



Board of Directors Minutes
September 20, 2007

Members Present: Mike Abplanalp (ACC Liaison), Dan Rivers (Vice President), Richard Robertson (Secretary), Penny Dyer (Common Areas), Marshall Boss (Covenants) and Allen Alchian (President)

Guests Present: Julie Imada (Tribune), Diane & Steve Boggs, Jack Kearns, Bob Sievert, Carol Seyffer.

- I. Adopt Meeting Agenda.** Rivers moved to approve and Boss seconded. The motion was approved unanimously.
- II. Approve Previous Board Meeting Minutes.** Boss moved to approve and Abplanalp seconded. Motion carried unanimously and the minutes for the August 16, 2007 Board meeting was approved.
- III. Guest Presentations.** None.
- IV. Officers' Report.**

A. Vice President.

- 1. Governing Documents and Report on Community Meeting.** Rivers reviewed the results of the September 20, 2007 Community Meeting. He stated that there was a difference of opinion between residents as to whether the present Board was acting legally. Rivers recommended having the HOA attorney write an open letter to the HOA members to discuss specific points requested by the Board. Boss moved to have the attorney write a letter to the membership to 1) affirm that the Board and the Association represents all 531 properties of the King's Deer development, 2) that the Board of Directors is acting legally in conducting the business of that association, and 3) inform the membership of the nature of legal irregularities the Association confronts related to the 2003 merging of the two former homeowner associations and how those irregularities might be resolved. Rivers seconded the motion and it passed unanimously. Alchian agreed to contact the attorney and request the letter.

B. Secretary

- 1. Policies and Procedures.** Robertson reminded directors that they are each to be documenting their duties and procedures for a continuity book for their successors. He also said he has not received any policies from the directors for the Policies and Procedures notebook he is tasked to compile, and asked for their cooperation to get this project moving.
- 2. Well Authorization Status.** No update from the August Board meeting. Updates are expected every two to three months, so it will likely be November before we have new information.
- 3. Newsletter.** Robertson said the newsletter, which has not yet been sent, is now out of date, and requires an extensive revision. Directors should send their new or revised articles to Alchian by September 26. Abplanalp moved to approve mailing a hard copy of the newsletter to all residents. Robertson seconded motion. Motion carried unanimously.

4. **Annual Meeting.** Robertson reminded that the Annual Meeting is Tuesday, November 13. No venue has been confirmed at this time. Alchian will invite Jack Scheuerman, HOA attorney, if he can attend the meeting.
5. **Nomination Committee.** Robertson reported that no Nomination Committee for Board candidates, as required by the Bylaws, has been appointed. The duty is to identify at least three candidates for the Board positions opening in 2008. Alchian recommended the Secretary, Robertson, be chairman, Highlands resident Tom Haddan, and Classic resident Ed Vanderhorst be appointed to the committee; all have previously agreed. Rivers moved to appoint Robertson as chair, and Haddan and Vanderhorst as the other two members of the nominating committee. Abplanalp seconded. Motion carried with five in favor and Robertson abstaining.

C. Treasurer.

1. **Resignation.** Alchian reported he received an email from Corinne Solano on the evening of September 11, 2007, resigning from the Board of Directors; the email stated that a letter of resignation would follow.
2. **Treasurer Appointment.** Alchian reflected that director Penny Dyer is a member of the Budget Committee and has therefore been monitoring our financial activities closely; she is also experienced in running a business. Alchian asked Dyer if she is willing to add the treasurer position and responsibilities to her already substantial tasks of handling common area maintenance. Dyer agreed. Rivers then moved to appoint Dyer as treasurer and Boss seconded the motion. The motion carried with five in favor and Dyer abstaining. Dyer is the Association treasurer.
3. **Financial Report.** Alchian stated that the federal and state 2006 income tax returns were signed and mailed on September 17, 2007.
4. **2006 Audit.** One more meeting is being scheduled to resolve a final question on the audit.
5. **2007 Financials.** Budget Committee Chairman Bob Sievert presented a proposed 2007 Budget, reflecting all expenditures to-date. Rivers noted the an increased amount in the 2007 budget for Legal Counsel. Sievert confirmed the observation and explained it was necessary due to the higher than originally projected legal expenses. Abplanalp noted that according to Sievert's report, overall our spending in 2007 is in line with our income for the year.
6. **2008 Budget.** Sievert presented a proposed 2008 Budget to the Board. Alchian commented that this is a first proposal and that directors should look this over in the days ahead and plan to get back together to resolve any differences they might have in coming up with a 2008 budget that they can present to the membership. Robertson commented on two line items: Do we want to continue purchasing and storing the standard mailboxes for the membership, and if so, are we charging enough to cover the cost to the association? Is the projected level of Reserve Funding proper?
7. **Citadel Certificate of Deposit.** Alchian stated that the CD matures October 11, 2007. Rivers reminded the directors that they agreed at the last Board meeting to allow the

Treasurer to proposed and coordinate a decision with the president, and to move ahead with the action. Alchian and Dyer will take care of the Citadel CD and will inform the directors by email of their intended action.

V. Director Reports

A. Common Areas.

1. **Maintenance Status.** Dyer reported that she stopped routine common area maintenance because no financial report had been available for determining our funds availability.
2. **Tractor Sale.** The tractor has been sold for \$15,500 and the money deposited into the operating account.
3. **Fish.** Dyers is going to test the pond at Trumpeters Court and see if it will sustain fish. This could be a more environmentally friendly, and lower cost approach to controlling algae and mosquitoes than our current chemical-intensive methods.
4. **Irrigation Pipe.** The water line to the landscaping at County Line Road entrances is above ground in some places and needs to be buried. Dyer would like to get it done this year if money is available.
5. **Vandalism.** A landscape light fixture at one of the entrances was destroyed. Rivers emphasized the need to file a police report in these situation of if the culprit is found, we might be able to get the expenses reimbursed; the report also provides vandalism trend data to the sheriff's office which can be useful for how they allocate their patrols.
6. **Light Pole Damage.** Dyer reported that the light pole that is down at Lancers Court and Archers due to an automobile accident. A replacement light pole is on order and is expected to arrive in about three weeks. Alchian thanked Diane Boggs for quickly relaying the accident information to the HOA office when the event occurred, which includes information about the parties involved.
7. **Common Area Maintenance 2008.** Dyer is working to set up contracts for 2008. Proposed contracts and prices will be distributed to board members for review. The Board agreed to let Dyer sign the contracts on behalf of the Board of Directors when the contracts are ready to be finalized.

B. Covenant Enforcement

1. **Covenant Violation Report.** Hearings were held in executive session prior to the public portion of this meeting. The board issued the following judgments:
 - a. **19797 Kershaw Court.** Delinquent 2006 water meter reading: \$1000 fine. Failure to mow lot: \$100 fine plus cost for the association to have the lot mowed.
 - b. **19547 Kershaw Court. 19625 Insborough. 1005 Trumpeters Court. 19855 Upchurch. 20097 Royal Troon.** Failure to mow lot: \$100 fine plus cost for the association to have the lot mowed.

- 2. Covenant Violation Enforcement Procedure.** Boss said the *Covenant Violation Enforcement Procedure* is still at the attorney's office for final review. Robertson moved to adopt the policy as written, explaining we can alter it if the attorney finds a needed alteration. Rivers seconded the motion. Alchian commented that the policy is based on procedures in other HOAs in the area. Motion carried unanimously and the *Covenant Violation Enforcement Procedure* is approved.

C. Architectural Control Committee.

- 1. Project Activity.** Abplanalp reported that project submissions have slowed down considerably, especially for new construction. There is, however, an increase in landscaping projects.
- 2. ACC members.** Abplanalp requested a ratification of ACC members since there are a couple of members no longer participating, and then moved to approve as active members: Rich Paul, Dennis Delhousay, Andy Waclawski, George Panoncillo, Bart Atkinson, Tom Haddan, Paul Thompson, and Allen Alchian; dropped from the ACC are Mary Fortey and Vern Kuykendall. Robertson seconded the motion and it passed with five in favor and Alchian abstaining.

VI Committee Reports

A. Water Conservation Committee.

- 1. Appoint Committee Membership.** Abplanalp moved that the record of the Association shall reflect the following King's Deer members were appointed to the Water Conservation Committee effective May 17, 2007: Tony Winslow, Richard Robertson, Janet Sievert and Diane Boggs. Boss seconded the motion and it carried with five in favor and Robertson abstaining.
- 2. Annual Water Meter Readings.** The committee reviewed and approved the annual notice for water meter readings. They will soon be reproduced for mailing and then Winslow will prepare the notices for mailing and mail them on September 27.

- B. Budget Committee.** Rivers moved that the record of the Association shall reflect the following King's Deer members were appointed to the Budget Committee effective May 17, 2007: Bob Sievert, Richard Robertson, Penny Dyer, Carol Hattrup and Corinne Solano. Also, Carol Hattrup and Corinne Solano resigned from committee effective September 20, 2007. Boss seconded the motion and it carried with four in favor and Robertson and Dyer abstaining.

- C. Covenant Enforcement Oversight Committee Membership.** Rivers moved that the record of the Association shall reflect the following King's Deer members were appointed to the Covenant Enforcement Oversight Committee effective May 17, 2007: Marshall Boss, Jim Hazuka, and Carol Hattrup. Furthermore, Hattrup resigned on September 20, 2007; and Dixie Schull became a member of the committee in August 2007. Boss seconded motion and it carried with five in favor and Boss abstaining.

D. Nomination Committee.

VII. Unfinished Business. None.

