



## **Ryan's Run Homes Association Board of Directors Meeting Meeting Minutes April 5, 2023**

The Ryan's Run Homes Association's Board of Directors (BOD) met at 7:00pm on April 5, 2023. The meeting was face-to-face. Five of the seven Directors were present, which fulfilled 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 2023 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 the Treasurer's report. Terri Gabler, our Treasurer, was not able to attend the meeting. However, Monty Nigus had spoken with Terri before the meeting, and she advised him that the current balance is still \$2,421.46. She also noted that some expenses have accumulated, but not yet recorded as noted at the last Board meeting. These expenses include costs for the Association's email address and website domain, annual registration of the Association with the State of Kansas, and revising the Association's registered agent. Terri also noted that the Treasurer responsibilities and records still need to be transferred from Myra Schraeder, the previous Treasurer, to her. This transfer should occur in the near future as soon as Myra and her can coordinate a time.
  
2. The second 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 related to homeowner architectural review needs.
    - ✓ Entrance Monuments/Signs Planning.
      - At the last Board meeting, it was determined that the Architectural Committee will lead the planning for possible entrance monuments/signs for the neighborhood. Monty Nigus had spoken to one of the homeowners, where a new monument/sign might be located. The homeowner was somewhat receptive to the idea, but had several questions and needed to see more details.



- The Architectural Committee will continue to move forward with the planning. Monty Nigus presented a simple sketch of a possible typical entrance monument/sign arrangement. This arrangement included a vertical slab of rock with the Ryan's Run logo, as shown at the top of this page, illustrated on it. This sketch only represents a possible idea of what a monument or sign could look like. A general discussion of entrance monuments/signs followed. It was noted that the 167<sup>th</sup> Street Improvements would probably not be completed until the end of 2024. Thus, entrance monuments/signs probably would not be installed until 2025, which gives the Association ample time in which to perform its planning and get membership approvals.
- Public Relations Committee:
  - ✓ Annual Neighborhood Garage Sale – The neighborhood garage sale will be held from Thursday, April 27<sup>th</sup> through Saturday, April 29<sup>th</sup>. Michelle Saporito has already sent out a notification to the membership concerning the sale and has coordinated with Darcie Kramer about planning the event. Information concerning respective neighbor garage sales needs to be submitted to Darcie by April 19<sup>th</sup> for inclusion in advertisements for the sale.
  - ✓ May 2023 Newsletter – The Board noted that the 2023 Newsletter should be published about one month before the Annual Summer Gathering. Thus, publishing and distributing should occur around May 14<sup>th</sup>. Michelle requested that an electronic version of a previous newsletter be sent to her so that she can use it as a template. Monty Nigus noted that we should probably distribute both hard and electronic copies of the newsletter to the membership.
  - ✓ Annual Summer Gathering – The Annual Summer Gathering will be held on Sunday, June 11<sup>th</sup>. The Public Relations Committee will continue planning for this event. One important item for this event is where it will be held. The Committee will look into this matter and resolve it prior to the issuance of the newsletter.
  - ✓ Update Website - Because of recent changes to the Association have occurred, our website needs updating (i.e., new Board Members, revised Committee members, assessments approved, etc.). Monty Nigus has started a markup of the website revisions and will coordinate with Kim Wirt to incorporate the revisions into the website.

3. The next order of business was activities associated the Association's By-laws and Restrictions.



- Assessment Amendment Status – Monty Nigus advised that the execution of the amendment was proceeding. Currently, thirty-two homeowners have signed, which is sufficient (a majority of the homeowners) for execution of the document according to our Declarations. Monty noted that he would contact the remaining homeowners to get their signatures, but would conclude this activity by April 14<sup>th</sup>. He would then get the document registered with the State of Kansas.
- Registered Agent – Monty Nigus advised that he had completed changing the Registered Agent of the Association. As noted in earlier meetings, Lyle Pishny wished to step down as our Registered Agent. Monty now fulfills this role. The change document was posted to our website for reference.

4. The last order of business was to establish the date and time of the next Board Meeting. The Board decided to determine the next Board meeting later this year as the need arises. Minor issues/items will be handled via email.

Attachments:

- Agenda
- Ryan's Run Homes Association Activity Log

Prepared By: Monty Nigus, President



Ryan's Run Homes Association  
Board of Directors Meeting  
April 5, 2023  
7:00 pm  
Monty Nigus' Garage (16795 Grandview Street)

## AGENDA

1. Treasury Report
  - a. Current Balance/Transactions.
2. Committees
  - a. Restrictions.
  - b. Architectural.
    - i. Entrance Signs Planning.
  - c. Public Relations.
    - i. Annual Neighborhood Garage Sale.
    - ii. May 2023 Newsletter.
    - iii. Annual Summer Gathering.
    - iv. Update Website.
3. By-Laws/Restrictions
  - a. Assessment Amendment Status.
  - b. Registered Agent.
4. Schedule Next Board Meeting



## Ryan's Run Homes Association Activity Log (2023)

January 2023:

- 230109: Sent another email to our attorney concerning payment of his last invoice. He had not responded to our letter and voice mail concerning our comments to this invoice. Mark McFarland, our attorney, followed up with an email response and advised that he will write-off the invoice since he had not provided an estimated cost up front concerning responding to our additional clarification questions to Task 2 items.
- 230111: Met the new people who have purchased the Maggio home. The new people are Nick and Tabitha Severin. I got their telephone and email info for the Association contact list. I also provided the Association's website info so that they can view what has been going on with the Association, as well as, getting access to the Association's legal documents. Nick will let me know if he needs a hard copy of the documents.
- 230112: Received via regular mail on Order Approving Eminent Domain Petition and Appointing Appraisers. Apparently, the City is still having issues with Kansas City Power & Light regarding the 167<sup>th</sup> Street Improvements. All other entities have settled with the City. This Order does not affect the Association directly; thus, it is for our information.
- 230113: Spoke with Ryan Craig about volunteering as a Board member. He agreed and had already spoken with Myra Schraeder about this. He will be added to the slate of Board members for approval by the membership at the upcoming Annual Membership Meeting
- 230115: Prepared an agenda for the 011623 Board of Directors Meeting and distributed it to the Board members.
- 230115: Prepared a draft amendment to the Ryan's Run Homes Association Declaration to incorporate assessments.

### **Above Activities Included with 230116 Board Meeting Minutes**

- 230116: Held **first** Board Meeting of 2023 via zoom. Six of the seven Board members were present, which still represented a quorum for the meeting.
- 230119: Spoke with Terri Gabler about volunteering as a Board member. She agreed and will be added to the slate of Board members for approval by the membership at the upcoming Annual Membership Meeting.
- 230119: Lyle Pishny called me to discuss changing the Register Agent for the RRHA. Basically, there is a form on the Kansas Secretary of State website that can be used to do this electronically. The Board will take care of the paperwork. We also



briefly discussed the past draft amendment to our Declaration document for incorporating assessments/dues. He remembered preparing the draft document back in 2004. We discussed briefly whether the amendment should be to the Declaration document or one of other documents, such as our By-Laws. He thought it should be to the Declaration document, which is how the draft amendment is written. Also, when quizzed about amending the Declaration, which states that it would only take a majority of the Lot owners, he was not sure about that. Thus, there are some questions to be answered.

- 230121: Michelle Saporito advised the new owners of the Hanson house just closed on Wednesday, January 18<sup>th</sup>. She has met them and given them information about our website such that they can view and learn about the neighborhood. Their names are Johanna and Keith Wilkinson.
- 230121: Sent out a reminder email to the membership about the upcoming Annual Membership Meeting on February 5<sup>th</sup> via zoom meeting.
- 230126: The Wilkinson's are proposing to install a 4-foot ornamental fence in their back yard. They provided Steve Grier with a layout of the fence. Steve and I reviewed the layout and fence details and determined it was within the RRHA restrictions. Thus, it was approved.
- 230127: Prepared a final draft of the amendment to the Declarations concerning assessments and a draft of a slide deck for the Annual Membership Meeting. Emailed both of these to the Board of Directors for their review and comment. Will have a brief meeting just prior to the Annual Meeting to go over the presentation. So far five of the Board Members approve of the amendment to the Declaration for presentation to the membership.
- 230130: Received a Notice of Appraisers' Hearings and Viewings which deals with the City and their condemnation proceedings against KCPL, Verhaeghe, Schraeder, Craig, Verhaeghe, Western Capital Inc., and Staten. Ryan's Run was named as other interested parties on the Schraeder and Craig proceedings. A public hearing will be on February 21<sup>st</sup> at 1pm and viewings on February 22<sup>nd</sup> at 10am or soon thereafter.
- 230131: Prepared a draft of the minutes for the 011623 Board of Directors meeting for Jim Wirt's review and comment.
- 230201: Held a meeting of the Board to go over the materials (slide deck and amendment) for the annual meeting, as well as how we will implement the meeting. Only Steve Grier and Myra Schraeder were able to attend. A few minor edits were made to the materials, and the group discussed implementation of the meeting.
- 230202: Sent out via email to the membership the slide deck and amendment for their early review of the materials prior to the meeting. Also, provide the zoom meeting link.
- 230205: Sent out email to the membership notifying them that we did not have a quorum for tonight's annual membership meeting and advising that we will now have a



face-to-face membership meeting on Wednesday, February 8<sup>th</sup> at 7pm in my garage. In a later email, we added zoom meeting capability for those who could not come in-person.

- 230208: Brian Kramer, on behalf of the Board, sent an email to Jeff Ashner (Wilshire Hills Development) concerning trash buildup only the property line between his development and Ryan's Run and that he may want to address this issue before it gets worse. Jeff responded quickly and advised that he is currently out of town, but would check into this issue upon his return. He advised that he directed the contractors to cleanup. He will see what kind of a job that they did.
- 230208: Held the 2023 Annual Membership Meeting at Monty's Nigus' garage. Thirteen homeowners were present at the meeting, and three homeowners were online via zoom meeting for a total of 16 homeowners at the meeting. This number satisfied quorum requirements.
- 230210: Jim Wirt and I finalized the meeting minutes for the 011623 Board Meeting. The minutes were also sent to Kim Wirt for posting to the Association's website.
- 230214: Completed the 2023 Annual Membership Meeting Minutes. Sent the minutes, slide presentation, and audio version of the meeting to Kim Wirt for posting to the Association's website.
- 230215: Emailed the slide presentation and minutes for the 2023 Ryan's Run Homes Association Annual Membership Meeting to the membership. The email also designated two times in which the members can come to sign the amendment for incorporating assessments into our Declaration (i.e., Saturday, February 18<sup>th</sup> and Tuesday, February 21<sup>st</sup>).
- 230215: Prepared and distributed to the Board an agenda for the 022323 Board Meeting.
- 230216: Myra Schraeder provided a treasurer's report from the first of the year till February 23<sup>rd</sup>. This is to supplement the hand-off information to the new Treasurer.
- 230218: Received receipts from Kim Wirt for the Association's website (\$115.00) and email address (\$35.00). I will forward these receipts to the new Treasurer for reimbursement once one has been selected at the upcoming 022323 Board Meeting.
- 230218: Held a signing session in my garage for homeowners to come by between 10am to 2pm to sign the First Amendment to Ryan's Run Homes Association Declaration. Only four (4) signatures were obtained.
- 230221: Held a second signing session in my garage for homeowners to come by between 6pm to 8pm to sign the First Amendment to Ryan's Run Homes Association Declaration. Only two (2) signatures were obtained.

#### Above Activities Included with 230223 Board Meeting Minutes



- 230223: Held second Board Meeting of 2023. This meeting was face-to-face and included the recently elected slate of Board members from the 2023 Annual Membership Meeting held on 020823. Five of the seven Board members were present, which still represented a quorum for the meeting.
- 230225: Walked some of the neighborhood to collect some signatures for executing the amendment to the Declarations for incorporating an assessment process. Collected six signatures. One homeowner declined to sign.
- 230227: Prepared a draft of the 022323 Board Meeting minutes and sent the draft to Terri Gabler for her review and comment.
- 230227: Myra Schraeder filed the Association's annual report with the State of Kansas. A copy of the report will be posted to the Association's website.
- 230301: Received the following documents from the District Court of Johnson County, Kansas Civil Court Department associated with the 167<sup>th</sup> Street Improvements Project. Ryan's Run was named as other interest parties associated with the homeowner's involved in the settlement. The Documents are Notice of Filing of Appraisers' Report, Affidavit of Service of Appraisers' Report, and Report of Appraisers.
- 230301: Terri Gabler and I prepared the final Board of Director Meeting Minutes for the 022323 meeting and had them posted to the Association's website.
- 230309: Received hard copy of Notice of Payment of Awards and Costs and Certificate of Service of Notice of Payment of Awards and Costs via US mail. This is in regard to KCPL's interaction with the City of Overland Park concerning the 167<sup>th</sup> Street Improvements Project.
- 230309: Received hard copy of Defendants Schraeder's Motion for Withdrawal of Appraisers' Award Under K.S.A. 26-510(b) without Prejudice to Right to Appeal via US mail. This is in regard to Schraeder's interaction with the City of Overland Park concerning the 167<sup>th</sup> Street Improvements Project.
- 230310: Michelle Saporito sent out an email to the membership as an early reminder of the Neighborhood Garage Sale event coming up at the end of April.
- 230317: Filed a change of resident agent and/or change of registered office request to the Kansas Secretary of State. Monty Nigus will serve as the registered agent. Lyle Pishny, our current registered agent, wished to step down as our agent. Sent Lyle a confirming email that the change has now been completed. Posted the change document with the Kansas Secretary of State to the website.
- 230404: Continued to obtain homeowner signatures for the assessment amendment. So far, thirty-four homeowners have been contacted directly leaving eight more to be solicited.
- 230404: Michelle Saporito sent out another email to the membership as a reminder of the Neighborhood Garage Sale event coming up at the end of April along with information concerning advertising for the sale.