



Ryan's Run Homes Association Board of Directors Meeting Meeting Minutes November 2, 2023

The Ryan's Run Homes Association's Board of Directors (BOD) met at 7:00pm on November 2, 2023, at Monty Nigus's garage. Four 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, provided a treasury summary via email prior to the board meeting. This summary included the following:

➤ Beginning balance 5/19/23 =	\$2,050.69
➤ Receipts (Association Assessments) =	\$1,900.06
➤ Expenses (Picnic and Printing Costs) =	<u>(\$204.94)</u>
➤ Ending balance 11/2/23 =	\$3,745.81

It was noted that the amount for the Association assessments seemed low given that 41 of the 42 homeowners had submitted their assessment. A check verified that a \$150 deposit had not been accounted for in the assessment total. Furthermore, during the board meeting, the last homeowner had submitted their assessment of \$50. Thus, the total receipts for the Association assessments are **\$2,100.06**, making the ending balance **\$3,945.81**.

We are happy to report that all 42 Association homeowners submitted their assessment for the year.

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.
 - It was noted that no new progress relative to planning entrance monuments/signs had occurred. The Board commenced a general discussion on this subject and decided that we need to make sure that the Association is officially onboard with moving forward with planning on this topic. At last year's Annual Meeting, this topic was discussed in general, but no vote or final decision was made to move forward. Thus, the Board agreed to bring this matter up at the upcoming Annual Meeting and get member input and concurrence on moving forward with planning.
- ✓ Neighborhood Culvert Replacement and 167th Road Improvements.
 - It was noted that the City's culvert replacement project in our neighborhood had been completed this year. We hope that this work created minor impacts to the neighbors who were directly affected by this work.
 - It was also noted that the 167th Road Improvements were progressing very slowly. Most likely, this work will pick up once the Switzer Road Improvements have been completed. Schedule-wise, there has been no indication as to what the current schedule is. Presumably, it is still scheduled for completion by the end of 2024, but this seems highly unlikely.
- Public Relations Committee:
 - ✓ Annual Neighborhood Garage Sale Feedback – The neighborhood garage sale was held from Thursday, April 27th through Saturday, April 29th. It was a complete success, although perhaps the number of participating homeowners was down somewhat from last year. We want to again thank Darcie Kramer for planning and coordinating the event for the Association.
 - ✓ November 2023 Newsletter – The Board noted that the 2023 November Newsletter should be published prior to the upcoming Association Christmas Gathering. Thus, publishing and distributing should occur around November 20th. Monty Nigus agreed to start a draft of the newsletter for everyone's comment and input. Michelle will also help with drafting the newsletter. As with the last newsletter, we will distribute both hard and electronic copies of the newsletter to the membership.
 - ✓ Annual Christmas Gathering – The Annual Christmas Gathering will be held on Saturday, December 2nd at Tanner's at 143rd and Metcalf from 6-9pm. It was noted that we request a RSVP from attendees by November 27th to help plan ordering snacks/appetizers for the activity. The Association will provide snacks and appetizers, but the attendees will be responsible for the costs of their own drinks. The Board agreed that



donations for this year's Christmas charity will again be to the Stilwell Baptist Church Food Pantry.

- ✓ New Neighbors - Monty Nigus advised the Board that new neighbors have moved into the residence at 16865 Grandview (the previous Kangas place). They are Ryan and Lindsey Kranz, and they have a 4-year-old daughter, Reese. Monty provided them with a copy of the Association's documents and advised that these documents are also on the Association's website at www.ryansrunhoa.org. Please welcome them. They will be a great addition to the neighborhood.

3. The next order of business was to plan the 2024 Annual Membership Meeting as follows.

The Board agreed to hold the 2024 Annual Membership Meeting on Tuesday, February 6, 2024, at 6pm at Monty Nigus's garage. For members who cannot attend in person, but wish to attend, "zoom" meeting capability via the internet will be provided.

Topics for the annual meeting were discussed by the Board and included the following. Monty Nigus will draft a PowerPoint presentation for the Board's review at the next Board Meeting, which will be a couple of weeks prior to the Annual Meeting.

- Summary of past year's activities.
- Candidate Board Members for Membership Approval. Three candidates will be required to replace Mike O'Neal, Steve Grier, and Monty Nigus, who have completed their 3-year term.
- Review of Association Finances and Future Potential Costs.
- Discussion and Membership Approval to Move Forward with Planning Entrance Monuments/Signs.
- Other topics, etc. (such as should we be doing anything about existing speeding on our neighbor streets).

4. The next order of business was activities associated with the Association's By-laws and Restrictions. The Board agreed that there were no issues with or updates to the current Association legal documents at this time.
5. The last order of business was to establish the date and time of the next Board Meeting. The Board decided to meet on Thursday, January 25, 2024, at 7pm at Monty Nigus's garage.

Meeting Adjourned approximately at 8:30pm.

Attachments: Agenda, Ryan's Run Homes Association Activity Log

Prepared By: Monty Nigus, President



Ryan's Run Homes Association
Board of Directors Meeting
November 2, 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 Feedback.
 - ii. November 2023 Newsletter.
 - iii. Annual Christmas Gathering.
 - iv. New Neighbors.
3. Annual Membership Meeting (2024)
 - a. When.
 - b. Candidate Board Members.
 - c. Association Finances and Future Potential Costs
4. By-Laws/Restrictions.
5. 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 Oder Approving Eminent Domain Petition and Appointing Appraisers. Apparently, the City is still having issues with Kansas City Power & Light regarding the 167th 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 18th. 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 5th 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 21st at 1pm and viewings on February 22nd 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 8th 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 18th and Tuesday, February 21st).
- 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 23rd. 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 167th 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 167th 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 167th 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.



Above Activities Included with 230405 Board Meeting Minutes

- 230405: Held **third** Board Meeting of 2023. This meeting was face-to-face. Five of the seven Board members were present, which still represented a quorum for the meeting.
- 230405: Received an email from a neighbor advising that they did not want to be a part of the HOA. He thinks that there was not an HOA at the time that he moved into the neighborhood. Advised the neighbor that we disagree with his characterization of the existence of an HOA for our neighborhood, and who are members. Noted that the Ryan's Run Homes Association, Inc. has been around since the 1992 timeframe, which would encompass the time in which he has lived in the neighborhood.
- 230411: 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.
- 230412: Prepared the minutes for the 040523 Board of Directors meeting and sent to Kim Wirt for posting to the website.
- 230427: Finalized the "First Amendment to Ryan's Run Homes Association Declaration (Formerly Blue Valley West)" for incorporating assessment into our legal documents. Had the document notarized and then filed the document with the Register of Deeds of Johnson County, KS. The registration of the document cost \$160.77, which will be reimbursed by the Association. Sent a pdf of the document to Kim Wirt for posting to our website. Sent a copy of the document to the Board via email to advise completion of the document.
- 230515: Received an email from Terri Gabler with the treasurer's report for the newsletter.
- 230517: Sent out a reminder email to the membership advising of the upcoming annual summer gathering scheduled for June 11th, and that we still are looking for someone to host the event asking them to reply by May 20th if they wished to host.
- 230520: Sent Kim Wirt a markup of the website with the latest information for her incorporation.
- 230521: Finalized the May 2023 newsletter and Annual Assessment Information Letter. Sent electronic version of newsletter to membership via email. Provided hard copies of the newsletter and Annual Assessment Information Letter to each homeowner. Added the Annual Assessment Information Letter to the website.
- 230523: Received an email from a neighbor with concerns about another neighbor who has installed a chicken coop and has some chickens. They wanted to know if having chickens is in accordance with the Association's restrictions. I advise that the Board will look into this matter.
- 230524: Advised the restrictions committee about the chickens in the neighborhood, and they will look into the matter. Overland Park currently has a pilot



program going on concerning chickens, but it requires a permit. The Johnson County Regulations (2008) do not allow chickens unless with a Conditional Use Permit. The RRHA restrictions do not allow chickens. The Board will need to consider this matter and determine how to move forward.

- 230524: Received a text from Brian Kramer advising of a special zoom call being sponsored by Fasi Farassati concerning the upcoming election and Ward 6 nominees. Apparently Scoot Hamblin is not eligible in which case Chris Newlin would be running unopposed. The call will be about getting someone to run against Newlin.
- 230524: A neighbor advised that a neighbor has some chickens which violates the Association's restrictions. I advised the Board was looking into this matter. Other neighbors over the course of several days have also expressed this concern. Another neighbor advised that they had a concern because chickens could entice coyotes into our neighborhood which could endanger small dogs and cats.
- 230605: Prepared a draft restriction enforcement letter to the neighbor, who has chickens. Sent the draft letter to the Board for their review. Five of the seven directors responded favorably to send the letter. One director was gone on vacation, and one director had not yet responded. Since a majority agreed to send the letter, mailed the letter on June 5, 2023.
- 230607: The neighbor responded via email to our restriction enforcement letter. He apologized as he was unaware of the restriction. He asked what sort of solutions we could pursue? Advised the obvious one was to get rid of the chickens. Further advised that the Board would discuss and get back to him on solutions. After asking further questions about the intent of the chickens, the neighbor provided additional information.
- 230607: The neighbor with the chicken issue, also advised that he was going to build a ninja warrior course in his back yard and was wondering if there were any HOA concerns about it. Advised that I would advise and discuss with the Board. The course would be approximately 26'x16' and 8' high with some areas as high as 12'.
- 230625: Sent my and Michelle's expenses for the Summer Gathering to Terri Gabler, along with some newsletter printing costs. She will distribute payment checks to us.
- 230627: Called Danielle Hollrah (tele: 913-895-6194 ; email: Danielle.hollrah@opkansas.org) with the City's planning department. We had worked together on some previous issues regarding the City; thus, I had somewhat of a working relationship with her. I asked her about chickens in Overland Park and the City's Chicken Pilot Program. She initially advised that the HOA restrictions would govern, if more restrictive than the City's and the County's 2008 regulations at the time of the annexation. She advised that, because of the annexation, the 2008 County regulations would govern over that of the City's. However, she advised that the City's chicken pilot program would be city wide and would include our neighborhood. The pilot program is to end by the end of this year, which would include the trial ordinance. She noted that at



the upcoming July 12th subcommittee Public Safety Meeting that preliminary results of the pilot program would be discussed. Advised her that we have a neighbor who has chickens on their lot with no permit, etc. She advised that they would be in violation of the regulations. The violating neighbor could contact the City and obtain a permit. She noted that if there is a complaint that the complaining person could contact animal complaints on the Overland Park Cares website. An animal control officer would come out and resolve the issue and would either get rid of the chickens or make sure the homeowner is in compliance with the pilot program requirements. She noted that Scott Hamlin, our Ward 6 representative is on the committee.

- 230627: Also discussed the ninja warrior course that the neighbor was proposing to build with Dannielle. She advised that playgrounds, such as this, do not require a City permit. She suggested that I call the Building Safety department and inquire about if there are any permits required relative to this structure. The person at the Building Safety department advised that there are no permits required and that the City does not need to review. This would mean no review for side and rear yard setbacks. However, she advised that perhaps the homeowner would be respectful of setback requirements and abide by them, but there are no restrictions in this regard for playground equipment.
- 230628: Received an email from John Hartley advising that they have purchased another home and will be moving out in November.
- 230716: Terri Gabler sent out an email to the membership advising that the deadline for assessments is due on August 1st.
- 230723: Sent a note to the Board advising that the neighbor who had chickens have moved from Ryan's Run; thus, the issue with chickens in the neighborhood is no longer an issue. Also, sent a note to the membership advising them of the same information. Many of the members knew about the chicken issue and were probably wondering what was being done about it.
- 230723: A member advised that the trees along 167th to the west of Grandview were blocking the view of drivers to the west who are turning from Grandview onto 167th Street. This creates a driving safety hazard. These trees are the City's trees; thus, the City was contacted via OPCares, and a case code was opened up. This case code was directed to the Parks and Recreation Department for action as the City's trees are maintained by this department. By August 16th, no action had been performed by the City on this matter. The City was contacted, and they advised that this matter was still on their list, but due to the recent storm damage, it would be a while before they could get to it. Therefore, Sharon and I trimmed the trees to alleviate the safety issue to drivers.
- 230802: A flyer advising of a get-together for Dr. Faris Farasetti's re-election to the Ward 5 City Council position was sent to the membership for their information. Faris was instrumental in helping Ryan's Run negotiate with Wilshire Hills Development a couple of years ago.



- 230804: A member sent an email questioning some of the policies and actions by the HOA, particularly with regard to the chicken issue. A summary email was sent to the entire membership providing a detailed description of actions taken by the Board and the HOA. The summary email, along with comments made by some of the past members of the Board provided a clear explanation and addressed the questions.
- 230809: Terri Gabler advised that there were four members who have not paid the 2023 assessment. Assessments were due August 1st.
- 230824: Received an email from Platinum Title LLC, who is involved with the closing for the house at 16865 Grandview, requesting answers to questions concerning the Association assessments (dues). The answers were provided on August 25, 2023. The closing is scheduled for August 30th and the new buyers are Ryan and Lindsey Kranz.
- 230825: Received an email from Todd Henre of Security 1st Title asking about the address for Ryan's Run Homes Association. I gave him "Ryan's Run Homes Association, Inc., 16795 Grandview Street, Stilwell, Kansas 66085". This is my address since I am the Registered Agent for the Association. The information requested concerns the closing of the property at 16865 Grandview Street.
- 230906: John Hartley advised via email that Beverly and he will be moving out on November 18th and that his house is for sale.
- 230910: Sent out reminder emails to three members who have not yet paid their August 1st assessment.
- 230918: Met the new neighbors who recently moved into the home at 16865 Grandview. They are Ryan and Lindsey Kranz. They have a 4-year-old daughter, Reese. I provided them with a hard copy of the major Association legal documents.
- 230928: John Hartley advised that their house had sold and that he would be moving out November 17/18, and the new owners would be moving in no sooner than December 1st.
- 231031: Sent the May 2023 newsletter to Kim Wirt for uploading to the Association's website. This file uploading was not done earlier this year.
- 231031: Prepared an agenda for the 231102 Board Meeting and sent it, along with the summary of Board activities, to the Board Members in preparation for the meeting.
- 231102: Received email from Terri Gabler concerning the Treasurer's Report for the 231102 Board Meeting. Upon review, advised Terri that the report seemed to be missing a couple of assessments. She reviewed and advised at the Board Meeting that this was the case (\$150 – three assessments). Also, during the Board Meeting, the last outstanding assessment was paid in the total amount of \$60 cash, which was too much. \$10 cash will be refunded to the homeowner.