Action Plan Summary previously approved by the Board, which evaluated the attorney's observations and recommendations performed as part of Task 1 activities. The letter outlines Task 2 activities for our attorney to perform and requests a proposal (cost and schedule) by the end of January 2022. The Task 2 activities represent ongoing work by our attorney in assisting with the review of the Association's By-laws and Restrictions. Each Task 2 activity was reviewed and discussed by the Board with a few minor changes to be made to the draft letter.
  - It was agreed by the Board that Monty would finalize and mail the proposal request letter.
- 5. The fifth order of business was to plan and implement the upcoming Annual Membership Meeting.
  - Monty Nigus had prepared a draft agenda and slide presentation for the Annual Membership Meeting to be held at 6:00pm on Sunday, January 9, 2022. The meeting will be conducted via zoom. The Board reviewed and discussed the draft agenda and slide presentation. The following are some of the major items discussed.
    - ✓ During the welcoming of the membership, it was suggested that Goran Hunjak might want the opportunity to provide his special thanks to everyone who contributed/donated to his non-profit Victory Soccer Camp organization during the Christmas season, and for everyone's condolences due to his wife's (Gina's) recent passing. Gina was a wonderful person and will be deeply missed. Please keep her, Goran, and their family in your prayers. Monty Nigus will contact Goran to see if this is something he might want to do.
    - ✓ Need to take a headcount at the beginning of the meeting. Myra indicated she would make a record of the number of participants and that we could also record the meeting via Zoom.
    - ✓ The other major item discussed concerned assessments. Our current operating fund balance is getting low (\$345.25), and the Association has some

significant cost items coming up in 2022. The Board discussed what our estimated costs might be this year, both reoccurring and one-time special costs. The Board decided the following for estimated costs:

- Reoccurring (2022):
  - Association Fees: \$40.00
  - Website Fees: \$150.00
  - Summer Social: \$400.00
  - Christmas Gathering: \$400.00
  - Neighborhood Garage Sale: \$500.00
  - Miscellaneous: \$300.00
- One-time (2022):
  - Detailed Legal Review: \$3,000.00
  - Incorporation of Legal Language: \$1,500.00
- Total (2022): \$6,290.00

Based on an estimated 2022 cost of \$6,290.00, the Board decided to recommend to the membership a one-time special assessment of \$150/homeowner. This level of assessment would raise \$6,300.00. With a current balance of \$345.25, we would have \$6,645.25 available to cover our 2022 costs. If our costs end up being more, the Board will have to go back to the membership to raise additional monies. In the meantime, the Board will work on preparing a process for levying and collecting assessments for incorporation into the Association's documents for membership consideration and approval at the next annual membership meeting in January 2023.

- ✓ At the Annual Membership meeting, a motion will be made to "Levy/Collect a One-Time Assessment of \$150.00/Homeowner by March 1, 2022". A vote by the membership would be conducted. Regardless, monies need to be raised for the Association's operating fund to conduct business during 2022.
- 6. The last order of business was to establish the date and time of the next Board Meeting. Per Article 6.1 of the By-laws, the annual meeting of the Board of Directors shall be held following the Annual Membership Meeting. The Board had previously decided to hold this meeting at 7:00pm on January 12, 2022. This meeting will be conducted via zoom.

Attachments:

- Agenda
- Ryan's Run Homes Association Activity Log

Prepared: Jim Wirt, Secretary/Monty Nigus, President

Ryan's Run Homes Association  
Board of Directors Meeting  
January 5, 2022  
7:00 pm  
Via Zoom

## AGENDA

1. Approval of Board of Directors Meeting Minutes – 211117
2. Treasury Report
  - a. Current Balance/Transactions.
3. Committees
  - a. Restrictions
    - i. Any Updates?
  - b. Architectural
    - i. Any Updates?
  - c. Public Relations
    - i. Annual Christmas Party Results.
4. By-Laws/Restrictions
  - a. Review/Discuss/Approve Legal Assistance Proposal Request Letter for Task 2 Scope of Services.
5. Annual Meeting (January 9, 2022)
  - a. Review Draft Agenda
  - b. Plan Annual Meeting Implementation
6. Next Scheduled Board Meeting – January 12, 2022.

### **Zoom Information**

Topic: Ryan's Run HOA Bd Zoom Meeting  
Time: Jan 5, 2022 07:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://clcop.zoom.us/j/88078279428?pwd=bThxWG5iZXkrNU9oZlIPdkpsTnAvdz09>

Meeting ID: 880 7827 9428

Passcode: 145409

# Ryan's Run Homes Association Activity Log

January 2021:

- 210103: Held 2021 Annual Meeting via zoom meeting.
- 210105: Prepared and distributed Annual Meeting minutes.
- 210105 – 210107: Coordinated “pre-blast surveys” with homeowners, Morgan Construction Services, Inc., and City of Overland Park Fire Marshall, including the inclusion of interior “pre-blast surveys”.
- 210107: Held First Board of Directors Meeting via zoom meeting.
- 210107: Jim Wirt/Kim Popp initiated development of website and logo.
- 210107: Peter Dietrich provided the name of a lawyer/law firm who might be interested in representing Ryan's Run.
- 210107 – 210112: Prepared for City of Overland Park Board of Zoning and Appeals public hearing scheduled for January 12<sup>th</sup> for Kangas variance by developing a slide presentation.
- 210109: Distributed Ryan's Run Homes Association documentation to membership.
- 210109: Distributed copy of earlier version of assessment amendment to Directors for use in developing options for possible assessments for the Association.
- 210110: Mya initiated development of Nextdoor with the membership.
- 210112: Prepared and distributed BOD Meeting minutes.
- 210112: City of Overland Park advised that Kangas withdrew his variance application.
- 210114: Received estimated blasting schedule from the blasting contractor The Pexco Company, LLC and distributed to homeowners.
- 210116: Myra completed the transfer of Treasurer information from Tom Cason to her and the signatory on account at the bank. Myra is now our new Treasurer for the Ryan's Run Homes Association.
- 210120: Sent informational email to membership concerning the US 69 Expansion Project.
- 210120: Watched/Listened to the last 45 minutes of the US 69 Expansion Project live virtual meeting.
- 210123: Sent email to Jesse Kangas about offering to meet with him about helping him plan his detached structure.
- 210125: Sent text to Jesse Kangas about offering to meet with him about helping him plan his detached structure.
- 210126: Spoke with Chris Kurtz about legal services for the RRHA. He advised this would be fine, and that he would mainly get involved in enforcing by-laws and restrictions. I advised I would get back to him after discussing with the board.
- 210129: Spoke with Stan Woodward about legal services for the RRHA. He advised this would be fine, and that he would mainly get involved in developing and

amending by-laws, restrictions, etc. I advised I would get back to him after discussing with the board.

- 210129: Called Jess Kangas about offering to meet with him about helping him plan his detached structure. Got no answer, so left a message for him to call me back. Jesse called me back and said he was not interested in meeting with us. He did not mention anything about status of a building.
- 210129: Sent email to Danielle at the City about notification of an HOA during the building permit issuance process. She advised that the City advises folks to check with their HOA, but the City does not hold up a building permit without knowledge of the HOA review.
- 210120: Coordinated information before and after the **first** blast at the Wilshire Hills development. The blast registered 0.239"/sec which is less than the 1.0"/sec limit.

February 2021:

- 210201: Coordinated questions and answers with the City of Overland Park Fire Marshal and the blasting Contractor concerning the impact of the blast that occurred on January 29<sup>th</sup>.
- 210201: Coordinated information before and after the **second** blast at the Wilshire Hills development. The blast registered 0.312"/sec which is less than the 1.0"/sec limit.
- 210203: Advised neighborhood that the sound heard and felt around 8:45am was not a blast from the Wilshire Hills development. The City of Overland Park Fire Marshal called me and advised that they are looking into what caused that event. To date, it has not been determined. Most believe it was a sonic boom.
- 210203: Coordinated information before and after the **third** blast at the Wilshire Hills development. The blast registered 0.318"/sec which is less than the 1.0"/sec limit.
- 210205: Coordinated information before and after the **fourth** blast at the Wilshire Hills development. The blast registered 0.219"/sec which is less than the 1.0"/sec limit.
- 210210: Advised City again of my contact information representing the Ryan's Run Homes Association for their record.
- 210216: Emailed Michelle Saporito about serving on the Public Relations Committee. She accepted.

#### **Above Activities Included with 210217 Board Meeting Minutes**

- 210217: Held second Board Meeting of the year via zoom. All but one board member was present.
- 210218: Mike O'Neal advised that Joe and Karen Hilboldt volunteered to serve on the Public Relations Committee. This committee is now complete and will meet in April to start planning for the newsletter and annual mid-year neighborhood get-together.
- 210220: Jim Wirt and I prepared and distributed the 210217 Board Meeting Minutes.

- 210223: Contacted Chris Kurtz about providing legal services to our Association relative to review and enforcement of our Bylaws and Restrictions. Chris responded back on 210225 that there was a conflict of interest and that he could not provide such services. Chris did provide three, recommended attorneys for our consideration. I advised the Board of this situation, recommending that we proceed with screening the three attorneys. By 210227, all Board members agreed to proceed in this manner.
- 210224: Coordinated information before and after the **fifth** blast at the Wilshire Hills development. The blast registered 0.189"/sec which is less than the 1.0"/sec limit.
- 210226: Coordinated information before and after the **sixth** blast at the Wilshire Hills development. The blast registered 0.245"/sec which is less than the 1.0"/sec limit.
- 210227: Notified the Public Relations Committee that Irene Page had a mini-stroke and is in the hospital. The PR Committee initiated follow-up activities to neighborhood support as deemed appropriate.
- 210301: Contacted Lyle Pishny via email about the list of recommended attorneys provided by Chris Kurtz. He advised via telephone that he suggests contacting them in reverse order (Hoffman, McFarland, Ridgway). I will proceed in that manner.
- 210302: Coordinated information before and after the **seventh** blast at the Wilshire Hills development. The blast registered 0.189"/sec which is less than the 1.0"/sec limit.
- 210302: Made initial contact with Rod Hoffman concerning providing legal services for the Association. Will follow-up with the Board as to whether to pursue his services.
- 210304: Coordinated information before and after the **eighth** blast at the Wilshire Hills development. The blast registered 0.169"/sec which is less than the 1.0"/sec limit.
- 210308: Coordinated information before and after the **ninth** blast at the Wilshire Hills development. The blast registered 0.151"/sec which is less than the 1.0"/sec limit.
- 210323: Made initial contact with Mark McFarland concerning providing legal services for the Association. Will follow-up with the Board as to whether to pursue his services. Mark's direct line is 913-549-1105 and email is [mmcfarland@hinklaw.com](mailto:mmcfarland@hinklaw.com).
- 210323: Contacted Josh Woolard about serving on either the Architectural Committee or the Restrictions Committee. Josh advised that he would be willing to serve on the Architectural Committee. Josh, along with Brian Kramer and John Baker, now completes this committee.

#### **Above Activities Included with 210325 Board Meeting Minutes**

- 210325: Held third Board Meeting of the year via zoom. All but one board member was present.
- 210327: Myra Schraeder reached out to the membership via NextDoor to solicit comments and input for the new Association website.
- 210328: Jim Wirt and I prepared and distributed the 210325 Board Meeting Minutes.

- 210407: Contacted Pexco, the blasting company for the Wilshire Hills Development. They advised that the blasting work is now complete. Notified the membership of this activity completion.
- 210414: Emailed Jeff Ashner of Wilshire Hills Development to confirm that no more blasting will be required on the project, including the second plat. Jeff called me on April 22<sup>nd</sup> in response to confirm that is the case. Any rock removal, if required, moving forward will be accomplished with a rock hammer, not blasting. If for some reason blasting is required, he will let us know.
- 210423: Drafted legal assistance letter and distributed it to the Board for review and comment.
- 210501: Public Relations Committee held a meeting to discuss/formalize details for the annual social event and newsletter publication. A memo was produced summarizing the meeting results, which was provided to the Board for their review and input.
- 210504: Called Attorney Mark McFarland about the possibility of providing legal assistance to the Association. He was okay with that. Hand-delivered our legal assistance letter to Mark. He will review, call if he has questions, and provide estimated costs/schedule per the information requested in our letter.
- 210504: Reached out to Ron Millard about serving on the Restrictions Committee. He graciously accepted the role. We still have one position on the Restrictions Committee to fill. Once this is done, we will have all Board and Committee positions filled.

#### **Above Activities Included with 210505 Board Meeting Minutes**

- 210505: Held fourth Board Meeting of the year via zoom. All Board members were present.
- 210510: Advised membership that the Santa Maria's are getting some driveway (concrete) work done and that there will be some truck/equipment traffic through their gate leading to their property at the end of 170<sup>th</sup>. This activity is not related to the Wilshire Hills Development. Wilshire Hills continues to upon their agreement of not using this entrance until they start the second phase of their development.
- 210512: Received an email from Mark McFarland which provided his proposal to perform Task 1 of our proposal request letter. He would need 2 man-hours and \$700 to complete Task 1.
- 210513: Received letter from City of Overland Park concerning a public information meeting about the expansion of 167<sup>th</sup> Street between Switzer and Antioch Roads. Presumably, all homeowners got this letter and are already notified of the meeting if they wish to attend.
- 210517: Jim Wirt and I prepared and distributed the 210505 Board Meeting Minutes.
- 210521: Public Relations Committee prepared and published the May 2021 newsletter. Electronic and hard-copy versions of the newsletter were distributed.

- 210521: Formally launched the Ryan's Run website to the membership. Jim/Kim Wirt and Myra Schraeder were the leaders in this effort.
- 210523: Myra Schraeder advised that her husband, Tom, is willing to serve on the Restrictions Committee. Steve Grier, chairman of the committee, will reach out to him and welcome him to the committee. Tom's filling this position now completes all positions for the Board and Committees.
- 210603: Wendy Krause, Mike O'Neal, and I discussed the possibility of the Kona Ice truck participating in the Annual So Gathering. This idea was brought up at the last Board Meeting, and Wendy was asked to obtain information/costs about their service. Wendy obtained this information, and the three of us decided that we should decline their service for this initial Gathering based on cost and not knowing what the attendance (turnout) might be. It was further noted that after this initial Gathering that we would have a better idea on how to plan future Gatherings such that these types of services could be provided.
- 210603: Sent out an email to the membership reminding them to RSVP for the Annual Summer Gathering.
- 210604: Sent an invite to the Pishny's for the Annual Summer Gathering.
- 210604: Advised our attorney via email, Mark McFarland, that we should be able to give him a notice-to-proceed for Task 1 within the next couple of weeks.
- 210610: Myra Schraeder developed simple deposit and expense forms for the Association. These forms will be added to the website by Kim/Jim Wirt for everyone's use in the future.
- 210613: Held the 2021 Annual Summer Gathering at the Joe/Karen Hilboldt's home. A good time was had by all.
- 210622: Sent an email to Jeff Ashner of the Wilshire Hills Development construction project advising that there are three dead trees along our shared property line that may impact a couple of Ryan's Run homeowner's property. Also, advised that airborne dirt and sawdust from the debris grinding process from their land clearing process is collecting in a Ryan's Run homeowner's swimming pool.
- 210624: Left voice mail with Mark McFarland, our attorney for the Task 1 review concerning how he was going to treat the review of our existing restrictions. It would be good to get his initial feedback on this from the review where the Johnson County regulations govern our area. The attorney has not returned my call.

#### **Above Activities Included with 210624 Board Meeting Status Report Memo**

- 210624: Held fifth Board Meeting of the year via zoom. Only two Board members were present, which was not a quorum, and official Board business could not be performed. Since the meeting was going to be mainly informational with no input or decisions by the Board, it was decided just to publish a Status Report documenting some of the informational items.

- 210630: Wendy Krause advised that Tim and she will be hosting a Meet and Greet party for Dr. Faris Farassati, who is running for Overland Park Mayor, on July 18th at their home from 6:30-8:30 pm. The purpose of the party will be to hear Faris' platform and ask questions. Jeff Cox, who is running for Overland Park City Council - Ward 6 (that is our Ward), will also be there to provide his perspective on City matters and be available for questions. This will be a great opportunity for fellowship, attaining information, and thanking Faris for his encouragement to our neighborhood. Wendy sent an email invite out to the membership and other Ryan's Run friends about this Meet and Greet party.
- 210705-210710: Received emails, text messages, and phone calls from a Ryan's Run resident, who advised that significant fireworks on the evening of July 4<sup>th</sup> were shot off near and over his property from an adjacent homeowner's property. Noise pollution was also an issue with blaring music from large outdoor speakers. The resident provided a photo of some of the firework's debris that was collected from his roof, deck, and yard areas. The resident was terribly upset about the impact to his property and noted that the neighbor's celebration exceeded normal expectations for a July 4<sup>th</sup> celebration. The impacted resident asked if fireworks were legal in Ryan's Run or the City. Monty Nigus advised that he did not believe the restrictions mention fireworks, but the City and County both ban fireworks. Monty provided the resident with links to each entity's website, where the fireworks issue is defined. The resident advised that, if this happens again to this magnitude, he will be calling the Overland Park police.

Discussed this event with the Board of Directors to see if we should issue a note to the membership advising them to keep their adjacent neighbors in mind when planning celebrations on their property and that communications with adjacent neighbors is always good to assure no misunderstandings when it comes to avoiding any celebration impacts. The feedback from the Board was somewhat variable on this matter; thus, it was decided not to issue a note to the membership. This will be a topic of further discussion at future Board Meetings to determine if any follow-up action is necessary.

- 210712: Monty Nigus prepared and distributed a Status Report for the 210624 Board Meeting.
- 210712: Wendy Krause advised that Jim and Mary Grant have moved to the Waldo area and that they wish to have names and contact information removed from the Ryan's Run distribution list.
- 210725: Prepared and issued a Notice-to-Proceed letter to Mark McFarland for the implementation of Task 1 for the review of and recommendations for revising/updating the Ryan's Run Homes Association legal documents.
- 210727: Received Mark McFarland's initial review comments per Task 1 of our proposal request letter concerning the Ryan's Run Homes Association legal documents. Distributed the comments to the Board members for their use in preparing for the next Board Meeting to be held on September 9<sup>th</sup>, where these comments will be discussed.

- 210815: Prepared a summary of our attorney's initial review comments per Task 1 and distributed to the Board Members for their use in upcoming Board Meeting on September 9<sup>th</sup>.
- 210823: Through various emails, obtained the Board's approval to pay our attorney for his Task 1 initial review work. The Board voted 7-0 in favor of payment.
- 210825: Transmitted our attorney's payment via regular mail.

#### **Above Activities Included with 210909 Board Meeting Minutes**

- 210909: Held sixth Board Meeting of the year via zoom. All Board members, but one, were present.
- 210913: Legal Assistance Subcommittee met to review attorney's (Mark McFarland's) observations and recommendations and provide an action plan for the Board of Directors concerning the current Association legal documents.
- 211021: Public Relations Committee met to discuss/plan the next Association Newsletter, Christmas Party, and other items pertaining to the committee's responsibilities.
- 211027: Jim Wirt and I prepared and distributed the 210909 Board Meeting Minutes.
- 211103: I introduced myself to Ryan Craig. The Craig's (Ryan and Sarah) have purchased the Jim and Mary Grant's home. Forwarded via email the Association's website address, so that the Craig's can view/download the Associations legal documents for their info and files.
- 211103: Downloaded a copy of the Kansas Uniform Common Interest Owners Bill of Rights Act and posted it to the Association's website for reference purposes.
- 211105: Prepared a draft of an amendment to the Ryan's Run Homes Association Declaration dealing with levying and collecting assessments and distributed it to the Board of Directors for discussion purposes and approval for submitting to the membership for input. (This draft is the amendment produced several years which failed to be incorporated into the legal documents.)
- 211105: Legal Assistance Subcommittee prepared an action plan summary and distributed it to the Board of Directors for discussion purposes and approval at the next Board Meeting for solicitation of attorney's proposal to perform Task 2 work activities.
- 211111: Provided initial input to the bi-annual Association Newsletter. The Newsletter will be finalized after input from the Board of Directors Meeting scheduled for 111721.
- 211113: Prepared an agenda for the next Board of Directors Meeting and distributed to the Board members.

#### **Above Activities Included with 211117 Board Meeting Minutes**

- 211117: Held seventh Board Meeting of the year via zoom. All Board members were present.
- 211121: Public Relations Committee planned and distributed the November 2021 Newsletter. The newsletter was posted to the Association's website.
- 211204: Public Relations Committee planned and held the Annual Christmas Gathering on December 4<sup>th</sup> at Tanner's near 143rd and Metcalf. The gathering was well attended.
- 211220: Jim Wirt and I prepared and distributed the 211117 Board Meeting Minutes to the Board Members. The minutes were posted to the Association's website.
- 211220: Kim Wirt posted to the Association's website the meeting information for the upcoming Annual Membership Meeting to be held on January 9<sup>th</sup>.
- 220103: Prepared a draft agenda and power point presentation for the upcoming Annual Membership Meeting for Board review.
- 220103: Prepared a draft legal assistance proposal request letter for Task 2 services for Board review and approval.
- 220104: Prepared an agenda for the next Board of Directors Meeting on January 5, 2022, and distributed to the Board members.