

King's Deer Highlands HOA Minutes

September 13, 2004

Members Present: Bob Bimm, Tony Aguero, Dan Potter, Dan Rivers, James Van Camp

Members Absent: Mary Fortey, Chuck Hoffmann

Other Present: Allen Alchian, Tom Van Camp, Rob and Debbie Hoffman, Ken Jensen, Greg Winters, Bob Morgan

1. The meeting was called to order by Rivers at 7:00 PM.
2. Architectural Control Committee Appeal. Greg Winters of 18525 Glenthorne Lane presented a proposal to build a dirt berm sound barrier on his property adjacent to Highway 105. The ACC had approved the project on a 3:1 vote, but concerns were expressed about the berm specifications and impact on the neighborhood. The berm would be 10' tall, 25' wide at the base, and 300' long. County, highway, and KD covenant issues were discussed. Alchian summarized the ACC opinion and Morgan summarized the concerns, including the proposed slope, the construction procedures, and the appearance of the berm from adjacent lots. A maximum slope of 2:1 would indicate a maximum height of 6' and attendant reduction in the berm's noise abatement properties. Potter expressed concerns about the 100-year flood and with possible damage to Glenthorne Lane pavement during construction. James Van Camp moved and Potter seconded to amend the ACC's approval:
 - Berm height to be in accordance with engineering standards for maximum berm slope and a maximum berm base width of 25'.
 - Winters to obtain a letter opinion from a certified professional engineer as to sizing of culverts and other key aspects of the project.
 - Winters to ensure proper padding of the asphalt roadbed to avoid breakage by passage of heavy earthmoving equipment during construction.
 - No work to commence prior to ACC final review and approval of the letter opinion.

Vote: Unanimous.

3. Beetle Infestation. Rob and Debbie Hoffman reported on beetle infestation on their neighbor's lot (Classic Filing 5, Lot 4.) Glenn Scott has received training on beetle infestation and this issue has been covered in many newsletters over the years. According to the Hoffmans the owner of Lot #4 has already felled about 50 trees and will cut another 20. The Hoffmans inquired about KD HOA liability in not enforcing removal of beetle infested trees in the project. Bimm pointed out that the HOA does try to follow up, but that it is ultimately a county issue and homeowner responsibility. He stated that the HOA will continue its educational efforts. The HOA also sent out a card directing lot mowing and removal of dead and infested trees by July 15, 2004. James Van Camp noted that the HOA has no responsibility to warn buyers of lots which may have infested trees. Potter and Rivers asked the Hoffmans what action they wanted from the Board. Rob Hoffman stated that at a minimum he wanted the situation rectified on the three lots adjoining his, and that the HOA should clean up those lots at HOA expense. During ensuing discussion it was noted that in Colorado beetle infestations, like forest fires, are unavoidable events. The HOA has limited resources and time, but is trying to take action via its Covenant Enforcement Committee. In light of the severity of the instant situation, Bimm moved and James Van Camp seconded:
 - To have a forester identify beetle infested trees within the project.
 - To mark such trees for cutting and removal.

- To place initial emphasis on the area near the south end of Archers Drive.
- To spend HOA funds not to exceed \$3,000.00 for the above purposes.

Vote: Unanimous. Potter, Aguero, and James Van Camp will jointly take the lead in ensuring that the work gets done.

4. CEC Report. It was noted that the Norells had not completed their landscaping. Bimm pointed out that they had taken measures to resolve earlier issues regarding their dogs (invisible fence installed), the operation of the commercial business from the property (ceased), and the outside storage of commercial equipment (removed). Tom Van Camp showed pictures demonstrating continuing excessive parking at the property. James Van Camp asked the Board what action would be taken to bring about compliance with earlier Board direction regarding the remaining issues, which Mr. Norell had agreed to resolve. Rivers to draft a letter to Norell.
5. M&L Report. Aguero reported on the Pond remedial work. In the past the Pond had been leaking and attempts to seal it had failed. Accordingly, the Board earlier in 2004 had voted to fix it. Aguero has been in communication with the Golf Course, which has been retained to do the work. The very wet summer of 2004 has slowed the work. It is somewhat drier now and the outlook is for the work to be completed by the end of October. The Board agreed to stay the course after being assured that the budget would not be overrun. - Aguero also recommended that he be allowed to use Falcon Mowing, in addition to the contract with the Golf Course, due to the latter being overloaded due to the wet summer. Using Falcon would also be 30% cheaper. The Board unanimously agreed.
6. Social Committee. Michelle Aguero has proposed a block party for October. Bimm moved and Potter seconded to spend up to \$1,500.00. Passed 4:1 (Rivers opposed).
7. Management Company. The Board voted to hold a special meeting on September 27, 2004 to consider hiring a management company. Ted Whitman and Linda Warren will present bids. Rivers to draw up and distribute an agenda.
8. Annual Meeting Planning. Potter will circulate the agenda from last year's meeting by email. Earlier the Board set November 16, 2004 at 7:00 PM at Prairie Winds Elementary School for the meeting. Nominations for vacant seats and requests for consideration of special issues must be received by October 1, 2004, after which the formal written invitations to the meeting will be sent to all lot owners with the nominations and the agenda. The Board unanimously agreed to constitute the Nominating Committee of all present Directors plus the following two members at large: Allen Alchian and Tom Van Camp. Tom Van Camp was nominated for a two-year term.
9. The next meeting will be at 19335 Bardsley place on Monday October 11th at 7:00 PM.
10. Meeting adjourned at 10:00 PM.

Respectfully submitted,
Dan Rivers, Vice President