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*Milburn Fields Board Meeting*

*July 6, 2023*

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**Mission Statement:**

The Milburn Fields HOA Board serves the members by maintaining and enforcing the by-laws in a manner consistent to uphold the value of the neighborhood, bring financial value to the members through reputable service contracts, and foster & grow a sense of community.

Milburn Fields HOA gathered at the Panera at 75<sup>th</sup> and Antioch at 6:30 p.m. on 07/06/23. Alex Payne, Terra Herzog, Traci Higbee, Justin Wetterer, Sarah Hendrix, and Jan Schwert were present. We also had several visitors from the neighborhood who came to this meeting: Lydia Bianchi, Stephanie Frey Dodson, Rosie Frey, David Fyten, Ralph Herzog, Mike Urban, Bethany King, Erik Coon, and Julie Bernhardt.

Our first order of business was to approve the minutes from our last meeting. Alex moved and Terra seconded that they be approved.

Justin Wetterer gave us a treasurer's report. He pointed out that three homes have sold this month. For one of the homes the board allowed an exception. The annual dues were not paid, but we continued trash service and tracked all trash fees, annual dues, and assessments. These monies were returned to the association upon the sale of the home. A copy of this treasurer's report will be kept in MoneyMinder and can be requested if there are questions. He also reported that we are in the process of moving the money from one of our annuities into our checking account to cover the increase in our fees for GFL - they added a fuel surcharge fee for the last half of the year.

**Facebook group status**

We discussed whether we should close our Facebook page. The board discussed the assertion by our attorney, Lesley Willson, that the Facebook page is a liability due to its unmoderated platform. The board asserts that the HOA page has become a liability to the association, and we should strongly consider closing the group as we are not required by law to maintain any social media. Residents attending had mixed feelings – many of us love the page for its recommendations and promotion of activities in the Overland Park/Kansas City area, but the board is no longer willing to be responsible for a Facebook page which we cannot manage. No final decision was made.

**KS HRC and HUD investigation Update**

Both Kansas and HUD are investigating the complaints that have been filed against the board. Our insurance company is representing us in these cases. We have submitted all the documentation that

they have requested of us and are awaiting further communication from them. We have been told that they have 100 days to respond to the case, but there has been an extension, so we have no idea when these complaints will be settled.

### **Petition meeting**

As a result of the initial lawsuit filed against us, Bethany King has circulated a petition around the neighborhood to force Alex to resign his position on the board. She needs a minimum of 67 signatures to call such a meeting. She submitted a list of 68 signatures. After checking them against our list of homeowners and county property records, we found that 7 of them are not legal homeowners, 2 have addresses that cannot be determined, and one party has rescinded his/her signature. The board has decided in order to be transparent we will go ahead and call a meeting. It is scheduled for 6:30 p.m. on August 22nd at the Antioch Library.

### **Bylaws project update**

Terra is hoping to have the first draft of our bylaws update ready for review by mid-July. We will host a town hall style meeting in November for neighbors to review a final draft and to ask questions. In the meantime, the drafts will be available to review on-line through our HOA website. There will be a copy of the original bylaws, a red-line version showing edits, and a clean copy of the proposed draft.

### **Resident emails and concerns**

The reason that we had several people from the neighborhood come to this meeting is because a neighbor has posted on Facebook that the board is going to put liens on homes to pay legal fees. The lawsuit has been resolved in mediation without using HOA funds. The HOA board utilizes our HOA attorney, Rod Hoffman, as needed.

A neighbor asked about the dissolution of the HOA. This is a complicated, lengthy process that has many steps. It is not recommended, nor will it be pursued by the board. We hope that the current situation will not prevent people from volunteering and supporting our community by serving on the HOA board in the future.

The city of OP contracted with Miles Construction to do our street work two years ago. Workers from the city and from Miles have walked around the neighborhood to look at the sod and the new trees that were planted to determine if they are healthy. They will replace sod in some areas, and they will replace trees that are not doing well. The new contact for this project through the city is Andrew O'Conner – [Andrew.oconnor@opkansas.org](mailto:Andrew.oconnor@opkansas.org)

The meeting was adjourned at 7:50. Our next meeting is scheduled for August 10<sup>th</sup> at 6:30 p.m. at Panera.