



FALL NEWSLETTER SEPTEMBER 2025



Scan this QR Code to
join the Annual HOA
meeting via Zoom on
October 6th at 7:00 PM

ANNOUNCING THE ANNUAL HOA MEETING OF MEMBERS

to be held Monday, October 6th @ 7PM
at the Prairie Center Elementary Gym
and on Zoom (scan QR code above).

AGENDA:

1. Call to order
2. Consideration of Fall 2024 minutes
3. Treasurer's report & budget overview
4. Review of old business
5. Area updates: Pools, Lake, Greenways
6. New business
7. Open forum for questions and comments
8. Election of 2026 board members
9. Adjournment

Respectfully submitted,
Mandy Backen, President

MONTHLY BOARD MEETINGS

The board of directors meets monthly on the
3rd Sunday of the month at 7PM via Zoom.
All meetings are open to the community.

For the agenda and Zoom link please visit
<https://www.persimmonhill.org/board-mtgs>.

The remaining Board meeting
dates for 2025 meetings are:

Sunday, October 19th
Sunday, November 16th
Sunday, December 21st

CONTACT THE BOARD

Dues payment/late fees can be paid online at www.persimmonhill.org/pay-dues

Follow us on Facebook: [Persimmon Hill First Homes Association](https://www.facebook.com/PersimmonHillFirstHomesAssociation)

Email us at board@persimmonhill.org

Call or text us at [913-353-5723](tel:913-353-5723)

SOCIAL EVENTS

The Fourth of July **Neighborhood Parade** was a huge success! With countless bike riders, numerous golf carts and others walking in the annual event, we had even more folks turn out in lawn chairs and blankets to watch and cheer on the parade. Big thanks to the Olathe Fire Department for the ever-popular *deluge* at the end and to [Outlaw Golf Carts](#) for handing out frozen treats!

The Board was in the final planning phase for hosting a **movie night** at the tennis courts later this month, when we learned that the Prairie Center PTO was doing the exact same event, as a fundraiser, the following weekend (*great minds think alike*). After consulting with the PTO and not wanting to diminish their ability to maximize their fundraising, we decided to postpone our event for now. We regret any confusion. We plan to try again in the Spring.

Mark your calendars for the 2025 **Holiday Hayride!** We are scheduled with Sharp's Farm for hayrides on Thursday, December 11th from 6-8PM. More information to come...

Let us know if you are not receiving email communications from us so that we can add you to our email distribution list and you won't miss out on future events.

PRAIRIE CENTER NEIGHBORHOODS FACEBOOK PAGE

The Facebook private group, [Prairie Center Neighborhoods](#), is not associated with the Persimmon Hill HOA. This FB group was created by parents of students at Prairie Center Elementary mainly to discuss things happening at the school. With over 1200 members, it has grown to become the *de facto* social media page for all things *Persimmon Hill, Pointe, Court & Bridlewood*. This is a great tool for building the community but is not an official means of communicating with the Persimmon Hill HOA. Likewise, our [Facebook page](#), while informative, is not an official communication vehicle.

Only emails sent to board@persimmonhill.org, phone calls or texts to [913-353-5723](tel:913-353-5723), or submissions through our [website](#), are considered official communications, questions, or feedback to the Board.

2024 Fall HOA Meeting Minutes – October 7, 2024

Board members present:

Scott Jorgensen
Mandy Backen
Bob Elsbernd

Community members in attendance in person - approximately 30; members online - approximately 40

Call to order 7:05pm - Mandy Backen

Brook motioned to approve **minutes** from last year; Amanda second the motion

Budget report as of September 2025

Final pool bill ~5,500 not included in reports, which go through 8/31/2024

Currently 78,299 ahead of schedule, but there are still pending expenses through 12/31/2024.

Amanda motion to approve; Barb second

Pool work - Scott took care of some big ticket items himself to save money

Bid to mow grass was \$48,000 for whole year, so we're keeping the same vendor for a while. It took a while to get mowers out with the wet spring, but we will keep giving them a chance due to cost.

Much discussion about the **tennis courts**, no immediate action will be taken. This is an out of reach, expensive project.

Communication - community members saying they sent an email but did not get a response. Discussion surrounding board response time.

Playground - new equipment is on order. Connecting the two playground areas into one big area with swings in the middle. Board president applied for City funding (\$4,000) to go towards the cost - application sent in 2 months prior but no approval received yet. Also adding benches & picnic tables.

Overlook pool deck was worked on this year (repair trip hazards). Sand filter was replaced at Canyon this year, going to get the pools on a rotation so that pool closures won't happen again.

Canyon pool landscaping project - city threatening board members if landscaping isn't returned to its original state. Suburban coming to plant many new trees and shrubs this fall.

Election

Dave Pfortmiller, Tommy Shavers, Mandy Backen, Bob, Elsbernd, and Scott Jorgensen elected to the board.

Open Forum

Community member requested HOA allow homeowners to have more than one keycard access to the pool. After discussion, Scott expressed hesitation due to loss of control over who has the cards. Mandy suggested talking it over with the new board.

Question from community member about when the last time the \$30,000 reserve was evaluated. Determined it has been at 30,000 for approximately 10 years.

Question from community member about if insurance coverage has been reviewed.

Question from Brent Hogan about tennis court usage and why do we think majority of tennis court users are not from the neighborhood. Also question about when we should close down one pool due to excessive expenses.

Question from homeowner about how HOA email works (who receives, auto-forward, etc)

Motion to adjourn at 8:25pm - Darlene Ortiz. Second - Tommy Shavers.

Persimmon Hill HOA 2025-26 Budget

	Through 8/31	2025 Approved Budget	2026 Draft Budget
Income			
Dues- Current Year	227,585	228,000	228,000
Late Fee	2,080	-	-
Liens	1,140	-	-
Pool Key	375	-	-
Total Income	231,180	228,000	228,000
Expenses			
Administration			
Accounting	4,800	7,200	7,200
Bank Fees	183	150	200
Insurance	8,932	8,100	9,000
Legal Fees*	17,746	5,000	4,000
Newsletters	146	800	800
Miscellaneous**	-	1736	1736
Web Page & IT	649	800	800
Total Admin	32,456	23,786	23,736
Greenways			
Entrances Repairs/Maint	391	1,000	1,000
Flag	102	200	200
Greenspace Utilities	1,163	3,200	3,000
Landscaping & Irrigation	3,369	11,000	11,000
Maintenance	195	4,000	3,000
Mowing	30,000	45,000	45,000
Playground	-	-	1,000
Snow Removal	300	1,000	1,000
Trees	1,500	5,000	5,000
Total Greenways	37,020	70,400	70,200

Lake			
Chemical Treatments	5,522	8,000	8,000
Electricity	1,202	3,000	2,500
Fountain/Aerators	2,166	5,000	4,000
Lake Repairs/Maint	-	1,500	1,500
Total Lake	8,890	17,500	16,000
Pools			
Buildings Repairs/Maint	640	28,000	3,000
Cameras	-	500	500
Chemicals/Supplies	8,019	14,000	12,500
Furniture	-	-	5,000
Keys/Lock Repair	3,420	2,000	2,500
Management Service	18,351	24,000	22,000
Permits	1,155	2,220	1,155
Pools & Equip Repairs/Maint	4,968	6,000	5,000
Utilities	11,849	16,000	16,000
Special Projects	24,350	20,000	30,000
Total Pools	72,752	112,720	97,655
Social Events			
Egg Hunt	268	350	350
Holiday Event	-	1,500	1,500
Other	529	1,000	1,000
Total Social Events	797	2,850	2,850
Total Expenses	151,915	227,256	210,441
Net Income	79,265	744	17,559
Balance carried fwd from prior yr	83,977	83,977	pending
Ending Balance	163,242	84,721	
Mandatory Reserve	-30,000	-30,000	
Available Balance	133,242	54,721	

* See next section for an explanation of increased legal fees this year.

** Misc. includes: Annual report, Board meetings, Dues statements, Lien processing fees, PO Box, Postage, Property taxes, and Supplies. All of which have zero spends so far this year.

Dear Homeowners,

As you review the financial report for 2025 and budget for 2026, you'll find a line item for legal fees with large, unplanned expenditures. This letter will explain those expenses.

During the past 18 months, we have reluctantly had to file two lawsuits to enforce our Deed Restrictions (covenants). One of those matters has been resolved. The second is ongoing and goes to trial on November 12 at the county courthouse in downtown Olathe. You are welcome to attend.

We never wish to become involved in legal disputes with our members, but we have a duty to enforce the restrictive covenants outlined in our governing documents. Most of the covenants begin with the word "no." Therefore, the board doesn't have discretion to grant exceptions to homeowners or waive these covenants. We are not the neighborhood police. We do not patrol the neighborhood and look for violations, but when violations are reported to us, we must investigate. We are keenly aware that if we ignore violations, the HOA will ultimately lose the ability to enforce any covenants.

After a violation is confirmed, our normal practice is to reach out to the homeowner and simply remind them of the issue. We know some violations occur because covenants are forgotten or because an immediate, temporary need arises. However, if our efforts for compliance are unsuccessful after several attempts, we ask our lawyer to send an official letter to the homeowner. If needed, the lawyer will send a follow up letter. In two recent instances, these efforts didn't resolve the problem, which compelled us to file lawsuits. The purpose of these lawsuits is to seek a court order for compliance with the covenants and to seek reimbursement of our attorney's fees.

Last year, one issue was a trailer and disabled vehicle continually parked in a driveway (*Johnson County case 2024CV05213 regarding §16 of the Deed Restrictions*). Even after lawsuit paperwork was served by the sheriff to the homeowner at **824 N Overlook Dr**, the trailer and disabled vehicle remained in the driveway. When the homeowner ignored the lawsuit, the judge issued a court order and the matter was finally resolved.

The November 12 lawsuit applies to quail being raised at **300 N Mesquite St**, along with certain outbuildings having been erected without prior approval (*Johnson County case JO-2025-CV-001061 regarding §12, §13, and §17 of the covenants*). The main dispute here is whether the term "poultry," used in §13 of the [Deed Restrictions](#), applies to "quail".

As a reminder, if a change to HOA Deed Restrictions is desired (i.e. to allow poultry or trailer storage), the covenants would need to be amended with positive consent of [more than 60% of homeowners](#) (in other words, 353 signatures are required).

Sincerely,

The Board of Directors

Deed Restrictions Reminders

The legal deed for each home in Persimmon Hill contains a [Deed Restriction](#) (also referred to as “restrictive covenants”) that was filed with Johnson County dating back to the original development of the subdivision in 1978. These restrictions are legally binding ordinances, on top of City & County ordinances, that must be followed by each homeowner. The HOA Board of Directors does not have the authority to grant exceptions to these restrictions, as the ordinance resides with the County.

Some of the more commonly violated deed restrictions include:

- **No signs**, advertisements, billboards or advertising structures of any kind may be erected on any lot. Home sale signs are permitted. (Election signs are exempt by KS State Statute during an election period.) **NOTE: The homeowner is responsible to remove signs placed in their yards by others (such as service advertisements).**
- No more than two (2) **dogs** and two (2) **cats** over twelve (12) weeks old. **No poultry.**
- No **outbuilding** or other detached **structure** appurtenant to the residence may be erected on any lot without the written approval of the Board of Directors. The board has an outbuilding approval form that is available on the Persimmon Hill website: <https://www.persimmonhill.org/arch-control>
- No **fence** of any kind can be erected on the border of any lot until the location, height (4' max), and material has been approved in writing by the Board of Directors. A **fence approval form** is available on the website: <https://www.persimmonhill.org/arch-control>
- There shall be no automobile repair conducted on any of the lots bound by these restrictions.
- No trailers, campers, boats or disabled automobiles shall be stored or kept outside of any residence. We allow for temporary parking of boats and trailers being prepped for immediate use.

These restrictions are in place to maintain the value of each of our homes and are enforced by the board of directors. If the homeowner does not comply, the case will ultimately be turned over to Johnson County courts for enforcement.

2026 PHFHA BOARD OF DIRECTORS ELECTION

- INSTRUCTIONS -

Only homeowners are eligible to vote. Ballots are not secret and members must include their home address and signature on their ballot. Ballots received with no address and or signature will be void.

Each homeowner may cast a total of 5 votes. The 5 votes may be cast all for a single candidate or split between multiple candidates. Ballots containing more than 5 votes will be void.

Write-in nominees are permitted, but the nominee must be a valid homeowner as listed on the deed registered with Johnson County, and the nominee must be [willing to serve](#).

Completed paper ballots returned via U.S. Mail must be **postmarked by Wednesday, October 1st, 2025** and mailed to:

PHFHA
P.O. Box 426
Olathe, KS 66051

Alternatively, a photo of your signed ballot may be sent via email, from the homeowner's email address, to board@persimmonhill.org by **5:00PM CDT on October 6th** (prior to the meeting).

Ballots will also be accepted at the in-person meeting at Prairie Center Elementary on Monday, October 6th. The cutoff time to hand deliver your ballot **at the meeting is 7:15PM CDT**.

Nominees for the 2026 Board of Directors are:	
Mandy Backen (616 N Canyon)	○ ○ ○ ○ ○
Bob Elsbernd (710 N Persimmon View)	○ ○ ○ ○ ○
Scott Jorgensen (918 N Sumac)	○ ○ ○ ○ ○
Gary Lee Jr (300 N Mesquite)	○ ○ ○ ○ ○
Dave Pfortmiller (2354 W Elizabeth)	○ ○ ○ ○ ○
Tommy Shavers (2731 W 131st)	○ ○ ○ ○ ○
Write-in Nominees:	
_____	○ ○ ○ ○ ○
_____	○ ○ ○ ○ ○
_____	○ ○ ○ ○ ○
Homeowner's address (<i>required</i>)	

Homeowner's signature (<i>required</i>)	
