



King's Deer Board of Directors Minutes

May 17, 2007

Members Present: Allen Alchian (President), Dan Rivers (Vice President), Dick Robertson (Secretary), Corinne Solano (Treasurer), Penny Dyer (Maintenance Director), Marshall Boss (Covenant Director), Michael Abplanalp (ACC Liaison).

Guests Present: Steve & Diane Boggs, John Witsken

Meeting called to order at 2:50 PM.

I. Approval of April 30, 2007 Board Minutes

- A. Solano noted a correction for paragraph F 3 on page 4: change "Cindy Fenton" to "Solano".
- B. Board minutes for April 30, 2007 approved with changes per consensus of Board members present.

II. Adopt Agenda

- A. Add under IV. Director and Committee Reports F. NEPCO
- B. Add under V. Old Business Garage Sale, and Richmond American Homes

III. Officer Reports

A. Treasurer's Report

- 1. Solano is obtaining three (3) bids from accounting firms to do annual audits (starting with the year 2005 and following with year 2007, and monthly bookkeeping as well as any forensic audits if necessary. Recommendations should be available within a month.
- 2. Solano reported that the 2006 audit does not have the tractor and equipment listed. She would also like all the Board Members to review and respond prior to paying the accounting firm.

B. Secretary's Report. No report.

IV. Director and Committee Reports

A Architectural Control Committee

- 1. There are currently 58 active projects. For the year, we have four new home constructions approved, one approval rescinded and two pending projects
- 2. Eleven Project Monitor inspections have been performed.
- 3. ACC still reviewing current *Design Standards* and will have preliminary draft ready shortly.

4. ACC needs guidance and clarification on how to monitor Richmond projects. Alchian agreed to work with Abplanalp and the ACC to resolve.

B. Common Area Maintenance

1. Dyer stated that Rodney Baker, part time maintenance employee has resigned. The Board accepted the resignation effective as of last paycheck because no work has been performed after that date.
2. Dyer requested a copy of the Liability insurance from a potential grounds maintenance contractor and also received a verbal agreement stating \$75 per acre for mowing. The individual also has the ability to maintain trails, light poles and weed control.
3. Dyer stated that at this time the association has an agreement with the golf course for their mowing of the multi-use field in exchange for the association doing some rough cut mowing adjacent to the golf course.
4. Rivers asked if it was possible to sell the tractor, since the association does not have an employee to drive the tractor. Dyer is going to investigate selling the tractor and will email the board with information. Abplanalp asked for a copy of the original invoice to check Blue Book.
5. Rivers requested that Dyer gets maintenance services started. Boss moved to authorize a maximum of \$10,000 for maintenance work for the next 30 days. Abplanalp seconded. Motion carried.

C. Office

1. Office Closure. The office will be closed Thursday and Friday, May 24, 25, and on Monday, May 28, 2007. The office will also be closed Friday, July 20, 2007.
2. King's Deer Garage Sale. Classified ads have been placed with *The Gazette* and the *Tri-Lakes Tribune*. *The Gazette* will run the ad from June 6 through June 9 plus the Friday, June 8 "Clip & Go" section; this costs \$52.75. The *Tri-Lakes Tribune* will run a one-issue classified on Wednesday June 6 at the cost of \$7.00.
3. Our records and files for 2006 and 2005 are back from Biggs&Kofford.
4. Monument Library at Woodmoor Center has a room for rent (free to non-profit organizations) which holds up to 50 people. But they say they don't reserve the space; it is strictly first-come, first-served. Alchian requested this be investigated a bit more thoroughly because there are clearly groups, such as NEPCO, who are reserving the space.
5. Committees. Alchian requested Wasson to send email contacts to all committee members again because some apparently have not received the first email.
6. Wasson attended an eight hour CAI training course for "Essentials of Community Association Volunteer Leadership," which did not consume HOA funds.

7. Wasson requested direction on whether the HOA wanted to accept an offer regarding a "Super Lien." Alchian will take it to the scheduled meeting with the HOA Attorney and seek his recommendation.

D. **Director Training** - Alchian stated that although a variety of training programs are available to HOA volunteers and to the Executive Director, or financial situation does not give us the opportunity to fund formal training programs at this time. He thanked Wasson for paying for her own CAI training.

E.. **Website** - No report.

F. **Covenant Enforcement**

1. 18535 Wetherill Road. No response from owner regarding multiple trailer parking violations and multiple requests to dispose of dead trees. Directors will review the file before proceeding with further action.
2. Solano recommends Boss write up covenant enforcement policy.
3. 1218 Castlecombe Lane. Rivers stated that the sign obstructing the trail is down. Wasson talked to the Richmond site manager about the deep gouges in the road shoulder made by the Richmond tractor-trailers delivering rock to the site. The site manager indicated he was going to contact their landscape company and fix the gouges but was not aware when that would happen.
4. Alchian reminded that the lot mowing deadline this year is July 1. The executive director will be checking for mowed lots throughout the month of June.

G. **NEPCO**. Alchian attended the meeting last Saturday on "Wildfire" which addressed many of the problems in our forested areas. Alchian mentioned that a resident in the Classic section of King's Deer was burning slash in their yard, and the fire department responded to that event. The association's covenants explicitly prohibit open fires in King's Deer; Alchian requested that Wasson send the owner a letter reminding them of the restriction in the covenants.

H. **Budget Committee**

1. This committee held its first meeting on 5/17/07. Bob Sievert was named Chair of the committee. The immediate focus is to update the HOA financials and the QuickBooks records, and balance those against the bank records. Alchian commented that the initial 2008 budget proposal should be formulated sometime in August so that the board can review and still have time to make presentations to the community in late September.
2. Solano stated that the accounting records are in the process of being updated. The Executive Manager and the Budget Committee are working on balancing the accounting books with the bank records, updating uncleared checks and payments as well as uncleared deposits and other credits. This will result in the first balance sheet showing actuals vs. budget since August 2006 allowing the BOD to make financial decisions for the remainder of the year. Solano stated that there are only 13 outstanding dues payments and that they will be addressed until the next meeting. Solano stated that she is working on the overdue taxes for the 2006 tractor purchase. Solano stated that she will be working on the overdue Jan-March

2006 Federal payroll taxes and report. Robertson pointed out the tremendous work by Budget Committee members. Alchian noted for the record the Board's recognition of these efforts.

- I. **Covenant Revision Committee** - This committee will not begin its task until the status of the HOA's 2003 merger of two associations into a single association has been clarified. That will then likely dictate the most immediate task of this committee.

V. **Old Business**

- A. **Revenue Proposal.** Robertson stated that Carol Hatstrup identified homeowner associations in Colorado which have these types of fees and therefore, there is a presumption of legality. There is no need for further action at this time. The Board needs to clarify broader legal issues and policy decisions first.
- B. **Insurance policies** - Board request that a representative from the insurance company be invited to a meeting in July to review, discuss or explain our present policies and whether our coverage is complete and adequate.
- C. **Records Access policy.** Alchian stated that the association has a records access policy and asked that it be distributed to board members so they know the policy.
- D. **Review Homeowners Roles & Responsibilities.** Solano will integrate the principles and guidance from the *Homeowners Roles & Responsibilities* document into presentations being developed for new owners by the Communications Committee.
- E. **Dispute Resolution Policy.** Mediation and/or arbitration between homeowners was discussed and the role the Board of Directors should play resolving disputes between neighbors. Steve Boggs, who is a commissioned arbitrator, volunteered to draft a policy for review by the Board of Directors.
- F. **Covenant Enforcement Policy** - Boss will write up a policy if one does not currently exist, and present to the Board.
- G. **Community Meeting.** The meeting is planned for late July or early August. Alchian reminded all directors that they are expected to make presentations to the membership about their areas of responsibility.
- H. **Newsletter.** The last printed edition *Kronicles* was mailed last week. In the future the *Kronicles* will be available only by download from the web site. An email notice announcing the availability of each new edition will be sent to members who have elected to receive the notification. Directors are to provide input for the next newsletter to Alchian by Friday, June 15.
- I. **Garage Sale.** The annual event is Saturday, June 9. Requests are arriving from owners who want to have their location included on the garage sale map. The map is currently available for download on the web site and is updated as requests arrive. Ads have been placed in both the Gazette and Tribune and will run in the days immediately preceding the sale.
- J. **Richmond/Lennar.** Rivers stated that the latest information is in the newsletter. At this time Potter has sold 12 lots to Lennar with an option for another 13. Lennar might sell the lots instead of build on them because they have not submitted any plans for approval from the declarant. The Board discussed placing some wording on the web site indicating the Lennar trailer had been

removed and the site has been restored to its previous natural state; this suggests that Lennar is having second thoughts about constructing in King's Deer. The HOA has not been able to obtain confirmation from either Lennar or from the Declarant regarding the Lennar construction plans. Rivers will seek a confirmation regarding whether Lennar has made a decision on whether or not to build homes in Kings Deer.

VI. New Business

A **Meeting With Board Counsel.** The directors will meet with the HOA Attorney, Jack Scheurman on Friday, May 19th 2007 to discuss the HOA's legal status of the "combined" corporation (one homeowners association or two?) and if the vote to "merge the two associations" at the 2003 Annual Meeting followed the required procedures in each covenant

B. **Issues, Questions, Comments from Homeowners Present.** None.

Boss moved to adjourn. Rivers seconded. Adjourned at 5:58 PM

Attachments

1. Covenant Violation Report
2. ACC Report

Approved _____, 2007

President, Board of Directors

Secretary, Board of Directors