

Re: The Letter from Evans/Mullinix

Dear Friends & Neighbors,

Once again, the Milburn Fields HOA Board, and specifically Mr. Alex Payne, finds itself in the position of defending itself from a homeowner's accusations. Please understand that each of us empathizes with the frustration of this ongoing issue. In this letter the HOA will address the accusations and inaccuracies that was received in the letter from Mr. Samuel Klaassen.

We refer you to the letter from legal representatives included for a detailed summary of legal updates.

We feel that your informed decision on the material is important. We encourage you to research and review all materials to form your own decision. We encourage you to ask questions or request more information.

Resources Available:

You can review open cases brought forth on the free website for the Kansas District Court Portal:

<https://prodportal.kscourts.gov/prodportal>

As for any allegations of criminal investigations and police reports, you can request information from the Overland Park Police Department here: <https://opcares.opkansas.org/forms/open-records-request>

2023 and 2024 Financial Reports are included for full transparency. For past reports, please visit:

<https://milburnfieldsop.com/home/annual-meetings-2> or request via email milburnfieldsjoco@gmail.com.

Legal fees paid by the Board: The Board reached out to Rod Hoffman various times for legal consultation.

- The accusing homeowner repeatedly emailed Mr. Hoffman for day-to-day HOA business matters or HOA records to which he has no access to.
- Since October 2023, the Board has directed the accusing homeowner to reach out directly to the Board via email with requests instead of Mr. Hoffman, as it only incurred unnecessary legal fees.
- The Board has informed Mr. Hoffman it is not necessary to communicate to prevent future invoices or legal fees.
- The HOA has all invoices from Martin & Pringle law offices available.

Director and Operators Insurance: The insurance company decides if it will involve itself in legal actions based on the parameters of the D&O insurance policy. None of the legal expenses or attorney's fees for any of the matters handled by the Luder & Weist law firm has been paid "from the HOA's bank account" – or billed to the HOA.

The HOA Board in 2018/2019 secured the D&O policy which became effective in May of 2019. The policy premium in 2023 was \$971.00 and \$1081.42 in 2024. This policy has covered the vast majority of legal expenses – with the exception of fees mentioned above.

We look forward to everyone attending our Annual Meeting on 4/6/25. It's important that everyone is aware of what's going on in not just Milburn Fields, but Overland Park, and we encourage you to attend.

Milburn Fields Annual Meeting

April 6, 2024

President Alex Payne called the 2024 annual meeting to order at 1:35 pm on April 6, 2024. Alex introduced the current board members. In attendance were Alex Payne, Terra Herzog, Justin Wetter, Emma Barton, Sarah Hendrix, and Jan Schwert.

We then heard from our 4 guest speakers:

- Mayor Skoog updated us on city news.
 - Framework OP – a comprehensive plan for city growth for future development. It explores topics such as housing, population, parks and recreation, community services and economic trends.
- Jermel Stevenson, the director of Parks and Rec, updated us on the plan for changes to city parks and rec facilities.
 - The city has a 20-year master plan to bring together all the city parks. There is also a desire for more event spaces and programs in our parks. There is also a forestry master plan which looks at the types of trees in the city, with a special emphasis on diversity.
 - The item of most interest to our neighborhood is the Marty Pool, which will be demolished later this summer and replaced with a small neighborhood park. There are no definite plans yet. Sarah Hendrix, Faith Henry, and Cindy Harris volunteered to be on the committee that will look at options for the park. It is scheduled to open summer of 2026.
 - The new fire station is scheduled to open later this summer.
 - Antioch Acres Park, which is a short distance from our neighborhood, is scheduled for an upgrade next year – new rest room facilities and a new shelter.
- Logan Healy, OP City Council Ward 1, told us that the city is studying options for the 79th St. corridor – changes to make it more friendly for bikers and walkers. There is also discussion around adding a south entrance to Antioch Park to make it more accessible for bikers and walkers.
- Holly Grummet, OP City Council Ward 1, spoke about public works and FAED (the Finance, Administration + Economic Development Committee).

After the speakers, we began the business portion of our meeting. The minutes from our meeting in 2023 were presented and accepted. Justin presented the Income/Expense report for 2023 and our 2024 budget. The vote to accept/reject these items was on the ballot. They were both accepted.

- Bulky item pick-up – Each neighbor can call GFL one time per year to have 1 bulky item picked up for no charge.
- Neighbors-helping-neighbors – This program offers resources for older homeowners who need help with yard work or property repairs. NEC would like to have a neighborhood set up a pilot program. The city of Shawnee currently has this program, and it is something that the board is interested in looking into.
- Rescheduled block party - We had planned a block party last fall for Halloween, but after rescheduling twice due to the weather, we postponed it until May. We will meet at Antioch Acres Park on May 4th. The HOA will grill hotdogs and provide buns and condiments. Attendees will be asked to bring a side dish or dessert and a chair for seating. There are tables and benches in the pavilion, but extra seating may be needed if we get a large turnout.
- New Garage Sale Weekend signage – When we made our current signs, our neighborhood garage sale was held Thur. – Sat. The last several years we have held it Fri. and Sat. The signs have been used for many years and are not in good shape. We will replace the signs announcing a Weekend garage sale that can be reused year to year.
- Updated neighborhood monument signage – we have neighborhood signs on 2 corners of our neighborhood which are not in good repair. One sign is at 71st and Lowell and another is at 71st and Santa Fe. There was a question on the ballot asking if the neighborhood wanted us to investigate this and the question was passed. We will investigate replacing those signs in 2025.
- By-laws update project – we have paused the work on the project to reformat our by-laws for now. It may be restarted in the future.

Each homeowner was given a ballot when they signed in. We have 4 positions open on the board. Only 2 neighbors volunteered to serve. Jan Schwert ran for a 1-year term to replace Trent Sorensen who resigned. Emma Barton ran for a 2-year term. Both were elected to serve.

Meeting was adjourned at 3:00 p.m.

Respectfully submitted,
Jan Schwert

Financial Reports for the past two years.

Notable Items 2023:

Legal fees are associated to HOA consultation with lawyer regarding resident records requests and special meeting.

Printing and Postage costs for the special meeting in August was not in previous budget.

Notable Items 2024:

Homeowner Dues have remained \$12.

Trash costs fluctuate as our service provider contract states an annual increase of 6%.

Legal fees associated to resident communication with HOA lawyer.

2023 Milburn Fields HOA Income/Expenses			
	Income		Expenses
Annual Dues - HOA	\$6,886.00	WCA Trash & Recycling Fee	\$60,279.47
Annual Dues - Trash	\$57,683.50	D&O and Bond Insurances	\$ 971.00
Late Fees	\$93.00	HOA Software	\$ 246.92
PayPal Fee (Balance Leftover)	\$261.57	PO Box Rental	\$ 248.00
Picnic rental refund	\$65.00	Safe Deposit Box Rent	\$ 20.00
		Annual Kansas Secretary of State Filing Fee	\$ 40.00
Title Transfer Fee	\$750.00	Website Fees	\$ 391.20
		Annual General Meeting (non-printing, non-postage)	\$ 150.00
Income Totals	\$65,739.07	Annual Neighborhood Picnic	\$ 65.00
		Bank Charges	\$ 16.80
		Legal Fees	\$ 3,544.00
		Miscellaneous	\$ 216.00
		Office Supplies	\$ 536.68
		Postage	\$ 189.00
		Printing	\$ 884.20
		Special Meeting (Day of)	\$ 200.00
		Special Meeting (Postage/Printing)	\$ 1,336.32
		Welcome Baskets	\$ 86.24
		Expenses Totals	\$69,420.83

Milburn Fields HOA FY 2024 Treasurer's Report 01/01/2024 - 12/31/2024		
INCOME	Income	
Annual Dues - HOA	\$3,010.59	
Annual Dues - Trash	\$59,087.20	
Late Fees	\$25.30	
PayPal Fee (Balance Leftover)	\$23.39	
Title Transfer Fee	\$850.00	
Early Dues Carryover	\$1,784.85	
TOTALS	\$64,781.33	
EXPENSES	Expenses	
Operating Expenses		
> GFL Trash & Recycling Fee	\$63,342.86	
> D&O and Bond Insurances	\$1,081.42	
> HOA Software	\$268.22	
> PO Box Rental	\$256.00	
> Website Fees	\$167.88	
Legal Fees	\$657.00	
Office Supplies (includes Printing)	\$70.76	
Postage	\$225.50	
Annual Garage Sale	\$328.06	
Annual Neighborhood Picnic	\$295.85	
Bank Charges	\$16.95	
Refunds	\$100.00	
Welcome Baskets	\$233.51	
Resident Returned Check	\$253.00	
Refunded Purchase	\$11.44	
TOTALS	\$67,308.45	
Starting Bank Balance 1/1/24	\$11,988.03	
Ending Bank Balance 12/31/24	\$9,460.91	

2025 Milburn Fields HOA Budget

<i>Funds available at beginning of financial year (01/01/2025)</i>		\$9,460.91
<u>Income</u>	<u>Budgeted Income</u>	
Annual Dues - HOA	\$3,180.00	
Annual Dues - Trash	\$66,555.00	
Interest Income	\$550.00	
Late Fees	\$50.00	
PayPal Fee (Balance Leftover)	\$70.93	
Title Transfer Fee	\$750.00	
Income Totals	\$71,155.93	
Expenses		Budgeted Expenses
GFL Trash & Recycling Fee		(\$66,555.00)
D&O and Bond Insurances		(\$1,081.42)
HOA Software		(\$260.00)
PO Box Rental		(\$232.00)
Annual Kansas Secretary of State Filing Fee		(\$40.00)
Annual Outside Financial Audit		(\$200.00)
Website Fees		(\$250.00)
Office Supplies (including Printing)		(\$250.00)
Newsletters - Non-email residents		(\$100.00)
Postage		(\$200.00)
Annual General Meeting		(\$100.00)
Annual Neighborhood Picnic		(\$500.00)
Bank Charges		(\$15.00)
Welcome Baskets		(\$100.00)
Yard of the Month Gift Cards		(\$175.00)
Grand Totals	\$71,155.93	(\$70,058.42)

Milburn Fields HOA Annuities

<u>Annuity Name</u>	<u>Current Total</u>
Annuity #1	\$5,899.87
Annuity #2	\$35,399.01

2025 Milburn Fields HOA Voting Ballot

2025 HOA Items to Approve

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	2024 Annual Meeting Minutes
<input type="checkbox"/>	<input type="checkbox"/>	2024 Annual Treasury Report
<input type="checkbox"/>	<input type="checkbox"/>	2025 Annual Budget

Survey Question

What month would you like a bulky item pickup?

Board Members – Vote for 4

Name	Yes	No
Alex Payne (2 yr)	<input type="checkbox"/>	<input type="checkbox"/>
Sarah Hendrix (2 yr)	<input type="checkbox"/>	<input type="checkbox"/>
Justin Wetterer (2 yr)	<input type="checkbox"/>	<input type="checkbox"/>

Name	Yes	No
OPEN	<input type="checkbox"/>	<input type="checkbox"/>
I'd like to volunteer	<input type="checkbox"/>	

Resident Name

Email Address

Address

Comments:

Voting Instructions:

1. Complete ballot with all HOA owner / resident information
2. Each homesite can cast one ballot.
3. Homeowners and Trustees are eligible to vote.
4. Mail ballots to PO Box 4277, Overland Park, KS 66204
5. All ballot votes must be **received by April 6th, 2025**
6. Ballots will be verified and counted at meeting.
7. Results will be announced at meeting end.